



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 100**

September 3, 1997 - Offered by JOINT COMMITTEE ON FINANCE.

- 1 **AN ACT relating to:** state finances and appropriations, constituting the
2 executive budget act of the 1997 legislature, and making appropriations.

Analysis by the Legislative Reference Bureau

GUIDE TO NONSTATUTORY MATERIAL

As is the case for all other bills, the SECTIONS of the budget bill treating statutory material are displayed in the ascending numerical sequence of the statute units affected. In some parts of the bill, not all consecutive SECTION numbers are used.

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

Following this material, the remaining nonstatutory material is displayed in this order:

9101 to 9156: Nonstatutory provisions; entity name.

9201 to 9256: Appropriation changes; entity name.

9301 to 9356: Initial applicability; entity name.

9400 to 9456: Effective dates; entity name.

In each of the 4 categories, there is a separate SECTION number for every entity. In that number, the last 2 digits correspond to the entities as shown below. For example, for miscellaneous nonstatutory provisions affecting the historical society, see SECTION 9124. The entities are listed in alphabetical sequence by key word, but for any entity not yet assigned a 2-digit identification number, see number "56" (other) in each category.

- 01 ADMINISTRATION
- 02 ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD
- 03 AGING AND LONG-TERM CARE BOARD
- 04 AGRICULTURE, TRADE AND CONSUMER PROTECTION
- 05 ARTS BOARD
- 06 BOUNDARY AREA COMMISSION, MINNESOTA-WISCONSIN
- 07 BUILDING COMMISSION
- 08 CHILD ABUSE AND NEGLECT PREVENTION BOARD
- 09 CIRCUIT COURTS
- 10 COMMERCE
- 11 CORRECTIONS
- 12 COURT OF APPEALS
- 13 EDUCATIONAL COMMUNICATIONS BOARD
- 14 ELECTIONS BOARD
- 15 EMPLOYEE TRUST FUNDS
- 16 EMPLOYMENT RELATIONS COMMISSION
- 17 EMPLOYMENT RELATIONS DEPARTMENT
- 18 ETHICS BOARD
- 19 FINANCIAL INSTITUTIONS
- 20 GAMING BOARD
- 21 GOVERNOR
- 22 HEALTH AND EDUCATIONAL FACILITIES AUTHORITY
- 23 HEALTH AND FAMILY SERVICES
- 24 HISTORICAL SOCIETY
- 25 HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY
- 26 WORKFORCE DEVELOPMENT
- 27 INSURANCE
- 28 INVESTMENT BOARD
- 29 JOINT COMMITTEE ON FINANCE
- 30 JUDICIAL COMMISSION
- 31 JUSTICE
- 32 LEGISLATURE
- 33 LIEUTENANT GOVERNOR
- 34 LOWER WISCONSIN STATE RIVERWAY BOARD
- 35 MEDICAL COLLEGE OF WISCONSIN
- 36 MILITARY AFFAIRS
- 37 NATURAL RESOURCES
- 38 PERSONNEL COMMISSION
- 39 PUBLIC DEFENDER BOARD
- 40 PUBLIC INSTRUCTION
- 41 PUBLIC SERVICE COMMISSION
- 42 REGULATION AND LICENSING
- 43 REVENUE
- 44 SECRETARY OF STATE
- 45 STATE FAIR PARK BOARD

46 SUPREME COURT
47 TECHNICAL COLLEGE SYSTEM
48 TOURISM
49 TRANSPORTATION
50 TREASURER
51 UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY
52 UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS BOARD
53 UNIVERSITY OF WISCONSIN SYSTEM
54 VETERANS AFFAIRS
55 WORLD DAIRY CENTER AUTHORITY
56 OTHER

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

1 **SECTION 1.** 11.055 of the statutes is created to read:

2 **11.055 Filing fees. (1)** Except as provided in sub. (3), each individual who,
3 or committee, group or corporation that, is required to register with the board under
4 s. 11.05 or 11.38 (1) shall annually pay a filing fee of \$100 to the board.

5 **(2)** Except as provided in s. 11.19 (1), an individual who, or committee, group
6 or corporation that, is subject to sub. (1) shall pay the fee specified in sub. (1) together
7 with the continuing report filed under s. 11.20 (4) in January of each year. If an
8 individual, committee, group or corporation registers under s. 11.05 or changes
9 status so that sub. (1) becomes applicable to the individual, committee, group or
10 corporation during a calendar year, the individual, committee, group or corporation
11 shall pay the fee for that year with the filing of the individual's, committee's, group's
12 or corporation's registration statement under s. 11.05 or at any time before the
13 change in status becomes effective.

14 **(3)** Subsection (1) does not apply to a candidate or personal campaign
15 committee. Subsection (1) does not apply to any registrant under s. 11.05 for any year

1 during which the registrant does not make disbursements exceeding a total of
2 \$2,500.

3 **SECTION 1m.** 11.19 (1) of the statutes is amended to read:

4 11.19 (1) Whenever any registrant disbands or determines that obligations will
5 no longer be incurred, and contributions will no longer be received nor disbursements
6 made during a calendar year, and the registrant has no outstanding incurred
7 obligations, the registrant shall file a termination report with the appropriate filing
8 officer. Such report shall indicate a cash balance on hand of zero at the end of the
9 reporting period and shall indicate the disposition of residual funds. Residual funds
10 may be used for any political purpose not prohibited by law, returned to the donors
11 in an amount not exceeding the original contribution, or donated to a charitable
12 organization or the common school fund. The report shall be filed and certified as
13 were previous reports, and shall contain the information required by s. 11.06 (1). A
14 registrant to which s. 11.055 (1) applies shall pay the fee imposed under that
15 subsection with a termination report filed under this subsection. If a termination
16 report or suspension report under sub. (2) is not filed, the registrant shall continue
17 to file periodic reports with the appropriate filing officer, no later than the dates
18 specified in s. 11.20. This subsection does not apply to any registrant making an
19 indication under s. 11.05 (2r).

20 **SECTION 2.** 11.20 (4) of the statutes is amended to read:

21 11.20 (4) Continuing reports under s. 11.06 (1) by committees or individuals
22 supporting or opposing candidates for office, including committees of a political
23 party, and by individuals ~~or~~, groups or corporations supporting or opposing a
24 referendum shall be received by the appropriate filing officer no earlier than January
25 1 and no later than January 31; and no earlier than July 1 and no later than July 20.

1 Individuals, committees, groups and corporations to which s. 11.055 (1) applies shall
2 pay the fee imposed under that subsection with their continuing reports filed in
3 January of each year.

4 **SECTION 3.** 11.60 (3m) of the statutes is created to read:

5 11.60 **(3m)** Notwithstanding sub. (1), any person, including any committee,
6 group or corporation, who is subject to a requirement to pay a filing fee under s.
7 11.055 and who fails to pay that fee within the time prescribed in that section shall
8 forfeit \$500 plus treble the amount of the fee payable by that person.

9 **SECTION 3g.** 13.04 (1) (title) of the statutes is repealed.

10 **SECTION 3h.** 13.04 (1) (a) to (d) of the statutes are renumbered 13.04 (1) to (4).

11 **SECTION 3i.** 13.04 (1) (e) of the statutes is renumbered 13.04 (5) and amended
12 to read:

13 13.04 **(5)** Nothing in this ~~subsection~~ section shall prevent the concurrent
14 appointment of an incumbent legislator to an unsalaried part-time state position
15 created during the legislator's current legislative term when the emoluments for
16 such position are limited to reimbursement for actual and necessary expenses
17 incurred in the performance of the duties of the position and when the duties of such
18 position are not incompatible with the legislator's duties as a member of the
19 legislature.

20 **SECTION 3j.** 13.04 (2) of the statutes is repealed.

21 **SECTION 3m.** 13.0975 of the statutes is created to read:

22 **13.0975 Prison impact assessments. (1)** In this section, "prison" means a
23 state prison described under s. 302.01.

24 **(2)** The director of state courts shall prepare a prison impact assessment for
25 any bill or, if requested, for any bill draft that creates a felony or modifies the period

1 of imprisonment for a felony. Except as otherwise provided by the joint rules of the
2 legislature, the director shall prepare the assessment within 21 days after the date
3 on which the director receives a copy of a bill under sub. (4) or the date on which the
4 director receives a request to prepare the assessment from the requester of the bill
5 draft, whichever occurs first. The assessment shall contain all of the following:

6 (a) Projections of the impact on statewide probationer, prisoner and parolee
7 populations.

8 (b) An estimate of the fiscal impact of population changes under par. (a) on state
9 expenditures, including expenditures for the construction and operation of state
10 prisons for the current fiscal year and the 5 succeeding fiscal years.

11 (c) An analysis of any significant factor, not covered in complying with pars. (a)
12 and (b), affecting the cost of the bill or bill draft and the factor's impact on
13 prosecutors, the state public defender and courts.

14 (d) A statement of the methodologies and assumptions that the director used
15 in preparing the assessment.

16 **(3)** The legislature shall reproduce and distribute assessments under sub. (2)
17 in the same manner as it reproduces and distributes amendments.

18 **(4)** A bill draft that requires an assessment by the director of state courts under
19 this section shall have that requirement noted on its jacket when the jacket is
20 prepared. When a bill that requires an assessment under this section is introduced,
21 the legislative reference bureau shall submit a copy of the bill to the director.

22 **(5)** No public hearing before a standing committee may be held and no
23 committee vote may be taken regarding any bill or bill draft described in sub. (2)
24 unless the assessment under sub. (2) has been prepared.

1 **(6)** Annually, by March 1, the director of state courts shall submit to the
2 legislature under s. 13.172 (2) a prison impact assessment reflecting the cumulative
3 effect of all relevant changes in the statutes taking effect during the preceding
4 calendar year.

5 **(7)** The department of corrections shall provide the director of state courts with
6 information on current and past admissions and on length of time served as needed
7 by the director in order to prepare assessments under subs. (2) and (6).

8 **(8)** The circuit courts shall provide the director of state courts with information
9 to assist the director in preparing assessments under subs. (2) and (6).

10 **(9)** This section applies to bills introduced or requests for assessments of bill
11 drafts made on or after July 1, 1998.

12 **SECTION 3r.** 13.101 (3m) of the statutes is amended to read:

13 13.101 **(3m)** Notwithstanding sub. (3), the committee shall supplement, from
14 the appropriation under s. 20.865 (4) (c), the appropriation to the Wisconsin
15 sesquicentennial commission under s. 20.525 (1) (k) upon receipt of documentation
16 of the amounts of gifts and grants received by, or pledged to, the commission under
17 ~~s. 20.245 (4) (h)~~. The supplement under this subsection shall equal \$1 for each dollar
18 received by, or pledged to, the commission as a gift or grant. This subsection does not
19 apply to the first \$250,000 received by the commission as gifts or grants.

20 **SECTION 3s.** 13.101 (3m) of the statutes, as affected by 1997 Wisconsin Act ...
21 (this act), is repealed.

22 **SECTION 4.** 13.101 (5m) of the statutes is repealed.

23 **SECTION 5.** 13.101 (6) (a) of the statutes is amended to read:

24 13.101 **(6)** (a) As an emergency measure necessitated by decreased state
25 revenues and to prevent the necessity for a state tax on general property, the

1 committee may reduce any appropriation made to any board, commission,
2 department, the university of Wisconsin system or to any other state agency or
3 activity by such amount as it deems feasible, not exceeding 25% of the
4 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (bm), (cg)
5 and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax) and (6) (aq)
6 and (ar), 20.435 ~~(1)(e)~~, (6) (a) and (7) (da) and 20.445 (3) (a) and ~~(d)~~ (dz) or for forestry
7 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
8 village, town or school district. Appropriations of receipts and of a sum sufficient
9 shall for the purposes of this section be regarded as equivalent to the amounts
10 expended under such appropriations in the prior fiscal year which ended June 30.
11 All functions of said state agencies shall be continued in an efficient manner, but
12 because of the uncertainties of the existing situation no public funds should be
13 expended or obligations incurred unless there shall be adequate revenues to meet the
14 expenditures therefor. For such reason the committee may make reductions of such
15 appropriations as in its judgment will secure sound financial operations of the
16 administration for said state agencies and at the same time interfere least with their
17 services and activities.

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

19 13.101 (11) The committee may approve a clean water fund program interest
20 rate change as specified under s. 281.58 (12) (f) or a safe drinking water loan program
21 interest rate change as specified under s. 281.61 (11) (b).

22 **SECTION 7m.** 13.101 (14) of the statutes is created to read:

23 13.101 (14) With the concurrence of the joint committee on information policy,
24 direct the department of administration to report to the committee concerning any
25 specific information technology system project in accordance with s. 13.58 (5) (b) 4.

1 **SECTION 7.** 13.123 (3) (a) of the statutes is amended to read:

2 13.123 (3) (a) Any senator authorized by the committee on senate organization
3 to attend a meeting outside the state capital, any representative to the assembly
4 authorized by the committee on assembly organization to attend an out-of-state
5 meeting or authorized by the speaker to attend a meeting within this state outside
6 the state capital, and all members of the legislature required by law, legislative rule,
7 resolution or joint resolution to attend such meetings, shall be paid no additional
8 compensation for such services but shall be reimbursed for actual and necessary
9 expenses from the appropriation under s. 20.765 (1) (a) or (b), but no legislator may
10 be reimbursed under this subsection for expenses on any day for which the legislator
11 submits a claim under sub. (1). Any expenses incurred by a legislator under s. 14.82
12 shall be reimbursed from the appropriation under s. 20.315 (1) (q).

13 **SECTION 8.** 13.45 (3) (a) of the statutes is amended to read:

14 13.45 (3) (a) For any day for which the legislator does not file a claim under s.
15 13.123 (1), any legislator appointed to serve on a legislative committee or a
16 committee to which the legislator was appointed by either house or the officers
17 thereof shall be reimbursed from the appropriations under ss. 20.315 (1) (q) and
18 20.765 (1) (a) or (b) for actual and necessary expenses incurred as a member of the
19 committee.

20 **SECTION 9e.** 13.48 (3) of the statutes is amended to read:

21 13.48 (3) **STATE BUILDING TRUST FUND.** In the interest of the continuity of the
22 program, the moneys appropriated to the state building trust fund under s. 20.867
23 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys
24 shall be deposited into the state building trust fund. At such times as the building
25 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor

1 shall authorize releases from this fund to become available for projects and shall
2 direct the department of administration to allocate from this fund such amounts as
3 are approved for these projects. In issuing such directions, the building commission
4 shall consider the cash balance in the state building trust fund, the necessity and
5 urgency of the proposed improvement, employment conditions and availability of
6 materials in the locality in which the improvement is to be made. The building
7 commission may authorize any project ~~amounting to \$250,000~~ costing \$500,000 or
8 less in accordance with priorities to be established by the building commission and
9 may adjust the priorities by deleting, substituting or adding new projects as needed
10 to reflect changing program needs and unforeseen circumstances. The building
11 commission may enter into contracts for the construction of buildings for any state
12 agency and shall be responsible for accounting for all funds released to projects. The
13 building commission may designate the department of administration or the agency
14 for which the project is constructed to act as its representative in such accounting.

15 **SECTION 9g.** 13.48 (7) of the statutes is amended to read:

16 13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare
17 and formally adopt recommendations for the long-range state building program on
18 a biennial basis ~~and~~. Unless a later date is requested by the building commission and
19 approved by the joint committee on finance, the building commission shall, no later
20 than the first Tuesday in April of each odd-numbered year, transmit those its
21 recommendations for the succeeding fiscal biennium that require legislative
22 approval to the joint committee on finance in the form of proposed legislation
23 prepared in proper form.

24 **SECTION 9j.** 13.48 (10) (b) 4. of the statutes is created to read:

1 13.48 **(10)** (b) 4. Build-operate-lease or transfer agreements by the
2 department of transportation for transportation projects under s. 84.01 (30).

3 **SECTION 9m.** 13.48 (12) (b) 2. of the statutes is amended to read:

4 13.48 **(12)** (b) 2. A facility constructed by or for the state fair park board, if the
5 cost of constructing the facility does not exceed \$250,000 the amount specified in sub.
6 (3).

7 **SECTION 9r.** 13.48 (12) (b) 3. of the statutes is created to read:

8 13.48 **(12)** (b) 3. A facility constructed pursuant to a build-operate-lease or
9 transfer agreement under s. 84.01 (30).

10 **SECTION 9s.** 13.48 (25m) of the statutes is created to read:

11 13.48 **(25m)** HEALTHSTAR PROGRAM. There is created a program, to be known as
12 the healthstar program, for the purpose of providing financial support to attract
13 federal and private funds to construct health science facilities to spur
14 interdisciplinary education and research activities at the University of
15 Wisconsin-Madison. Projects financed under the program shall be designed to
16 provide interdisciplinary health sciences education and research facilities, ancillary
17 systems and supporting infrastructure. Projects shall be financed from the
18 appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state
19 building program.

20 **SECTION 9.** 13.48 (26) of the statutes is amended to read:

21 13.48 **(26)** (title) ~~CLEAN WATER~~ ENVIRONMENTAL IMPROVEMENT ANNUAL FINANCE
22 PLAN APPROVAL. The building commission shall review the versions of the biennial
23 finance plan and any amendments to the biennial finance plan submitted to it by the
24 department of natural resources and the department of administration under s.
25 281.59 (3) (bm) and the recommendations of the joint committee on finance and the

1 standing committees to which the versions of the biennial finance plan and any
2 amendments were submitted under s. 281.59 (3) (bm). The building commission
3 shall consider the extent to which that version of the biennial finance plan that is
4 updated to reflect the adopted biennial budget act will maintain the funding for the
5 clean water fund program and the safe drinking water loan program, in the
6 environmental improvement fund, in perpetuity. The building commission shall
7 consider the extent to which the implementation of the clean water fund program,
8 the safe drinking water loan program and the land recycling loan program, as set
9 forth in the biennial finance plan updated to reflect the adopted biennial budget act,
10 implements legislative intent on the clean water fund program, the safe drinking
11 water loan program and the land recycling loan program. The building commission
12 shall, no later than 60 days after the date of enactment of the biennial budget act,
13 either approve or disapprove the biennial finance plan that is updated to reflect the
14 adopted biennial budget act, except that the building commission may not
15 disapprove those amounts that the legislature approves under s. 281.59 ~~(3)(e)~~ (3e)
16 (a), (3m) (a) and (3s) (a). If the building commission disapproves the version of the
17 biennial finance plan that is updated to reflect the adopted biennial budget act, it
18 must notify the department of natural resources and the department of
19 administration of its reasons for disapproving the plan, and those departments must
20 revise that version of the biennial finance plan and submit the revision to the
21 building commission.

22 **SECTION 10d.** 13.48 (29) of the statutes is created to read:

23 13.48 **(29)** SMALL PROJECTS. Except as otherwise required under s. 16.855
24 (10m), the building commission may prescribe simplified policies and procedures to

1 be used in lieu of the procedures provided in s. 16.855 for any project the estimated
2 construction cost of which does not exceed \$100,000.

3 **SECTION 10g.** 13.489 (2) of the statutes is amended to read:

4 13.489 (2) DEPARTMENT TO REPORT PROPOSED PROJECTS. The Subject to s. 85.05,
5 the department of transportation shall report to the commission not later than
6 September 15 of each even-numbered year and at such other times as required under
7 s. 84.013 (6) concerning its recommendations for adjustments in the major highway
8 projects program under s. 84.013.

9 **SECTION 10j.** 13.489 (4) (a) of the statutes is renumbered 13.489 (4) (a) 1. (intro.)
10 and amended to read:

11 13.489 (4) (a) 1. (intro.) All reports submitted as provided by sub. (2) shall be
12 reviewed by the commission. The commission shall report its recommendations
13 concerning major highway projects to the governor or governor-elect, the legislature
14 and the joint committee on finance no later than December 15 of each
15 even-numbered year or within 30 days following submission of a report under s.
16 84.013 (6). The commission may recommend approval, approval with modifications,
17 or disapproval of any project, except that the commission may not recommend the
18 approval, with or without modifications, of any project unless any of the following
19 applies:

20 **SECTION 10m.** 13.489 (4) (a) 1. a. and b. of the statutes are created to read:

21 13.489 (4) (a) 1. a. The commission determines that, within 6 years after the
22 first July 1 after the date on which the commission recommends approval of the
23 project, construction will be commenced on all projects enumerated under s. 84.013
24 (3) and on the project recommended for approval.

1 b. The report recommending approval of the project is accompanied by a
2 financing proposal that, if implemented, would provide funding in an amount
3 sufficient to ensure that construction will commence on all projects enumerated
4 under s. 84.013 (3) and on the project within 6 years after the first July 1 after the
5 date on which the commission recommends approval of the project.

6 **SECTION 10p.** 13.489 (4) (a) 2. of the statutes is created to read:

7 13.489 (4) (a) 2. In determining the commencement date for projects under
8 subd. 1. a. and b., the commission shall assume that the appropriation amounts
9 under s. 20.395 (3) (bq) to (bx) for the current fiscal year will be adjusted annually
10 to reflect adjustments to the U.S. consumer price index for all urban consumers, U.S.
11 city average, as determined by the U.S. department of labor.

12 **SECTION 10q.** 13.489 (5) of the statutes is created to read:

13 13.489 (5) MORATORIA ON ACTIVITIES. (a) Notwithstanding sub. (2) and s. 84.013
14 (5) and (6), the department of transportation may not report its recommendations for
15 adjustments in the major highway projects program under s. 84.013 before August
16 15, 2002.

17 (b) Notwithstanding sub. (3), the department of transportation may not assist
18 the transportation projects commission with any study or cost estimate with respect
19 to any project that is not enumerated under s. 84.013 (3), except that the department
20 may complete any study or cost estimate concerning a proposed major highway
21 project if the study or cost estimate was commenced before the effective date of this
22 paragraph [revisor inserts date]. This paragraph does not apply after June 30,
23 1999.

24 (c) Notwithstanding sub. (4), the transportation projects commission may not
25 review any report submitted by the department of transportation under sub. (2) on

1 or after the effective date of this paragraph [revisor inserts date], and before
2 August 15, 2002, and shall not report its recommendations concerning major
3 highway projects, nor the designation of a highway improvement project as a major
4 highway project, before November 15, 2002.

5 **SECTION 10r.** 13.53 (2) (d) of the statutes is created to read:

6 13.53 (2) (d) Direct the legislative audit bureau to monitor the program under
7 s. 299.80 and to submit annual reports to the legislature under s. 13.172 (2)
8 regarding its findings from monitoring the program.

9 **SECTION 10s.** 13.58 (5) (b) 4. of the statutes is created to read:

10 13.58 (5) (b) 4. With the concurrence of the joint committee on finance, direct
11 the department of administration to report semiannually to the committee and the
12 joint committee on finance concerning any specific information technology system
13 project which is being designed, developed, tested or implemented and which the
14 committees anticipate will have a total cost to the state exceeding \$1,000,000 in the
15 current or any succeeding fiscal biennium. The report shall include all of the
16 following:

17 a. The major stages and substages of the project, including an assessment of
18 need, design, implementation and testing stages and their major substages.

19 b. The scheduled, estimated and actual completion dates for each major stage
20 and substage of the project.

21 c. The budgeted amounts and amounts actually expended on each major stage
22 and substage of the project.

23 d. An evaluation of the project, including any problems encountered or risks
24 associated with proceeding to the next stage of the project, if any.

25 **SECTION 13m.** 13.75 (1) of the statutes is amended to read:

1 13.75 (1) Obtaining a license under s. 13.63 (1) to act on behalf of one principal,
2 \$250 \$325.

3 **SECTION 13n.** 13.75 (1m) of the statutes is amended to read:

4 13.75 (1m) Obtaining a license under s. 13.63 (1) to act on behalf of 2 or more
5 principals, \$400 \$475.

6 **SECTION 13nd.** 13.75 (2) of the statutes is amended to read:

7 13.75 (2) Filing the principal registration form under s. 13.64, ~~\$375~~ \$450.

8 **SECTION 13p.** 13.75 (4) of the statutes is amended to read:

9 13.75 (4) Filing an authorization statement under s. 13.65, ~~\$125~~ \$200.

10 **SECTION 10.** 13.83 (3) (f) 5. of the statutes is amended to read:

11 13.83 (3) (f) 5. The department of ~~education~~ public instruction.

12 **SECTION 114g.** 13.90 (1) (intro.) of the statutes is amended to read:

13 13.90 (1) (intro.) The joint committee on legislative organization shall be the
14 policy-making board for the legislative reference bureau, the revisor of statutes
15 bureau, the legislative fiscal bureau and, the legislative audit bureau and the
16 integrated legislative information system staff. The committee shall:

17 **SECTION 14h.** 13.90 (1) (a), (b) and (d) of the statutes are amended to read:

18 13.90 (1) (a) Determine the types of tasks to be assigned to each legislative
19 service bureau or staff within statutory limitations, and the quantity and quality
20 thereof.

21 (b) Consider and approve the budget of each bureau or staff.

22 (d) Promulgate rules under ch. 227 required for the proper operation of each
23 legislative service bureau or staff.

24 **SECTION 14i.** 13.90 (1) (gr) of the statutes is repealed.

25 **SECTION 14j.** 13.90 (1m) (a) of the statutes is amended to read:

1 13.90 (1m) (a) In this subsection, “legislative service agency” means the
2 legislative council staff, the legislative audit bureau, the legislative fiscal bureau,
3 the legislative reference bureau ~~and~~, the revisor of statutes bureau and the
4 integrated legislative information system staff.

5 **SECTION 14m.** 13.90 (8) of the statutes is created to read:

6 13.90 (8) The joint committee on legislative organization may designate a joint
7 committee or another body within the legislative branch to oversee the provision of
8 information technology support and services by the integrated legislative
9 information system staff.

10 **SECTION 14p.** 13.92 (1) (d) of the statutes is repealed.

11 **SECTION 14r.** 13.93 (2) (k) of the statutes is created to read:

12 13.93 (2) (k) Pay, from the appropriation under s. 20.765 (3) (a), the expenses
13 of attendance at meetings of members of the Commission on Uniform State Laws
14 who are appointed by the governor.

15 **SECTION 12.** 13.94 (1) (eg) of the statutes is amended to read:

16 13.94 (1) (eg) Annually conduct a financial audit of the ~~gaming board~~ division
17 of gaming in the department of administration and biennially conduct a performance
18 evaluation audit of the ~~gaming board~~ division of gaming in the department of
19 administration. The legislative audit bureau shall file a copy of each audit report
20 under this paragraph with the department of justice and with the distributees
21 specified in par. (b).

22 **SECTION 13.** 13.94 (1) (em) of the statutes is amended to read:

23 13.94 (1) (em) Annually conduct a financial audit of the state lottery, and, to
24 the extent of the department of revenue’s participation, of any ~~multistate~~
25 multijurisdictional lotteries in which the state participates under ch. 565, and

1 biennially conduct a performance audit of the state lottery and, to the extent of the
2 department of revenue's participation, of those multistate multijurisdictional
3 lotteries, as provided in s. 565.37 (1). The legislative audit bureau shall file a copy
4 of each audit report under this paragraph with the department of justice and with
5 the distributees specified in par. (b).

6 **SECTION 14.** 13.94 (1s) (bm) of the statutes is amended to read:

7 13.94 (1s) (bm) The legislative audit bureau may charge the gaming board
8 department of administration for the cost of the audits required to be performed
9 under sub. (1) (eg).

10 **SECTION 15.** 13.94 (7) of the statutes is repealed.

11 **SECTION 18m.** 13.96 of the statutes is created to read:

12 **13.96 Integrated legislative information system staff.** There is created
13 a service agency known as the "Integrated Legislative Information System Staff",
14 headed by a director. The integrated legislative information system staff shall be
15 strictly nonpartisan and shall at all times observe the confidential nature of the data
16 and information originated, maintained or processed by electronic equipment
17 supported by it.

18 **(1) DUTIES OF THE STAFF.** The integrated legislative information system staff
19 shall provide and coordinate information technology support and services to the
20 legislative branch.

21 **(2) DUTIES OF THE DIRECTOR.** The director of the integrated legislative
22 information system staff shall:

23 (a) Direct the operations of the staff.

24 (b) Employ, train and supervise the personnel assigned to the director.

1 (c) Supervise all expenditures of the integrated legislative information system
2 staff.

3 (d) Oversee the execution and completion of all contracts for legislative
4 information technology-related equipment, software or services.

5 (e) Plan for and execute such electronic information programs and services as
6 are needed within the legislative branch.

7 (f) Participate in such midwest and national meetings and organizations as will
8 benefit the operations of the integrated legislative information system staff.

9 **SECTION 16.** 14.017 (2) of the statutes is amended to read:

10 14.017 (2) STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE. There is created
11 in the office of the governor a state council on alcohol and other drug abuse consisting
12 of the governor, the attorney general, the ~~secretary of education~~ state superintendent
13 of public instruction, the secretary of health and social services, the commissioner
14 of insurance, the secretary of corrections, the secretary of transportation and the
15 chairperson of the pharmacy examining board, or their designees; a representative
16 of the controlled substances board; a representative of any governor's committee or
17 commission created under subch. I of ch. 14 to study law enforcement issues; 6
18 members, one of whom is a consumer representing the public at large, with
19 demonstrated professional, research or personal interest in alcohol and other drug
20 abuse problems, appointed for 4-year terms; a representative of an organization or
21 agency which is a direct provider of services to alcoholics and other drug abusers; a
22 member of the Wisconsin County Human Service Association, Inc., who is nominated
23 by that association; and 2 members of each house of the legislature, representing the
24 majority party and the minority party in each house, chosen as are the members of
25 standing committees in their respective houses. Section 15.09 applies to the council.

1 **SECTION 17.** 14.20 of the statutes is created to read:

2 **14.20 Literacy improvement. (1)** In this section:

3 (a) “Local governmental unit” has the meaning given in s. 16.97 (7).

4 (b) “Nonprofit organization” has the meaning given in s. 108.02 (19).

5 **(2)** From the appropriation under s. 20.525 (1) (f), the governor may provide
6 a grant to any local governmental unit or nonprofit organization for support of a
7 literacy improvement program.

8 **(3)** The governor shall cooperate with the department of administration in
9 providing free books to organizations under s. 16.23 (1) and in seeking resources from
10 foundations and private donors to support the department’s function under s. 16.23
11 (2).

12 **(4)** The governor shall accept requests from organizations qualifying under s.
13 16.23 (1) to receive free books and forward them to the Public Enrichment
14 Foundation.

15 **SECTION 23j.** 14.26 (5g) (c) of the statutes is amended to read:

16 14.26 **(5g)** (c) Accept gifts, grants, bequests or donations of personal services.
17 All moneys received under this paragraph after September 30, 1998, shall be
18 deposited in the historical legacy trust fund.

19 **SECTION 23k.** 14.26 (5g) (e) of the statutes is amended to read:

20 14.26 **(5g)** (e) License products. All moneys received under this paragraph
21 after September 30, 1998, shall be deposited in the historical legacy trust fund.

22 **SECTION 23m.** 14.26 (5g) (f) of the statutes is created to read:

23 14.26 **(5g)** (f) Apply to the department of administration for a historical grant
24 under s. 16.25.

1 **SECTION 23n.** 14.26 (5g) (f) of the statutes, as created by 1997 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 23p.** 14.26 (6) of the statutes is amended to read:

4 14.26 (6) The commission shall complete its activities and submit a final report
5 regarding its activities to the governor, and to the legislature under s. 13.172 (2) no
6 later than June 1, 1999. Upon acceptance of the report by the governor, the governor
7 shall notify the director of the historical society of his or her acceptance of the report
8 and the commission shall cease to exist.

9 **SECTION 18.** 14.40 (1) of the statutes is amended to read:

10 14.40 (1) Annually not later than July 1, each legislative, administrative and
11 judicial agency of the state government shall submit to the secretary of state a list
12 of all positions within that agency outside the classified service and above the clerical
13 level, excluding the faculties under the jurisdiction of the board of regents of the
14 University of Wisconsin System and the department of ~~education~~ public instruction,
15 which are filled by appointment, and the term if there is one, together with the name
16 of the incumbent and the date of his or her appointment.

17 **SECTION 19.** 14.563 (title) of the statutes is repealed.

18 **SECTION 20.** 14.563 (1) of the statutes is renumbered 15.103 (4) and amended
19 to read:

20 15.103 (4) DIVISION OF TRUST LANDS AND INVESTMENTS. There is created a division
21 of trust lands and investments which is attached to the ~~office of the state treasurer~~
22 department of administration under s. 15.03. This division is under the direction
23 and supervision of the board of commissioners of public lands.

24 **SECTION 21.** 14.82 (1) (intro.) of the statutes is amended to read:

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

22 **SECTION 22.** 14.90 (2) of the statutes is amended to read:

23 14.90 (2) The members of the commission shall serve without compensation
24 but shall be reimbursed from the appropriation under s. 20.505 (3) ~~(be)~~ (a) for actual

1 and necessary expenses incurred in the performance of their duties. The commission
2 has the powers and duties granted and imposed under s. 39.80.

3 **SECTION 23.** 14.90 (3) of the statutes is amended to read:

4 14.90 (3) From the appropriation under s. 20.505 (3) ~~(b)~~ (a), the department
5 of administration shall pay the costs of membership in and costs associated with the
6 midwestern higher education compact.

7 **SECTION 24.** Subchapter VI of chapter 14 [precedes 14.91] of the statutes is
8 repealed.

9 **SECTION 25.** 15.01 (2) of the statutes is amended to read:

10 15.01 (2) "Commission" means a 3-member governing body in charge of a
11 department or independent agency or of a division or other subunit within a
12 department, except for the education commission which shall consist of 11 members,
13 the Wisconsin waterways commission which shall consist of 5 members, the parole
14 commission which shall consist of 5 members and the Fox river management
15 commission which shall consist of 7 members. A Wisconsin group created for
16 participation in a continuing interstate body, or the interstate body itself, shall be
17 known as a "commission", but is not a commission for purposes of s. 15.06. The parole
18 commission created under s. 15.145 (1) shall be known as a "commission", but is not
19 a commission for purposes of s. 15.06.

20 **SECTION 26.** 15.01 (6) of the statutes is amended to read:

21 15.01 (6) "Division," "bureau," "section" and "unit" means the subunits of a
22 department or an independent agency, whether specifically created by law or created
23 by the head of the department or the independent agency for the more economic and
24 efficient administration and operation of the programs assigned to the department
25 or independent agency. The office of justice assistance in the department of

1 administration and the office of credit unions in the department of financial
2 institutions have the meaning of “division” under this subsection. The office of
3 ~~health care information in the office of the commissioner of insurance,~~ the office of
4 the long-term care ombudsman under the board on aging and long-term care and
5 the office of educational accountability in the department of education public
6 instruction have the meaning of “bureau” under this subsection.

7 **SECTION 27.** 15.02 (1) of the statutes is amended to read:

8 15.02 (1) SEPARATE CONSTITUTIONAL OFFICES. The governor, lieutenant governor,
9 secretary of state, ~~state superintendent of public instruction~~ and state treasurer
10 each head a staff to be termed the “office” of the respective constitutional officer.

11 **SECTION 28.** 15.02 (3) (c) 2. of the statutes is amended to read:

12 15.02 (3) (c) 2. The principal subunit of the division is the “bureau”. Each
13 bureau shall be headed by a “director”. The ~~office of health care information in the~~
14 ~~office of the commissioner of insurance,~~ the office of the long-term care ombudsman
15 under the board on aging and long-term care and the office of educational
16 accountability in the department of education public instruction have the meaning
17 of “bureau” under this subdivision.

18 **SECTION 29.** 15.06 (1) (a) of the statutes is amended to read:

19 15.06 (1) (a) Except as otherwise provided in this subsection ~~and s. 15.37,~~ the
20 members of commissions shall be nominated by the governor, and with the advice
21 and consent of the senate appointed, for staggered 6-year terms expiring on March
22 1 of the odd-numbered years.

23 **SECTION 30.** 15.06 (2) (c) of the statutes is repealed.

24 **SECTION 31.** 15.06 (3) (a) 6. of the statutes is repealed.

25 **SECTION 32.** 15.06 (4) of the statutes is amended to read:

1 15.06 (4) CHAIRPERSON; ADMINISTRATIVE DUTIES. The administrative duties of
2 each commission, ~~other than the education commission,~~ shall be vested in its
3 chairperson, to be administered by the chairperson under the statutes and rules of
4 the commission and subject to the policies established by the commission.

5 **SECTION 33.** 15.06 (5) of the statutes is amended to read:

6 15.06 (5) FREQUENCY OF MEETINGS; PLACE. Every commission shall meet on the
7 call of the chairperson or a majority of its members, ~~except that the education~~
8 ~~commission shall meet on the call of the chairperson or a majority of its voting~~
9 ~~members.~~ Every commission shall maintain its offices in Madison, but may meet or
10 hold hearings at such other locations as will best serve the citizens of this state.

11 **SECTION 34.** 15.06 (6) of the statutes is amended to read:

12 15.06 (6) QUORUM. A majority of the membership of a commission constitutes
13 a quorum to do business, ~~except that a majority of the voting members of the~~
14 ~~education commission constitutes a quorum to do business and except that vacancies~~
15 shall not prevent a commission from doing business. This subsection does not apply
16 to the parole commission.

17 **SECTION 35.** 15.07 (1) (a) 1. of the statutes is created to read:

18 15.07 (1) (a) 1. Members of the higher educational aids board shall be appointed
19 by the governor without senate confirmation.

20 **SECTION 36.** 15.07 (1) (b) 16. of the statutes is repealed.

21 **SECTION 44d.** 15.07 (1) (b) 19. of the statutes is repealed.

22 **SECTION 37.** 15.07 (1) (cm) of the statutes is amended to read:

23 15.07 (1) (cm) The term of one member of the ethics board shall expire on each
24 May 1. The terms of 3 members of the development finance board appointed under
25 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms

1 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of
2 every odd-numbered year. The terms of the 3 members of the land and water
3 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
4 The term of the member of the land and water conservation board appointed under
5 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
6 members of the real estate board shall expire on July 1. The terms of the appraiser
7 members of the real estate appraisers board and the terms of the auctioneer and
8 auction company representative members of the auctioneer board shall expire on
9 May 1 in an even-numbered year. ~~The terms of the 4 members of the educational~~
10 ~~technology board appointed under s. 15.105 (26) (a) 1., 3., 6. and 9. shall expire on~~
11 ~~May 1 in an even-numbered year.~~ The terms of the members of the public intervenor
12 board shall expire as provided in s. 15.345 (4) (b). ~~The terms of 3 members of the~~
13 ~~gaming board appointed under s. 15.64 shall expire on July 1 of an even-numbered~~
14 ~~year and the terms of the other 2 members shall expire on July 1 of an odd-numbered~~
15 ~~year.~~ The terms of 4 of the members of the state emergency response board, except
16 the administrator of the division of emergency management in the department of
17 military affairs, shall expire on May 1 of each year.

18 **SECTION 45m.** 15.07 (1) (cm) of the statutes, as affected by 1997 Wisconsin Act
19 (this act), is amended to read:

20 15.07 (1) (cm) The term of one member of the ethics board shall expire on each
21 May 1. The terms of 3 members of the development finance board appointed under
22 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms
23 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of
24 every odd-numbered year. The terms of the 3 members of the land and water
25 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.

1 The term of the member of the land and water conservation board appointed under
2 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
3 members of the real estate board shall expire on July 1. The terms of the appraiser
4 members of the real estate appraisers board and the terms of the auctioneer and
5 auction company representative members of the auctioneer board shall expire on
6 May 1 in an even-numbered year. ~~The terms of the members of the public intervenor~~
7 ~~board shall expire as provided in s. 15.345 (4) (b).~~ The terms of 4 of the members of
8 the state emergency response board, except the administrator of the division of
9 emergency management in the department of military affairs, shall expire on May
10 1 of each year.

11 **SECTION 38.** 15.07 (2) (f) of the statutes is amended to read:

12 15.07 (2) (f) The ~~secretary of education~~ state superintendent of public
13 instruction or his or her designated representative shall serve as chairperson of the
14 school district boundary appeal board.

15 **SECTION 39.** 15.07 (5) (i) of the statutes is created to read:

16 15.07 (5) (i) Members of the educational approval board, \$25 per day.

17 **SECTION 40.** 15.103 (1m) of the statutes is created to read:

18 15.103 (1m) DIVISION OF GAMING. There is created in the department of
19 administration a division of gaming.

20 **SECTION 41.** 15.105 (16) of the statutes is repealed.

21 **SECTION 42.** 15.105 (25) of the statutes is created to read:

22 15.105 (25) TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD.
23 There is created a technology for educational achievement in Wisconsin board which
24 is attached to the department of administration under s. 15.03. The board shall

1 consist of the state superintendent of public instruction, the secretary of
2 administration, and the following members appointed for 4-year terms:

3 (a) A member of the board of regents of the University of Wisconsin System,
4 appointed by the president of the board of regents of the University of Wisconsin
5 System.

6 (b) A member of the technical college system board, appointed by the president
7 of the technical college system board.

8 (bm) A member of the educational communications board appointed by the
9 chairperson of the educational communications board.

10 (c) Four other members.

11 **SECTION 43.** 15.105 (26) of the statutes is repealed.

12 **SECTION 44.** 15.107 (7) (d) of the statutes is amended to read:

13 15.107 (7) (d) A representative of the unit in the ~~office of the commissioner of~~
14 insurance department of health and family services that deals with health care
15 information.

16 **SECTION 45.** 15.107 (16) of the statutes is created to read:

17 15.107 (16) WISCONSIN LAND COUNCIL. (a) *Creation.* There is created a
18 Wisconsin land council, attached to the department of administration under s. 15.03.

19 (b) *Members.* The Wisconsin land council shall consist of the following
20 members:

21 1. The secretary of administration.

22 2. The secretary of agriculture, trade and consumer protection.

23 3. The secretary of commerce.

24 4. The secretary of natural resources.

25 5. The secretary of revenue.

- 1 6. The secretary of transportation.
- 2 7. The state cartographer.
- 3 8. One member who represents the interests of cities.
- 4 9. One member who represents the interests of counties.
- 5 10. One member who represents the interests of towns.
- 6 11. One member who represents the interests of local governments.
- 7 12. One representative from the University of Wisconsin System.
- 8 13. Four members of the public.

9 (c) *Designees.* Under par. (b), an agency head may appoint a designee to serve
10 on the council, if the designee is an employe or appointive officer of the agency who
11 has sufficient authority to deploy agency resources and directly influence agency
12 decision making.

13 (d) *Terms, chairperson.* The members listed under par. (b) 8. to 13. shall be
14 appointed for 5-year terms. The governor shall appoint the chairperson of the
15 council, who shall serve at the pleasure of the governor.

16 (e) *Sunset.* This subsection does not apply after August 31, 2003.

17 **SECTION 46.** 15.147 (1) (a) 9. of the statutes is amended to read:

18 15.147 (1) (a) 9. One member who has knowledge of the problems of gang
19 influence and gang violence in public schools, appointed by the ~~secretary of education~~
20 state superintendent of public instruction.

21 **SECTION 47.** 15.154 of the statutes is repealed.

22 **SECTION 59c.** 15.155 (1) (a) 7. and 8. of the statutes are created to read:

23 15.155 (1) (a) 7. One majority and one minority party senator, appointed as are
24 members of standing committees in the senate.

1 8. One majority and one minority party representative to the assembly,
2 appointed as are members of standing committees in the assembly.

3 **SECTION 59d.** 15.155 (2) of the statutes is repealed.

4 **SECTION 48.** 15.195 (4) (d) of the statutes is amended to read:

5 15.195 (4) (d) The ~~secretary of education~~ state superintendent of public
6 instruction or his or her designee.

7 **SECTION 49.** 15.197 (11n) (a) 3. of the statutes is amended to read:

8 15.197 (11n) (a) 3. The ~~secretary of education~~ state superintendent of public
9 instruction.

10 **SECTION 64d.** 15.197 (24) (a) 7. of the statutes is amended to read:

11 15.197 (24) (a) 7. ~~Two~~ Subject to par. (d), two members who are nominated by
12 ~~the community advisory committees~~ a children's services network established in
13 Milwaukee County under s. ~~46.023 (2)~~ 49.143 (2) (b) and who are residents of the
14 geographical area established under s. 49.143 (6) that is served by the children's
15 services network.

16 **SECTION 64g.** 15.197 (24) (d) of the statutes is created to read:

17 15.197 (24) (d) If the department of workforce development establishes more
18 than one geographical area in Milwaukee County under s. 49.143 (6), the children's
19 services networks established in Milwaukee County under s. 49.143 (2) (b), in
20 nominating members under par. (a) 7., shall nominate residents of different
21 geographical areas established under s. 49.143 (6) and, when the term of a member
22 appointed under par. (a) 7. ends or if a vacancy occurs in the membership of the
23 council under par. (a) 7., those children's services networks shall nominate a resident
24 of a different geographical area established under s. 49.143 (6) from the geographical

1 area of the member who is being replaced according to a rotating order of succession
2 determined by the children's services networks.

3 **SECTION 50.** 15.223 (2) of the statutes, as affected by 1997 Wisconsin Act 3, is
4 amended to read:

5 15.223 (2) (title) DIVISION OF WORKFORCE EXCELLENCE CONNECTING EDUCATION
6 AND WORK. There is created in the department of workforce development a division
7 of ~~workforce excellence~~ connecting education and work.

8 **SECTION 51.** 15.227 (24) (a) 4. of the statutes is repealed and recreated to read:

9 15.227 (24) (a) 4. The state superintendent of public instruction or the state
10 superintendent's designee.

11 **SECTION 66m.** 15.345 (4) of the statutes is repealed.

12 **SECTION 66r.** 15.347 (2) of the statutes is created to read:

13 15.347 (2) **DRY CLEANER ENVIRONMENTAL RESPONSE COUNCIL.** There is created in
14 the department of natural resources a dry cleaner environmental response council
15 consisting of the following members appointed for 3-year terms:

16 (a) One member representing dry cleaning operations with annual gross
17 receipts of less than \$200,000.

18 (b) Two members representing dry cleaning operations with annual gross
19 receipts of at least \$200,000.

20 (c) One member representing wholesale distributors of dry cleaning solvent.

21 (d) One engineer or hydrogeologist with knowledge, experience or education
22 concerning remediation of environmental contamination.

23 (e) One member representing manufacturers and sellers of dry cleaning
24 equipment.

25 **SECTION 52.** 15.347 (4) (c) of the statutes is amended to read:

1 15.347 (4) (c) One from the department of ~~education~~ public instruction,
2 appointed by the ~~secretary of education~~ state superintendent of public instruction.

3 **SECTION 53.** 15.37 of the statutes is repealed and recreated to read:

4 **15.37 Department of public instruction; creation.** There is created a
5 department of public instruction under the direction and supervision of the state
6 superintendent of public instruction.

7 **SECTION 54.** 15.373 (1) of the statutes is amended to read:

8 15.373 (1) DIVISION FOR LEARNING SUPPORT, EQUITY AND ADVOCACY. There is
9 created in the department of ~~education~~ public instruction a division for learning
10 support, equity and advocacy.

11 **SECTION 55.** 15.373 (2) of the statutes is amended to read:

12 15.373 (2) DIVISION FOR LIBRARIES AND COMMUNITY LEARNING. There is created
13 in the department of ~~education~~ public instruction a division for libraries and
14 community learning.

15 **SECTION 56.** 15.374 (1) of the statutes is amended to read:

16 15.374 (1) OFFICE OF EDUCATIONAL ACCOUNTABILITY. There is created an office of
17 educational accountability in the department of ~~education~~ public instruction. The
18 director of the office shall be appointed by the ~~secretary of education~~ state
19 superintendent of public instruction.

20 **SECTION 57.** 15.375 (1) of the statutes is amended to read:

21 15.375 (1) AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION BOARD. There is
22 created an American Indian language and culture education board which is attached
23 to the department of ~~education~~ public instruction under s. 15.03. The board shall
24 consist of 13 members appointed by the governor for staggered 4-year terms from
25 recommendations made by the various Indian tribes, bands and organizations in this

1 state. The members shall include parents or guardians of American Indian children,
2 American Indian teachers, school administrators, a school board member, persons
3 involved in programs for American Indian children and persons experienced in the
4 training of teachers for American Indian language and culture education programs.
5 Members shall be appointed so as to be representative of all the American Indian
6 tribes, bands and organizations in this state. In addition to its duties under subch.
7 IV of ch. 115, the board shall advise the ~~secretary of education~~ state superintendent
8 of public instruction, the board of regents of the university of Wisconsin system, the
9 ~~department of education~~ higher educational aids board and the technical college
10 system board on all matters relating to the education of American Indians. The
11 board does not have rule-making authority.

12 **SECTION 58.** 15.375 (2) of the statutes is amended to read:

13 15.375 (2) SCHOOL DISTRICT BOUNDARY APPEAL BOARD. There is created a school
14 district boundary appeal board in the department of ~~education~~ public instruction.
15 The board shall consist of 12 school board members appointed by the ~~secretary of~~
16 ~~education~~ state superintendent of public instruction for staggered 2-year terms and
17 the ~~secretary of education~~ state superintendent of public instruction or his or her
18 designee. Four board members shall be school board members of school districts with
19 small enrollments, 4 board members shall be school board members of school
20 districts with medium enrollments and 4 board members shall be school board
21 members of school districts with large enrollments. No 2 school board members of
22 the board may reside within the boundaries of the same cooperative educational
23 service agency.

24 **SECTION 75m.** 15.375 (3) of the statutes is renumbered 15.915 (6), and 15.915
25 (6) (a) and (b) 1. and 6. (intro.), as renumbered, are amended to read:

1 15.915 (6) (a) *Creation.* There is created an environmental education board
2 attached to the ~~department of education~~ University of Wisconsin System under s.
3 15.03.

4 (b) 1. The ~~secretary of education~~ state superintendent of public instruction.

5 6. (intro.) One member, appointed for a 3-year term by the ~~secretary of~~
6 ~~education~~ president of the University of Wisconsin System, to represent each of the
7 following:

8 **SECTION 59.** 15.377 (1) of the statutes is amended to read:

9 15.377 (1) COUNCIL ON THE EDUCATION OF THE BLIND. There is created in the
10 department of ~~education~~ public instruction a council on the education of the blind
11 consisting of 3 members, who shall be visually handicapped and shall have a
12 recognized interest in and a demonstrated knowledge of the problems of the visually
13 handicapped, appointed by the ~~secretary of education~~ state superintendent of public
14 instruction for staggered 6-year terms. "Visually handicapped" means having a) a
15 visual acuity equal to or less than 20/70 in the better eye with correcting lenses, or
16 b) a visual acuity greater than 20/70 in the better eye with correcting lenses, but
17 accompanied by a limitation in the field of vision such that the widest diameter of the
18 visual field subtends an angle no greater than 20 degrees.

19 **SECTION 60.** 15.377 (2) of the statutes is amended to read:

20 15.377 (2) GOVERNOR'S COUNCIL ON BUSINESS AND EDUCATION PARTNERSHIPS. There
21 is created in the department of ~~education~~ public instruction a council on business and
22 education partnerships consisting of representatives of private business and
23 industry, agriculture, organized labor, the technical college system and the public
24 school system. A majority of the members shall be representatives of private
25 business and industry. Council members shall be appointed for 3-year terms.

1 **SECTION 61.** 15.377 (3) of the statutes is amended to read:

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

10 **SECTION 62.** 15.377 (4) of the statutes is amended to read:

11 15.377 (4) COUNCIL ON EXCEPTIONAL EDUCATION. There is created in the
12 department of ~~education~~ public instruction a council on exceptional education
13 consisting of 15 members appointed by the ~~secretary of education~~ state
14 superintendent of public instruction for 3-year terms. No more than 7 members of
15 the council may be persons who do not have children with exceptional educational
16 needs and who are representatives of the state, school districts, county handicapped
17 children's education boards or cooperative educational service agencies. At least 5
18 members of the council shall be parents or guardians of a child with exceptional
19 educational needs, at least one member of the council shall be a school board member,
20 at least one member shall be a certified teacher of regular education as defined in s.
21 115.76 (9) and at least one member shall be a certified teacher of special education.

22 **SECTION 63.** 15.377 (6) of the statutes is amended to read:

23 15.377 (6) COUNCIL ON LIBRARY AND NETWORK DEVELOPMENT. There is created in
24 the department of ~~education~~ public instruction a council on library and network
25 development composed of 15 members. Seven of the members shall be library

1 science, audiovisual and informational science professionals representative of
2 various types of libraries and information services, including public libraries, public
3 library systems, school libraries, public and private academic libraries, special
4 libraries and library educators. Eight of the members shall be public members who
5 have demonstrated an interest in libraries or other types of information services.
6 The members of the council shall be appointed for 3-year terms. The council shall
7 meet 6 times annually and shall also meet on the call of the ~~secretary of education~~
8 state superintendent of public instruction, and may meet at other times on the call
9 of the chairperson or a majority of its members.

10 **SECTION 64.** 15.377 (7m) of the statutes is amended to read:

11 15.377 (7m) COUNCIL ON SUICIDE PREVENTION. There is created a council on
12 suicide prevention in the department of education public instruction. The council
13 shall consist of 2 persons appointed by the ~~secretary of education~~ state
14 superintendent of public instruction, at least one of whom is not an employe of the
15 department of education public instruction, 2 persons appointed by the secretary of
16 health and social services, at least one of whom is not an employe of the department
17 of health and social services, one person and one physician appointed jointly by the
18 ~~secretary of education~~ state superintendent of public instruction and the secretary
19 of health and social services and one person appointed by the executive staff director
20 of the office of justice assistance in the department of administration. Members shall
21 be appointed for 3-year terms.

22 **SECTION 83e.** 15.405 (7c) (a) of the statutes is amended to read:

23 15.405 (7c) (a) There is created an examining board of social workers, marriage
24 and family therapists and professional counselors in the department of regulation
25 and licensing. The members of the examining board shall be appointed for 4-year

1 terms. ~~Four~~ Five members shall be certified under ch. 457 as social workers. Three
2 members shall be certified under ch. 457 as marriage and family therapists. Three
3 members shall be certified under ch. 457 as professional counselors. Three members
4 shall be public members. Of the ~~4~~ 5 certified social worker members, one shall be
5 certified under ch. 457 as an advanced practice social worker, one shall be certified
6 under ch. 457 as an independent social worker, one shall be certified under ch. 457
7 as an independent clinical social worker, one shall have received a doctorate degree
8 in sociology, psychology, criminal justice or other human service field and shall hold
9 a faculty appointment at a college or university in this state and at least one shall
10 be employed as a social worker by a federal, state or local governmental agency.

11 **SECTION 83m.** 15.405 (7c) (b) of the statutes is amended to read:

12 15.405 (7c) (b) In operation, the examining board shall be divided into a social
13 worker section, a marriage and family therapist section and a professional counselor
14 section. The social worker section shall consist of the ~~4~~ 5 social worker members
15 of the examining board and one of the public members of the examining board. The
16 marriage and family therapist section shall consist of the 3 marriage and family
17 therapist members of the examining board and one of the public members of the
18 examining board. The professional counselor section shall consist of the 3
19 professional counselor members of the examining board and one of the public
20 members of the examining board.

21 **SECTION 83s.** 15.405 (7c) (f) of the statutes is amended to read:

22 15.405 (7c) (f) At a joint meeting of the social worker section and one or both
23 of the other sections of the examining board, each member who is present has one
24 vote, except that the social worker members each have three-fourths of a vote if all

1 4 of those members are present and have three-fifths of a vote if all 5 of those
2 members are present.

3 **SECTION 65.** 15.435 (2) of the statutes is repealed.

4 **SECTION 66.** 15.57 (1) of the statutes is amended to read:

5 15.57 (1) The secretary of administration, the ~~secretary of education~~ state
6 superintendent of public instruction, the president of the university of Wisconsin
7 system and the director of the technical college system board, or their designees.

8 **SECTION 67.** 15.64 of the statutes is repealed.

9 **SECTION 68.** 15.643 of the statutes is repealed.

10 **SECTION 69.** 15.647 (title) of the statutes is repealed.

11 **SECTION 70.** 15.647 (1) of the statutes is renumbered 15.107 (18) and amended
12 to read:

13 15.107 (18) COUNCIL ON CHARITABLE GAMING. There is created in the ~~gaming~~
14 ~~board~~ department of administration a council on charitable gaming consisting of 5
15 residents of this state appointed for 5-year terms. Not more than 3 members of the
16 council may belong to the same political party. Members of the council shall hold
17 office until a successor is appointed and qualified.

18 **SECTION 90m.** 15.67 of the statutes is created to read:

19 **15.67 Higher educational aids board; creation.** (1) There is created a
20 higher educational aids board consisting of the state superintendent of public
21 instruction and the following members appointed for 3-year terms, except that the
22 members specified under pars. (a) 5. and 6. and (b) 3. shall be appointed for 2-year
23 terms:

24 (a) To represent public institutions of higher education, all of the following:

25 1. One member of the board of regents of the University of Wisconsin System.

- 1 2. One member of the technical college system board.
- 2 3. One financial aids administrator within the University of Wisconsin System.
- 3 4. One financial aids administrator within the technical college system.
- 4 5. One undergraduate student enrolled at least half-time and in good academic
- 5 standing at an institution or center within the University of Wisconsin System who
- 6 is at least 18 years old and a resident of this state.
- 7 6. One student enrolled at least half-time and in good academic standing at a
- 8 technical college who is at least 18 years old and a resident of this state.
- 9 (b) To represent private, nonprofit institutions of higher education, all of the
- 10 following:
- 11 1. One member of a board of trustees of an independent college or university
- 12 in this state.
- 13 2. One financial aids administrator of a private nonprofit institution of higher
- 14 education located in this state.
- 15 3. One undergraduate student enrolled at least half-time and in good academic
- 16 standing at a private, nonprofit institution of higher education located in this state
- 17 who is at least 18 years old and a resident of this state.
- 18 (c) One member to represent the general public.
- 19 **(2)** If a student member under sub. (1) loses the status upon which the
- 20 appointment was based, he or she shall cease to be a member of the higher
- 21 educational aids board upon appointment to the higher educational aids board of a
- 22 qualified successor.

23 **SECTION 71.** 15.675 of the statutes is created to read:

24 **15.675 Same; attached board.** (1) EDUCATIONAL APPROVAL BOARD. There is

25 created an educational approval board which is attached to the higher educational

1 aids board under s. 15.03. The board shall consist of not more than 7 members, who
2 shall be representatives of state agencies and other persons with a demonstrated
3 interest in educational programs, appointed to serve at the pleasure of the governor.

4 **SECTION 72.** 15.707 (1) of the statutes is amended to read:

5 15.707 (1) HISTORICAL MARKERS COUNCIL. There is created in the historical
6 society a historical markers council. The council shall consist of the director of the
7 historical society, the ~~secretary of education~~ state superintendent of public
8 instruction, the secretary of transportation, the secretary of natural resources, the
9 secretary of tourism, the secretary of veterans affairs, the chairperson of the historic
10 preservation review board, the president of the Wisconsin trust for historic
11 preservation and the president of the Wisconsin council for local history, or their
12 designees. The director of the historical society or a designee shall serve as secretary
13 of the council.

14 **SECTION 92m.** 15.707 (3) of the statutes is created to read:

15 15.707 (3) HISTORICAL SOCIETY ENDOWMENT FUND COUNCIL. There is created in
16 the historical society a historical society endowment fund council consisting of 10
17 members, including at least one representative of each of the following:

- 18 (a) The historical society.
- 19 (b) The Wisconsin Humanities Council.
- 20 (c) The Wisconsin Academy of Science, Arts and Letters.
- 21 (d) The arts board.
- 22 (e) Wisconsin public radio.
- 23 (f) Wisconsin public television.

24 **SECTION 73.** 15.735 (2) of the statutes is renumbered 15.195 (6) and amended
25 to read:

1 15.195 (6) BOARD ON HEALTH CARE INFORMATION. There is created a board on
2 health care information which is attached to the ~~office of the commissioner of~~
3 ~~insurance~~ department of health and family services under s. 15.03. The board shall
4 consist of 9 members, a majority of whom may neither be nor represent health care
5 providers, appointed for 4-year terms.

6 **SECTION 74.** 15.737 of the statutes is repealed.

7 **SECTION 96m.** 16.009 (1) (em) 7. of the statutes is created to read:

8 16.009 (1) (em) 7. A residential care apartment complex, as defined in s. 50.01
9 (1d).

10 **SECTION 96r.** 16.0095 of the statutes is created to read:

11 **16.0095 Medicare upper limit consultant.** The department shall hire a
12 consultant to determine and recommend to the the department of health and family
13 services the aggregate payments that should be made for inpatient nursing home
14 services under medical assistance under subch. IV of ch. 49 such that the aggregate
15 payments will not exceed the amount that is estimated to be the amount that would
16 have been paid under the federal medicare program's payment principles. The
17 consultant's recommendations to the department of health and family services shall
18 be nonbinding.

19 **SECTION 75.** 16.023 of the statutes is created to read:

20 **16.023 Wisconsin land council.** (1) The Wisconsin land council shall
21 conduct the following functions:

22 (a) Identify state land use goals and recommend these goals to the governor.

23 (b) Identify state land use priorities to further the state's land use goals and
24 recommend to the governor legislation to implement these priorities.

1 (c) Study areas of cooperation and coordination in the state's land use statutes
2 and recommend to the governor legislation to harmonize these statutes to further the
3 state's land use goals.

4 (d) Study areas of the state's land use statutes that conflict with each other and
5 recommend to the governor legislation to resolve these conflicts to further the state's
6 land use goals.

7 (e) Identify areas of the state's land use statutes that conflict with county or
8 municipal land use ordinances, and areas of county or municipal land use ordinances
9 that conflict with each other, and recommend to the governor legislation to resolve
10 these conflicts.

11 (f) Establish a technical working group that is composed of the state
12 cartographer, a representative of the University of Wisconsin System who has
13 expertise in land use issues and any other land use experts designated by the
14 council's chairperson, to study the development of a computer-based Wisconsin land
15 information system and recommend to the governor legislation to implement such
16 a computer system.

17 (g) Establish a state agency resource working group that is composed of
18 representatives of the departments of administration, agriculture, trade and
19 consumer protection, commerce, natural resources, revenue, transportation and
20 other appropriate agencies to discuss, analyze and address land use issues and
21 related policy issues, including the following:

22 1. Gathering information about the land use plans of state agencies.

23 2. Establishing procedures for the distribution of the information gathered
24 under subd. 1. to other state agencies, local units of government and private persons.

1 3. The creation of a system to facilitate, and to provide training and technical
2 assistance for the development of, local intergovernmental land use planning.

3 (h) Study the activities of local units of government in the land use area to
4 determine how these activities impact on state land use goals, and recommend to the
5 governor legislation that fosters coordination between local land use activities and
6 state land use goals.

7 (i) Identify procedures for facilitating local land use planning efforts, including
8 training and technical assistance for local units of government, and recommend to
9 the governor legislation to implement such procedures.

10 (j) Gather and analyze information about the land use activities in this state
11 of the federal government and American Indian governments and inform the
12 governor of the impact of these activities on state land use goals.

13 (k) Study any other issues that are reasonably related to the state's land use
14 goals, including methods for alternative dispute resolution for disputes involving
15 land use issues, and recommend to the governor legislation in the areas studied by
16 the council that would further the state's land use goals.

17 (L) Gather information about land use issues, at its discretion, in any
18 reasonable way, including the following:

19 1. Establishing a state-local government-private sector working group to
20 study and advise the council on land use issues.

21 2. Holding public hearings or information meetings on land use issues.

22 3. Conducting surveys on land use issues.

23 4. Consulting with any person who is interested in land use issues.

1 (m) Enter into a memorandum of understanding with the land information
2 board to ensure cooperation between the council and the board and to avoid
3 duplication of activities.

4 (2) In conjunction with the working group established under sub. (1) (L) 1., the
5 council shall, not later than one year after the effective date of this subsection ...
6 [revisor inserts date], develop evaluation criteria for its functions under sub. (1). The
7 council shall complete a report that contains an evaluation of its functions and
8 activities not later than September 1, 2002, and shall submit the report to the chief
9 clerk of each house of the legislature, for distribution to the legislature under s.
10 13.172 (2), and to the governor. The report shall also include a recommendation as
11 to whether the council should continue in existence past its sunset date specified in
12 s. 15.107 (16) (e) and, if so, a recommendation as to whether any structural
13 modifications should be made to the council's functions or to the state's land use
14 programs.

15 (3) Subsections (1) and (2) do not apply after August 31, 2003.

16 **SECTION 76.** 16.03 (3) of the statutes is amended to read:

17 16.03 (3) REPORT. The interagency coordinating council shall report at least
18 twice annually to the board on health care information in the office of the
19 ~~commissioner of insurance~~ department of health and family services, concerning the
20 council's activities under this section.

21 **SECTION 100g.** 16.15 (1) (ae) of the statutes is amended to read:

22 16.15 (1) (ae) "Cost of disposing of processed material" ~~has the meaning given~~
23 ~~in s. 287.11 (2m) (a) 1.~~ means the gross cost of transferring processed material to a
24 solid waste disposal facility and disposing of the processed material in the facility,
25 including any disposal costs not paid through fees charged by the facility.

1 **SECTION 100i.** 16.15 (1) (ah) of the statutes is amended to read:

2 16.15 (1) (ah) “Cost of selling processed material” has the meaning given in s.
3 ~~287.11 (2m) (a) 2.~~ means the net cost, including any storage costs, of selling processed
4 material to a broker, dealer or manufacturing facility, plus any cost of transporting
5 the processed material from the waste processing facility to the destination specified
6 by the broker, dealer or manufacturing facility, less the portion of any financial
7 assistance received under s. 287.23, 287.235 or 287.25 attributable to the processed
8 material.

9 **SECTION 100j.** 16.15 (1) (ar) of the statutes is amended to read:

10 16.15 (1) (ar) “Processed material” has the meaning given in s. ~~287.11 (2m) (a)~~
11 ~~3.~~ means a component of solid waste, as defined in s. 289.01 (33), that has been
12 collected, transported to a waste processing facility and prepared for sale to a broker,
13 dealer or manufacturer.

14 **SECTION 100m.** 16.23 of the statutes is created to read:

15 **16.23 Literacy improvement. (1)** The department shall, in cooperation with
16 the governor, contract with the Public Enrichment Foundation to provide free books
17 to educational and social service organizations in this state.

18 **(2)** The department shall, in cooperation with the governor, seek additional
19 resources from foundations and private donors to support the department’s function
20 under sub. (1).

21 **SECTION 77.** 16.24 (1) (b) of the statutes is amended to read:

22 16.24 (1) (b) “Institution of higher education” means a public or private
23 institution of higher education that is accredited by an accrediting association
24 recognized by the department, and a proprietary school approved by the department
25 of education ~~educational approval board~~ under s. ~~38.51~~ 39.51.

1 **SECTION 78.** 16.24 (10m) of the statutes is amended to read:

2 **16.24 (10m) REPAYMENT TO GENERAL FUND.** The secretary shall transfer from the
3 tuition trust fund to the general fund an amount equal to the amount encumbered
4 from the appropriation under s. 20.505 (9) (a) ~~in the 1996-97 fiscal year~~ when the
5 secretary determines that funds in the tuition trust fund are sufficient to make the
6 transfer. The secretary may make the transfer in instalments.

7 **SECTION 102am.** 16.25 of the statutes is created to read:

8 **16.25 Historical grant program. (1)** In this section, “eligible applicant”
9 means the historical society or the Wisconsin sesquicentennial commission.

10 **(2)** The department shall administer a program to award grants to eligible
11 applicants to fund projects related to the long-term historical significance of this
12 state. An eligible applicant shall apply for a grant under this subsection upon a form
13 prescribed by the department.

14 **(3)** If the department proposes to award a grant to an eligible applicant under
15 this section, the department shall notify the joint committee on finance in writing of
16 its proposed action. If the cochairpersons of the committee do not notify the
17 department that the committee has scheduled a meeting for the purpose of reviewing
18 the proposed grant award within 14 working days after the date of the department’s
19 notification, the grant may be awarded by the department. If, within 14 working
20 days after the date of the department’s notification, the cochairpersons of the
21 committee notify the department that the committee has scheduled a meeting for the
22 purpose of reviewing the proposed grant award, the grant may be awarded under this
23 subsection only upon approval of the committee.

24 **SECTION 102an.** 16.25 of the statutes, as created by 1997 Wisconsin Act (this
25 act), is repealed.

1 **SECTION 102ar.** 16.334 (2) (g) of the statutes is created to read:

2 16.334 (2) (g) An organization operated for profit.

3 **SECTION 102br.** 16.336 (1) (intro.) of the statutes is amended to read:

4 16.336 (1) (intro.) The department may make grants to a community-based
5 organization, organization operated for profit or housing authority to improve the
6 ability of the community-based organization, organization operated for profit or
7 housing authority to provide housing opportunities, including housing-related
8 counseling services, for persons or families of low or moderate income. The grants
9 may be used to partially defray any of the following:

10 **SECTION 102cr.** 16.336 (1) (a) of the statutes is amended to read:

11 16.336 (1) (a) Salaries, fringe benefits and other expenses associated with
12 personnel of the housing authority, organization operated for profit or
13 community-based organization.

14 **SECTION 102dr.** 16.336 (2) (a) of the statutes is amended to read:

15 16.336 (2) (a) The housing authority, organization operated for profit or
16 community-based organization submitted an application for a grant.

17 **SECTION 102er.** 16.336 (2) (b) of the statutes is amended to read:

18 16.336 (2) (b) The housing authority, organization operated for profit or
19 community-based organization equally matches the grant, by cash or by other assets
20 in kind.

21 **SECTION 102fr.** 16.336 (2) (c) (intro.) of the statutes is amended to read:

22 16.336 (2) (c) (intro.) The department determines that the grant to the
23 particular community-based organization, organization operated for profit or
24 housing authority is appropriate because of any of the following:

25 **SECTION 102gr.** 16.336 (2) (c) 1. of the statutes is amended to read:

1 16.336 (2) (c) 1. The quality of the management of the community-based
2 organization, organization operated for profit or housing authority.

3 **SECTION 102hr.** 16.336 (2) (c) 2. of the statutes is amended to read:

4 16.336 (2) (c) 2. The amount of other resources for providing housing
5 opportunities that are available to the community-based organization, organization
6 operated for profit or housing authority.

7 **SECTION 102ir.** 16.336 (2) (c) 3. of the statutes is amended to read:

8 16.336 (2) (c) 3. The potential impact of the planned activities of the
9 community-based organization, organization operated for profit or housing
10 authority on housing opportunities for persons of low and moderate income in the
11 area.

12 **SECTION 102jr.** 16.336 (2) (c) 4. of the statutes is amended to read:

13 16.336 (2) (c) 4. The financial need of the community-based organization,
14 organization operated for profit or housing authority.

15 **SECTION 102kr.** 16.336 (3) of the statutes is amended to read:

16 16.336 (3) A community-based organization, organization operated for profit
17 or housing authority may receive grants under both sub. (1) (a) and (b).

18 **SECTION 102Lr.** 16.336 (4) of the statutes is amended to read:

19 16.336 (4) To ensure the development of housing opportunities, the department
20 shall coordinate the use of grants provided under this section with projects
21 undertaken by housing authorities, organizations operated for profit and
22 community-based organizations.

23 **SECTION 102mr.** 16.339 (1) (a) 5. of the statutes is created to read:

24 16.339 (1) (a) 5. An organization operated for profit.

25 **SECTION 102nr.** 16.351 (1) of the statutes is amended to read:

1 16.351 (1) GRANTS. From moneys available under s. 20.505 (7) (h), the
2 department shall make grants to organizations, including organizations operated for
3 profit, that provide shelter or services to homeless individuals or families.

4 **SECTION 102or.** 16.352 (1) (b) 7. of the statutes is created to read:

5 16.352 (1) (b) 7. An organization operated for profit.

6 **SECTION 102pr.** 16.358 (3) of the statutes is created to read:

7 16.358 (3) Notwithstanding sub. (2), the department shall promulgate rules
8 that specify that an applicant for funds under a program under this section shall be
9 eligible to receive funds under the program in the year following the year for which
10 the applicant submits an application, without having to submit another application
11 for that following year, if all of the following apply:

12 (a) The applicant is an eligible applicant under the terms of the program.

13 (b) The applicant did not receive funds under the program in the year for which
14 the application was submitted.

15 **SECTION 79.** 16.405 (1) of the statutes is amended to read:

16 16.405 (1) At any time the department determines that a deficiency will occur
17 in the funds of the state which will not permit the state to meet its operating
18 obligations in a timely manner, it may prepare a request for the issuance of operating
19 notes under subch. III of ch. 18 and, subject to ~~sub.~~ subs. (2) and (3), may submit the
20 request to the building commission.

21 **SECTION 80.** 16.405 (2) of the statutes is amended to read:

22 16.405 (2) The department may not submit a request to the building
23 commission under sub. (1) unless the request is signed by the secretary and the
24 governor, ~~and approved by the joint committee on finance.~~

25 **SECTION 81.** 16.405 (3) of the statutes is created to read:

1 16.405 (3) If the department proposes to submit a request to the building
2 commission under sub. (1), the secretary shall notify the joint committee on finance
3 in writing of the proposed action. If the cochairpersons of the committee do not notify
4 the secretary that the committee has scheduled a meeting for the purpose of
5 reviewing the proposed submission within 14 working days after the date of the
6 secretary's notification, the department may submit the request to the building
7 commission as proposed. If, within 14 working days after the date of the secretary's
8 notification, the cochairpersons of the committee notify the secretary that the
9 committee has scheduled a meeting for the purpose of reviewing the proposed
10 submission, the department may submit the request to the building commission only
11 upon approval of the committee.

12 **SECTION 105g.** 16.417 (title) of the statutes is amended to read:

13 **16.417** (title) ~~Limitation on dual~~ **Dual employment or retention.**

14 **SECTION 105h.** 16.417 (1) (a) of the statutes is repealed and recreated to read:

15 16.417 (1) (a) "Agency" means an office, department, independent agency,
16 institution of higher education, association, society or other body in state
17 government created or authorized to be created by the constitution or any law, which
18 is entitled to expend moneys appropriated by law, including the legislature and the
19 courts, but not including an authority.

20 **SECTION 105i.** 16.417 (1) (b) of the statutes is amended to read:

21 16.417 (1) (b) "Authority" means a body created under ch. 231, 232 or, 233, 234
22 or 235.

23 **SECTION 105j.** 16.417 (1) (c) of the statutes is created to read:

24 16.417 (1) (c) "Elective state official" has the meaning given in s. 13.62 (6).

1 **SECTION 105k.** 16.417 (2) of the statutes is renumbered 16.417 (2) (a) and
2 amended to read:

3 16.417 (2) (a) No individual other than an elective state official who is employed
4 or retained in a full-time position or capacity with an agency or authority may hold
5 any other position or be retained in any other capacity with an agency or authority
6 from which the individual receives, directly or indirectly, more than \$12,000 from the
7 agency or authority as compensation for the individual's services during the same
8 year.

9 (c) No agency or authority may employ any individual or enter into any contract
10 in violation of this subsection.

11 (d) The department shall annually check to assure that no individual violates
12 this subsection. The department shall order any individual whom it finds to be in
13 violation of this subsection to forfeit that portion of the economic gain that the
14 individual realized in violation of this subsection.

15 (e) The attorney general, when requested by the department, shall institute
16 proceedings to recover any forfeiture incurred under this subsection which is not
17 paid by the individual against whom it is assessed.

18 (f) This subsection does not apply to an individual other than an elective state
19 official who has a full-time appointment for less than 12 months, during any period
20 of time that is not included in the appointment.

21 **SECTION 105L.** 16.417 (2) (b) of the statutes is created to read:

22 16.417 (2) (b) No elective state official may hold any other position or be
23 retained in any other capacity with an agency or authority, except an unsalaried
24 position or unpaid service with an agency or authority that is compatible with the

1 official's duties, the emoluments of which are limited to reimbursement for actual
2 and necessary expenses incurred in the performance of duties.

3 **SECTION 107.** 16.505 (2m) of the statutes is amended to read:

4 16.505 (2m) The board of regents of the university of Wisconsin system may
5 create or abolish a full-time equivalent position or portion thereof from revenues
6 appropriated under s. 20.285 (1) (h), (iz), (j), (m) ~~or~~ (n) or (u) or (3) (iz) or (n). No later
7 than the last day of the month following completion of each calendar quarter, the
8 board of regents shall report to the department and the cochairpersons of the joint
9 committee on finance concerning the number of full-time equivalent positions
10 created or abolished by the board under this subsection during the preceding
11 calendar quarter and the source of funding for each such position.

12 **SECTION 82.** 16.52 (10) (title) of the statutes is amended to read:

13 16.52 (10) (title) DEPARTMENT OF ~~EDUCATION~~ PUBLIC INSTRUCTION.

14 **SECTION 83.** 16.70 (3m) of the statutes is created to read:

15 16.70 (3m) "Educational technology" has the meaning given in s. 44.70 (3).

16 **SECTION 117m.** 16.71 (1) of the statutes is amended to read:

17 16.71 (1) Except as otherwise required under this section or as authorized in
18 s. 16.74, the department shall purchase and may delegate to special designated
19 agents the authority to purchase all necessary materials, supplies, equipment, all
20 other permanent personal property and miscellaneous capital, and contractual
21 services and all other expense of a consumable nature for all agencies. In making
22 any delegation, the department shall require the agent to adhere to all requirements
23 imposed upon the department in making purchases under this subchapter. All
24 materials, services and other things and expense furnished to any agency and

1 interest paid under s. 16.528 shall be charged to the proper appropriation of the
2 agency to which furnished.

3 **SECTION 117n.** 16.71 (4) of the statutes is created to read:

4 16.71 (4) The department shall delegate authority to the technology for
5 educational achievement in Wisconsin board to make purchases of educational
6 technology equipment for use by school districts, cooperative educational service
7 agencies and public educational institutions in this state, upon request of the board.

8 **SECTION 84.** 16.72 (4) (b) of the statutes is amended to read:

9 16.72 (4) (b) The department shall promulgate rules for the declaration as
10 surplus of supplies, materials and equipment in any agency and for the transfer to
11 other agencies or for the disposal by private or public sale of supplies, materials and
12 equipment. In either case due credit shall be given to the agency releasing the same,
13 except that the department shall transfer any supplies, materials or equipment
14 declared to be surplus to the department of tourism, upon request of the department
15 of tourism, at no cost, if the transfer is permitted by the agency having possession
16 of the supplies, materials or equipment.

17 **SECTION 119d.** 16.72 (7) of the statutes is repealed.

18 **SECTION 85.** 16.72 (8) of the statutes is created to read:

19 16.72 (8) The division of information technology services of the department
20 may purchase educational technology materials, supplies, equipment or contractual
21 services from orders placed with the department by the technology for educational
22 achievement in Wisconsin board on behalf of school districts, cooperative educational
23 service agencies, technical college districts and the board of regents of the University
24 of Wisconsin System.

25 **SECTION 123m.** 16.76 (4) (b) of the statutes is amended to read:

1 16.76 (4) (b) The department may enter into a master lease whenever the
2 department determines that it is advantageous to the state to do so, except that the
3 department shall not require the board of regents of the University of Wisconsin
4 System to acquire moveable equipment for the University of Wisconsin-Center
5 System under a master lease. If the master lease provides for payments to be made
6 by the state from moneys that have not been appropriated at the time that the master
7 lease is entered into, the master lease shall contain the statement required under s.
8 16.75 (3).

9 **SECTION 123n.** 16.79 (title) of the statutes is amended to read:

10 **16.79** (title) **~~Duties of department of administration~~ State publications.**

11 **SECTION 123r.** 16.79 (3) of the statutes is created to read:

12 **16.79 (3)** The department shall promulgate rules for securing sponsorship of
13 state publications which shall be applicable to all agencies, as defined in s. 16.70 (1),
14 that are authorized by law to secure sponsorship for agency publications. The rules
15 shall be consistent with any requirements imposed by law that are applicable to
16 particular agencies or publications.

17 **SECTION 86.** 16.80 of the statutes is amended to read:

18 **16.80 Purchases of computers by teachers.** The department shall
19 negotiate with private vendors to facilitate the purchase of computers and other
20 educational technology, as defined in s. ~~16.992 (1) (e)~~ 24.60 (1r), by public and private
21 elementary and secondary school teachers for their private use. The department
22 shall attempt to make available types of computers and other educational technology
23 under this section that will encourage and assist teachers in becoming
24 knowledgeable about the technology and its uses and potential uses in education.

25 **SECTION 124m.** 16.848 of the statutes is repealed.

1 **SECTION 87.** 16.85 (15) of the statutes is created to read:

2 16.85 (15) Provide or contract for the provision of professional engineering,
3 architectural, project management and other building construction services on
4 behalf of school districts for the installation or maintenance of electrical and
5 computer network wiring. The department shall assess fees for services provided
6 under this subsection and shall credit all revenues received to the appropriation
7 account under s. 20.505 (1) (im).

8 **SECTION 88.** 16.855 (1) of the statutes is amended to read:

9 16.855 (1) The department shall let by contract to the lowest qualified
10 responsible bidder all construction work when the estimated construction cost of the
11 project exceeds \$30,000, except for construction work authorized under s. 16.858 and
12 except as provided in sub. (10m) or s. 13.48 (19). If a bidder is not a Wisconsin firm
13 and the department determines that the state, foreign nation or subdivision thereof
14 in which the bidder is domiciled grants a preference to bidders domiciled in that
15 state, nation or subdivision in making governmental purchases, the department
16 shall give a preference over that bidder to Wisconsin firms, if any, when awarding the
17 contract, in the absence of compelling reasons to the contrary. The department may
18 enter into agreements with states, foreign nations and subdivisions thereof for the
19 purpose of implementing this subsection.

20 **SECTION 89.** 16.855 (2) (intro.) of the statutes is amended to read:

21 16.855 (2) (intro.) ~~Whenever~~ Except for projects authorized under s. 16.858,
22 whenever the estimated construction cost of a project exceeds \$30,000, or if less and
23 in the best interest of the state, the department shall:

24 **SECTION 90.** 16.855 (13) (a) of the statutes is amended to read:

1 16.855 (13) (a) A list of subcontractors shall not be required to be submitted
2 with the bid. The department may require the ~~successful bidder~~ prime contractor
3 to submit in writing the names of prospective subcontractors for the department's
4 approval before the award of a contract to the prime contractor.

5 **SECTION 91.** 16.855 (14) (a) of the statutes is amended to read:

6 16.855 (14) (a) If the estimated construction cost of a project exceeds \$100,000
7 and bids are required to be solicited under sub. (2), the department shall take both
8 single bids and separate bids on any division of the work that it designates. If the
9 estimated construction cost of a project does not exceed \$100,000 and bids are
10 required to be solicited under sub. (2), the department may take single bids or
11 separate bids on any division of the work that it designates. If the department
12 awards contracts by the division of work, the department shall award the contracts
13 according to the division of work selected for bidding. Except as provided in sub.
14 (10m) (a), the department shall award all contracts to the lowest qualified
15 responsible bidder or bidders that result in the lowest total construction cost for the
16 project.

17 **SECTION 92.** 16.855 (19) of the statutes is amended to read:

18 16.855 (19) As the work progresses under any contract for construction the
19 department, from time to time, shall grant to the contractor an estimate of the
20 amount and proportionate value of the work done, which shall entitle the contractor
21 to receive the amount thereof, less the retainage, from the proper fund. On all
22 construction projects, the retainage shall be an amount equal to 10% of said estimate
23 until 50% of the work has been completed. At 50% completion, no additional amounts
24 shall be retained, and partial payments shall be made in full to the contractor unless
25 the architect or engineer certifies that the job is not proceeding satisfactorily. At 50%

1 completion or any time thereafter when the progress of the work is not satisfactory,
2 additional amounts may be retained but in no event shall the total retainage be more
3 than 10% of the value of the work completed. Upon substantial completion of the
4 work, an amount retained may be paid to the contractor. For the purposes of this
5 section, estimates may include any fabricated or manufactured materials and
6 components specified, previously paid for by contractor and delivered to the work or
7 properly stored and suitable for incorporation in the work embraced in the contract.
8 This subsection does not apply to contracts awarded under s. 16.858.

9 **SECTION 130g.** 16.855 (22) of the statutes is created to read:

10 16.855 (22) The provisions of this section, except sub. (10m), do not apply to
11 construction work for any project the estimated construction cost of which does not
12 exceed \$100,000 if the project is constructed in accordance with policies and
13 procedures prescribed by the building commission under s. 13.48 (29). If the
14 estimated construction cost of any project is at least \$30,000, and the building
15 commission elects to utilize the procedures prescribed under s. 13.48 (29) to construct
16 the project, the department shall provide adequate public notice of the project and
17 the procedures to be utilized to construct the project on a publicly accessible
18 computer site.

19 **SECTION 130r.** 16.855 (23) of the statutes is created to read:

20 16.855 (23) (a) In this subsection, “digital signature” means an electronic
21 identifier that is used in a computer communication and that is intended by the party
22 using it to have the same force and effect as a manual signature.

23 (b) In connection with any bid or proposal submitted or contract entered into
24 under this section, the department may accept a digital signature. If the department
25 accepts a digital signature, a person submitting a bid or proposal or entering into a

1 contract with the department may use a digital signature if the digital signature
2 meets all of the following requirements:

3 1. The digital signature is unique to the person using it.

4 2. The digital signature is under the sole control of the person using it.

5 3. The digital signature is linked to data in such a manner that if any of the data
6 is changed, the digital signature becomes invalid.

7 4. The digital signature is capable of verification under the procedures
8 promulgated as rules under par. (d).

9 5. The digital signature conforms to any other rules promulgated under par. (d).

10 (c) A digital signature that meets all of the requirements specified in par. (b)

11 1. to 5. has the same force and effect as a manual signature and is effective, valid and
12 enforceable against the signer.

13 (d) The department shall promulgate rules to govern the use of digital
14 signatures under this subsection and to establish procedures for their verification.

15 **SECTION 93.** 16.858 of the statutes is created to read:

16 **16.858 Energy conservation audits and construction projects.** (1) The
17 department may contract with a qualified contractor for an energy conservation
18 audit to be performed at any state-owned building, structure or facility. Under the
19 contract, the contractor shall prepare a report containing a description of the
20 physical modifications to be performed to the building, structure or facility that are
21 required to effect specific future energy savings within a specified period and a
22 determination of the minimum savings in energy usage that will be realized by the
23 state from making these modifications within that period. After review of the audit
24 report and subject to approval under s. 13.48 (10), where required, the department
25 may contract with the contractor for construction work to be performed at the

1 building, structure or facility for the purpose of realizing potential savings of future
2 energy costs identified in the audit if, in the judgment of the department, the
3 anticipated savings to the state after completion of the work will enable recovery of
4 the costs of the work within a reasonable period of time.

5 (2) Any contract under sub. (1) shall require the contractor to undertake the
6 construction work at its own expense. The contract shall provide for the state to pay
7 a maximum stated amount, which shall include any financing costs incurred by the
8 contractor. The maximum stated amount may not exceed the minimum savings
9 determined under the audit to be realized by the state within the period specified in
10 the audit. The state shall make payments under the contract as the savings
11 identified in the audit are realized by the state, in the amounts actually realized, but
12 not to exceed the lesser of the maximum stated amount or the actual amount of the
13 savings realized by the state within the period specified in the audit. The
14 department shall charge the cost of the payments to the applicable appropriation for
15 fuel and utility costs at the building, structure or facility where the work is performed
16 in the amounts equivalent to the savings that accrue to the state under that
17 appropriation from expenditures not made as a result of the construction work, as
18 determined by the department in accordance with the contract. The department may
19 also charge its costs for negotiation and administration of the contract to the same
20 appropriation.

21 (3) Any contract under sub. (1) shall include a provision stating in substance
22 that payments under the contract are contingent upon available appropriations.

23 (4) No later than January 1 of each year, the secretary shall report to the
24 cochairpersons of the joint committee on finance identifying any construction work
25 for which the department has contracted under this section for which the state has

1 not made its final payment as of the date of the preceding report, together with the
2 actual energy cost savings realized by the state as a result of the contract to date, or
3 the estimated energy cost savings to be realized by the state if the total savings to
4 be realized in the audit under sub. (1) have not yet been realized, and the date on
5 which the state made its final payment under the contract or, if the final payment
6 has not been made, the latest date on which the state is obligated to make its final
7 payment under the contract.

8 **SECTION 133am.** 16.966 (title), (1) and (2) of the statutes are created to read:

9 **16.966 (title) Land information support. (1)** In this section, “state agency”
10 has the meaning given for “agency” under s. 16.045 (1) (a).

11 **(2)** The department may assess any state agency for any amount that it
12 determines to be required for the functions of the Wisconsin land council under s.
13 16.023. For this purpose, the department may assess state agencies on a premium
14 basis and pay costs incurred on an actual basis. The department shall credit all
15 moneys received from state agencies under this subsection to the appropriation
16 account under s. 20.505 (1) (ks).

17 **SECTION 133b.** 16.966 (1) and (2) of the statutes, as created by 1997 Wisconsin
18 Act (this act), are repealed.

19 **SECTION 133c.** 16.966 (3) and (4) of the statutes are created to read:

20 **16.966 (3)** The department may develop and maintain geographic information
21 systems relating to land in this state for the use of governmental and
22 nongovernmental units, if any legislation required to fund this activity is first
23 enacted and if the department first submits to the cochairpersons of the joint
24 committee on finance a report concerning how the department intends to utilize this
25 authority. If the cochairpersons of the committee do not notify the department that

1 the committee has scheduled a meeting for the purpose of reviewing the report
2 within 14 working days after the date of the department's submittal, the department
3 may carryout the action proposed in the report to the extent authorized by law. If,
4 within 14 working days after the date of the department's submittal, the
5 cochairpersons of the committee notify the department that the committee has
6 scheduled a meeting for the purpose of reviewing the action proposed in the report,
7 no action proposed in the report may be taken unless the committee approves that
8 action.

9 (4) The department shall provide staff services to the land information board.

10 **SECTION 133d.** 16.966 (4) of the statutes, as created by 1997 Wisconsin Act ...
11 (this act), is repealed.

12 **SECTION 141am.** 16.967 of the statutes, as affected by 1997 Wisconsin Act ...
13 (this act), is repealed.

14 **SECTION 141amd.** 16.967 (5) of the statutes is amended to read:

15 16.967 (5) FEES. All fees received under s. 59.72 (5) (a) shall be credited to the
16 appropriation under s. 20.505 (4) ~~(im)~~ (1) (ij).

17 **SECTION 141amh.** 16.967 (7) (b) of the statutes is amended to read:

18 16.967 (7) (b) Grants shall be paid from the appropriation under s. 20.505 (4)
19 ~~(im)~~ (1) (ij). A grant under this subsection may not exceed \$100,000. The board may
20 award more than one grant to a county board.

21 **SECTION 141an.** 16.967 (10) of the statutes is created to read:

22 16.967 (10) MEMORANDUM OF UNDERSTANDING. The board shall enter into a
23 memorandum of understanding with the Wisconsin land council to ensure
24 cooperation between the board and the council and to avoid duplication of activities.

25 **SECTION 94.** 16.968 of the statutes is amended to read:

1 **16.968 Groundwater survey and analysis.** The department of
2 ~~administration~~ shall allocate funds for programs of groundwater survey and
3 analysis to the department of natural resources and the geological and natural
4 history survey following review and approval of a mutually agreed upon division of
5 responsibilities concerning groundwater programs between the department of
6 natural resources and the geological and natural history survey, a specific
7 expenditure plan and groundwater data collection standards consistent with the
8 purposes of s. 16.967. State funds allocated under this section shall be used to match
9 available federal funds prior to being used for solely state-funded activities.

10 **SECTION 142am.** 16.968 of the statutes, as affected by 1997 Wisconsin Act ...
11 (this act), is amended to read:

12 **16.968 Groundwater survey and analysis.** The department shall allocate
13 funds for programs of groundwater survey and analysis to the department of natural
14 resources and the geological and natural history survey following review and
15 approval of a mutually agreed upon division of responsibilities concerning
16 groundwater programs between the department of natural resources and the
17 geological and natural history survey, a specific expenditure plan and groundwater
18 data collection standards ~~consistent with the purposes of s. 16.967.~~ State funds
19 allocated under this section shall be used to match available federal funds prior to
20 being used for solely state-funded activities.

21 **SECTION 95.** 16.971 (2) (L) of the statutes is amended to read:

22 16.971 (2) (L) Require each executive branch agency to adopt, revise biennially,
23 and submit for its approval, a strategic plan for the utilization of information
24 technology to carry out the functions of the agency. As a part of each plan, the division
25 shall require each executive branch agency to address the business needs of the

1 agency and to identify all resources relating to information technology which the
2 agency desires to acquire, contingent upon funding availability proposed
3 information technology development projects that serve those business needs, the
4 priority for undertaking such acquisitions projects and the justification for such
5 acquisitions each project, including the anticipated benefits of the project. Each plan
6 shall identify any changes in the functioning of the agency under the plan. The
7 division shall consult with the joint committee on information policy in providing
8 guidance for and scheduling of planning by executive branch agencies.

9 **SECTION 143m.** 16.971 (2) (Lm) of the statutes is created to read:

10 16.971 (2) (Lm) No later than 60 days after enactment of each biennial budget
11 act, require each executive branch agency that receives funding under that act for
12 an information technology development project to file with the division an
13 amendment to its strategic plan for the utilization of information technology under
14 par. (L). The amendment shall identify each information technology development
15 project for which funding is provided under that act and shall specify, in a form
16 prescribed by the secretary, the benefits that the agency expects to realize from
17 undertaking the project.

18 **SECTION 143n.** 16.971 (2s) of the statutes is created to read:

19 16.971 (2s) The department shall report semiannually to the members of the
20 joint committee on information policy and the joint committee on finance concerning
21 each existing or planned project for information technology system development or
22 procurement, or both, which the department anticipates will have a total cost to the
23 state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The
24 report shall contain a specific identification and description of each project.

25 **SECTION 143r.** 16.971 (5) (a) of the statutes is amended to read:

1 16.971 (5) (a) ~~From the appropriation under s. 20.870 (1) (q)~~ After compliance
2 with par. (h), the department may distribute grants to agencies to be used for
3 information technology development projects from the appropriations under s.
4 20.870 (1) (q) and (2) (a).

5 **SECTION 143s.** 16.971 (5) (a) of the statutes, as affected by 1997 Wisconsin Act
6 (this act), is amended to read:

7 16.971 (5) (a) After compliance with par. (h), the department may distribute
8 grants to agencies to be used for information technology development projects from
9 the ~~appropriations~~ appropriation under s. 20.870 (1) (q) ~~and (2) (a)~~.

10 **SECTION 145m.** 16.971 (5) (d) of the statutes is amended to read:

11 16.971 (5) (d) Upon receipt of any gift, grant or bequest made to the state for
12 information technology development purposes the secretary shall report the source,
13 value and purpose to the cochairpersons of the joint committee on finance. If the
14 cochairpersons of the committee do not notify the secretary that the committee has
15 scheduled a meeting for the purpose of reviewing the acceptance of the gift, grant or
16 bequest within 14 working days after the date of the secretary's report, the secretary
17 may accept the gift, grant or bequest on behalf of the state. If, within 14 working days
18 after the date of the secretary's report, the cochairpersons of the committee notify the
19 secretary that the committee has scheduled a meeting for the purpose of reviewing
20 the acceptance of the gift, grant or bequest, the gift, grant or bequest may be accepted
21 by the secretary only upon approval of the committee. From the appropriation under
22 s. 20.870 (1) (s), the department may, after compliance with par. (h), distribute
23 moneys received from such gifts, grants or bequests to agencies, within the limits of
24 the amounts shown under s. 20.005 (3) for that appropriation, to be utilized for any

1 information technology development project that is consistent with the purpose for
2 which the moneys were received.

3 **SECTION 145n.** 16.971 (5) (f) of the statutes is amended to read:

4 16.971 (5) (f) No later than September 30 annually, each agency which
5 conducted an information technology development project during the preceding
6 fiscal year, whether individually or in cooperation with another agency, that was
7 funded in whole or in part from the appropriation under s. 20.870 (1) (q), (r) or (s) or
8 (2) (a) shall file a report, in a form prescribed by the secretary, with the secretary and
9 the cochairpersons of the joint committee on information policy. The report shall
10 describe the purpose of each project and the status of the project as of the end of the
11 preceding fiscal year. No later than 13 months following the completion of such a
12 project, each such agency shall file a report, on a form prescribed by the secretary,
13 with the secretary and the cochairpersons of the joint committee on information
14 policy. The report shall describe the purpose of the project and the effect of the project
15 on agency business operations as of the end of the 12-month period following
16 completion of the project.

17 **SECTION 145p.** 16.971 (5) (f) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is amended to read:

19 16.971 (5) (f) No later than September 30 annually, each agency which
20 conducted an information technology development project during the preceding
21 fiscal year, whether individually or in cooperation with another agency, that was
22 funded in whole or in part from the appropriation under s. 20.870 (1) (q), (r) or (s) ~~or~~
23 ~~(2) (a)~~ shall file a report, in a form prescribed by the secretary, with the secretary and
24 the cochairpersons of the joint committee on information policy. The report shall
25 describe the purpose of each project and the status of the project as of the end of the

1 preceding fiscal year. No later than 13 months following the completion of such a
2 project, each such agency shall file a report, on a form prescribed by the secretary,
3 with the secretary and the cochairpersons of the joint committee on information
4 policy. The report shall describe the purpose of the project and the effect of the project
5 on agency business operations as of the end of the 12-month period following
6 completion of the project.

7 **SECTION 146q.** 16.971 (5) (h) of the statutes is created to read:

8 16.971 (5) (h) The department shall not authorize any payment to be made
9 from the information technology investment fund after May 1, 1997, unless the
10 secretary submits a report to the cochairpersons of the joint committee on finance
11 demonstrating that sufficient revenues have been deposited in the information
12 technology investment fund to enable the payment to be financed from the fund and
13 the secretary certifies to the cochairpersons that there is no outstanding reallocation
14 to the fund under s. 20.002 (11). If the cochairpersons of the committee do not notify
15 the secretary that the committee has scheduled a meeting for the purpose of
16 reviewing the proposed payment within 14 working days after the date of the
17 secretary's submittal, the payment may be made as proposed by the secretary. If,
18 within 14 working days after the date of the secretary's submittal, the cochairpersons
19 of the committee notify the secretary that the committee has scheduled a meeting for
20 the purpose of reviewing the proposed payment, the payment may be made only upon
21 approval of the committee.

22 **SECTION 146r.** 16.971 (5) (i) of the statutes is created to read:

23 16.971 (5) (i) From the appropriation under s. 20.870 (2) (a), the department
24 shall pay for the cost of conducting information technology development projects for
25 which grants were awarded under par. (bp) prior to the effective date of this

1 paragraph [revisor inserts date]. The department shall carry out each project
2 funded under this paragraph by means of a master lease agreement under s. 16.76
3 (4).

4 **SECTION 146s.** 16.971 (5) (i) of the statutes, as created by 1997 Wisconsin Act
5 (this act), is repealed.

6 **SECTION 96.** 16.971 (9) of the statutes is amended to read:

7 16.971 (9) In conjunction with the public defender board, the director of state
8 courts, the departments of corrections and justice and district attorneys, the division
9 may maintain, promote and coordinate automated justice information systems that
10 are compatible among counties and the officers and agencies specified in this
11 subsection, using the moneys appropriated under s. 20.505 (1) (ja) and (kp). The
12 division shall annually report to the legislature under s. 13.172 (2) concerning the
13 division's efforts to improve and increase the efficiency of integration of justice
14 information systems.

15 **SECTION 147k.** 16.973 (1) (intro.) and (1) of the statutes are renumbered 16.973
16 (2) (intro.) and (a).

17 **SECTION 147L.** 16.973 (1) of the statutes is created to read:

18 16.973 (1) In this section:

19 (a) "Qualified museum" means a nonprofit or publicly owned museum that has
20 an educational mission.

21 (b) "Qualified postsecondary institution" means a regionally accredited 4-year
22 nonprofit college or university having its regional headquarters and principal place
23 of business in this state or a tribally controlled college located in this state.

24 (c) "Qualified private school" means a private school, as defined in s. 115.001
25 (3r), operating elementary or high school grades.

1 (d) "Qualified zoo" means a bona fide publicly owned zoo that has an
2 educational mission.

3 **SECTION 147m.** 16.973 (2) of the statutes is renumbered 16.973 (2) (b) and
4 amended to read:

5 16.973 (2) (b) Provide such computer services and telecommunications services
6 to local governmental units and provide such telecommunications services to
7 qualified private schools, postsecondary institutions, museums and zoos as the
8 division considers to be appropriate and as the division can efficiently and
9 economically provide. The division may exercise this power only if in doing so it
10 maintains the services it provides at least at the same levels that it provides prior
11 to exercising this power and it does not increase the rates chargeable to users served
12 prior to exercise of this power as a result of exercising this power. The division may
13 charge local governmental units and qualified private schools, postsecondary
14 institutions, museums and zoos for services provided to them under this subsection
15 paragraph in accordance with a methodology determined by the secretary. Use of
16 telecommunications services by a qualified private school or postsecondary
17 institution shall be subject to the same terms and conditions that apply to a
18 municipality using the same services. The division shall prescribe eligibility
19 requirements for qualified museums and zoos to receive telecommunications
20 services under this paragraph.

21 **SECTION 147n.** 16.973 (3) of the statutes is renumbered 16.973 (2) (c) and
22 amended to read:

23 16.973 (2) (c) Provide such supercomputer services to agencies, local
24 governmental units and entities in the private sector as the division considers to be
25 appropriate and as the division can efficiently and economically provide. The

1 division may exercise this power only if in doing so it maintains the services it
2 provides at least at the same levels that it provides prior to exercising this power and
3 it does not increase the rates chargeable to users served prior to exercise of this power
4 as a result of exercising this power. The division may charge agencies, local
5 governmental units and entities in the private sector for services provided to them
6 under this subsection paragraph in accordance with a methodology determined by
7 the secretary.

8 **SECTION 147p.** 16.973 (4) and (5) of the statutes are renumbered 16.973 (2) (d)
9 and (e).

10 **SECTION 97.** 16.974 (7) of the statutes is created to read:

11 16.974 (7) (a) Subject to s. 196.218 (4r) (f), coordinate with the technology for
12 educational achievement in Wisconsin board to provide school districts and technical
13 college districts with telecommunications access under s. 196.218 (4r) and contract
14 with telecommunications providers to provide such access.

15 (b) Coordinate with the technology for educational achievement in Wisconsin
16 board to provide private colleges and public library boards with telecommunications
17 access under s. 196.218 (4r) and contract with telecommunications providers to
18 provide such access.

19 **SECTION 148m.** 16.979 of the statutes is amended to read:

20 **16.979 Treatment of classified employees.** Those individuals holding
21 positions in the classified service in the department who are engaged in legislative
22 text processing functions and who achieved permanent status in class on August 9,
23 1989, shall retain, while serving in the unclassified service in the legislature or any
24 legislative branch agency, those protections afforded employees in the classified
25 service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension,

1 discharge, layoff, or reduction in base pay except that the applicability of any
2 reduction in base pay of such an employe shall be determined on the basis of the base
3 pay received by the employe on August 9, 1989, plus the total amount of any
4 subsequent general economic increases provided in the compensation plan under s.
5 230.12 for nonrepresented employes in the classified service. Such employes shall
6 also have reinstatement privileges to the classified service as provided under s.
7 230.33 (1). Employes of the department holding positions in the classified service on
8 August 9, 1989, who are engaged in legislative text processing functions and who
9 have not achieved permanent status in class in any position in the department on
10 that date are eligible to receive the protections and privileges preserved under this
11 section if they successfully complete service equivalent to the probationary period
12 required in the classified service for the positions which they hold.

13 **SECTION 98.** 16.98 (1) of the statutes is amended to read:

14 16.98 (1) The department shall engage in such activities as the secretary deems
15 necessary to ensure the maximum utilization of federal resources by state agencies
16 and institutions and other eligible organizations and units of government, including
17 community development corporations as defined in s. 234.94 (2). The department
18 shall acquire excess and surplus real and personal property at such cost to the
19 recipient as is necessary to amortize expenditures for transportation, packing,
20 crating, handling and program overhead, except that the department may transfer
21 any excess or surplus personal property to the department of tourism, upon request
22 of the department of tourism, at no cost, subject to any limitation or restriction
23 imposed by federal law.

24 **SECTION 99.** Subchapter IX (title) of chapter 16 [precedes 16.99] of the statutes
25 is amended to read:

CHAPTER 16**SUBCHAPTER IX****TELECOMMUNICATIONS AND
INSTRUCTIONAL TECHNOLOGY**

SECTION 100. 16.992 of the statutes is repealed.

SECTION 101. 17.025 (4) (d) of the statutes is amended to read:

17.025 (4) (d) *Attorney general; state superintendent.* When the temporary vacancy exists in the office of attorney general or in the office of ~~secretary of education~~ state superintendent of public instruction, the duties of the office shall be assumed, respectively, by the deputy under s. 15.04 (2) or, if such office is vacant, by a deputy appointed by the governor.

SECTION 152m. 17.15 (3m) of the statutes is created to read:

17.15 (3m) ILLINOIS FOX RIVER COMMISSION. Any commissioner of the Illinois Fox River commission appointed under s. 33.55 (2) (b) or (c) may be removed by the appointing authority for cause.

SECTION 102. 17.26 (4) of the statutes is amended to read:

17.26 (4) In boards where the first annual meeting of the district has failed to elect school board members, by appointment by the ~~secretary of education~~ state superintendent of public instruction.

SECTION 103. 18.06 (9) of the statutes is amended to read:

18.06 (9) (title) CLEAN WATER FUND PROGRAM BONDS. Notwithstanding sub. (4), the sale of bonds under this subchapter to provide revenue for the clean water fund program may be a private sale to the ~~clean water~~ environmental improvement fund under s. 25.43, if the bonds sold are held or owned by the ~~clean water~~ environmental improvement fund, or a public sale, as provided in the authorizing resolution.

1 **SECTION 154m.** 18.13 (4) of the statutes is repealed.

2 **SECTION 104.** 18.57 (3) of the statutes is amended to read:

3 18.57 **(3)** Moneys in such funds may be commingled only for the purpose of
4 investment with other public funds, but they shall be invested only in investment
5 instruments permitted in s. 25.17 (3) (dg) or in ~~clean-water~~ environmental
6 improvement fund investment instruments permitted in s. 281.59 (2m). All such
7 investments shall be the exclusive property of such fund and all earnings on or
8 income from investments shall be credited to such fund and shall become available
9 for any of the purposes under sub. (2) and for the payment of interest on related
10 revenue obligations.

11 **SECTION 105.** 19.42 (10) (L) of the statutes is amended to read:

12 19.42 **(10)** (L) The executive director, executive assistant to the executive
13 director, internal auditor, chief investment officer, chief financial officer, chief legal
14 counsel, chief risk officer and investment directors of the investment board.

15 **SECTION 106.** 19.42 (13) (k) of the statutes is amended to read:

16 19.42 **(13)** (k) The executive director, executive assistant to the executive
17 director, internal auditor, chief investment officer, chief financial officer, chief legal
18 counsel, chief risk officer and investment directors of the investment board.

19 **SECTION 161g.** 19.45 (8) (intro.) of the statutes is amended to read:

20 19.45 **(8)** (intro.) Except in the case where the state public office formerly held
21 was that of legislator, legislative employe under s. 20.923 (6) (bp), (f), (g) or (h), chief
22 clerk of a house of the legislature, sergeant at arms of a house of the legislature or
23 a permanent employe occupying the position of auditor for the legislative audit
24 bureau:

25 **SECTION 161m.** 19.47 (2) of the statutes is amended to read:

1 19.47 (2) The board shall appoint an executive director outside the classified
2 service to serve at the pleasure of the board. The executive director shall may appoint
3 a legal counsel outside the classified service and such other personnel as he or she
4 requires to carry out the duties of the board, subject to authorization under s. 16.505.
5 The executive director shall perform such duties as the board assigns to him or her
6 in the administration of this subchapter and subch. III of ch. 13.

7 **SECTION 107.** 20.005 (1) of the statutes is repealed and recreated to read:

8 20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for
9 the state of Wisconsin for all funds beginning on July 1, 1997, and ending on June
10 30, 1999, is summarized as follows: [See Figure 20.005 (1) following]

11 **Figure: 20.005 (1)**

GENERAL FUND SUMMARY

	1997-98	1998-99
Opening Balance, July 1	\$ 263,901,200	\$ 141,472,100
Revenues and Transfers		
Estimated Taxes	\$ 9,237,850,000	\$ 9,668,000,000
Transfer from the Property Tax Relief Fund	257,755,900	-0-
Transfer from the Recycling Fund	3,850,000	-0-
Estimated Departmental Revenues	<u>145,138,100</u>	<u>152,915,300</u>
Total Available	\$ 9,908,495,200	\$ 9,962,387,400
Appropriations, Transfers and Reserves		
Gross Appropriations	\$ 9,772,219,200	\$ 9,842,562,400
Compensation Reserves	34,915,600	66,338,400
Transfer to the Local Government Property Insurance Fund	2,217,200	2,108,600
Less Estimated Lapses	<u>(42,328,900)</u>	<u>(50,626,400)</u>

	1997-98	1998-99
Total Expenditures	\$ 9,767,023,100	\$ 9,860,383,000
Balances		
Gross Balance	\$ 141,472,100	\$ 102,004,400
Less Required Statutory Balance	<u>(98,071,300)</u>	<u>(99,089,000)</u>
Net Balance, June 30	\$ 43,400,800	\$ 2,915,400

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	1997-98	1998-99
General Purpose Revenue	\$ 9,772,219,200	\$ 9,842,562,400
Federal Revenue	4,323,642,600	4,282,356,600
Program Revenue	3,876,700,400	3,872,577,300
Segregated Revenue	446,942,200	409,779,300
Program Revenue	2,279,261,300	2,350,380,000
State	1,781,268,100	1,810,026,100
Service	497,993,200	540,353,900
Segregated Revenue	2,155,838,000	2,096,088,500
State	1,964,634,000	1,892,359,800
Local	65,949,700	60,737,200
Service	<u>125,254,300</u>	<u>142,991,500</u>
GRAND TOTAL	\$18,530,961,100	\$18,571,387,500

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

	1997-98	1998-99
General Purpose Revenue	\$ 34,915,600	\$ 66,338,400
Federal Revenue	9,183,500	18,154,200
Program Revenue	24,772,800	48,971,500
Segregated Revenue	<u>5,768,000</u>	<u>11,402,400</u>
TOTAL	\$ 74,639,900	\$ 144,866,500

LOTTERY FUND SUMMARY

	1997-98	1998-99
Gross Revenue	\$ 463,880,000	\$ 487,080,000
Expenses		
Prizes	\$ 265,202,600	\$ 278,471,700
Administrative Expenses	<u>61,406,100</u>	<u>65,523,200</u>
	\$ 326,608,700	\$ 343,994,900
Net Proceeds	\$ 137,271,300	\$ 143,085,100
Total Available for Property Tax Relief		
Opening Balance	\$ 130,801,900	\$ 9,277,600
Net Proceeds	137,271,300	143,085,100
Interest Earnings	<u>7,655,300</u>	<u>2,986,200</u>
	\$ 275,728,500	\$ 155,348,900
Property Tax Relief	\$ 266,450,900	\$ 145,607,300

		1997-98		1998-99
Gross Closing Balance	\$	9,277,600	\$	9,741,600
Reserve	\$	9,277,600	\$	9,741,600
Net Closing Balance		-0-		-0-

1
2 **SECTION 108.** 20.005 (2) of the statutes is repealed and recreated to read:

3 20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets
4 forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b)
5 following]

6
7 **Figure: 20.005 (2) (a)**
8

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS
1997-99 FISCAL BIENNIUM**

Source and Purpose	Amount
GENERAL OBLIGATIONS	
Administration	
Black Point Estate	\$ 1,600,000
Building commission	
Other public purposes	182,510,000
Housing state agencies	40,202,000
Project contingencies	8,574,200
Capital equipment acquisitions	17,182,300
Refunding building corporation debt	-746,600
Previous lease rental authority	-100,000
Clean Water Fund	
Clean water fund program	-8,363,600

Source and Purpose	Amount
Safe drinking water loan program	12,130,000
Corrections	
Correctional facilities	114,593,000
Juvenile correctional facilities	-3,000,000
Self-amortizing facilities	1,227,000
Educational Communications Board	
Educational communications facilities	807,700
Historical Society	
Historic sites	100,000
Military Affairs	
Armories and military facilities	1,375,000
Natural Resources	
Nonpoint source grants	14,363,600
Environmental repair	11,500,000
GPR supported administrative facilities	1,562,300
SEG supported facilities	3,996,700
SEG supported administrative facilities	145,000
State Fair Park Board	
Board facilities	2,000,000
Housing facilities	-2,000,000
Self-amortizing facilities	-1,463,000
Technology for Educational Achievement in Wisconsin	
School district	100,000,000
Public libraries	10,000,000
Transportation	

Source and Purpose	Amount
Harbor improvements	3,000,000
Rail acquisition and improvements	4,500,000
University of Wisconsin	
Academic facilities	22,012,800
Self-amortizing facilities	64,467,000
Veterans Affairs	
Mortgage loans self amortizing	146,500,000
Refunding bonds	40,000,000
Veterans home	100,000
Self-amortizing housing facilities	402,500
TOTAL General Obligation Bonds	\$ 789,177,900

STATE-ISSUED REVENUE OBLIGATIONS

Transportation	
Major highway program	\$ 157,066,700
Infrastructure bank	100
Reserve requirements and issuance costs	<u>47,153,300</u>
TOTAL State-issued Revenue Obligation Bonds	\$ 204,220,100
GRAND TOTAL Bonding Authority Modifications	\$ 993,398,000

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2
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Figure: 20.005 (2) (b)

**GENERAL OBLIGATION AND
BUILDING CORPORATION DEBT SERVICE
FISCAL YEARS 1997-98 AND 1998-99**

STATUTE, AGENCY AND PURPOSE	SOURCE	1997-98	1998-99
<i>20.115 Agriculture, trade and consumer protection</i>			
(2) (d) Principal repayment and interest	GPR	\$ -0-	\$ -0-
<i>20.190 State fair park board</i>			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	497,800	884,000
(1) (d) Principal repayment and interest	GPR	-0-	-0-
<i>20.225 Educational communications board</i>			
(1) (c) Principal repayment and interest	GPR	1,011,000	788,200
<i>20.245 Historical society</i>			
(1) (e) Principal repayment, interest and rebates	GPR	5,200	30,200
(2) (e) Principal repayment and interest	GPR	622,000	641,200
(4) (e) Principal repayment and interest	GPR	-0-	-0-
(5) (e) Principal repayment and interest	GPR	566,900	471,100
<i>20.250 Medical College of Wisconsin</i>			
(1) (e) Principal repayment and interest	GPR	64,400	123,000
<i>20.255 Public instruction, department of</i>			
(1) (d) Principal repayment and interest	GPR	1,096,600	895,900
<i>20.275 Technology for educational achievement in Wisconsin board</i>			
(1) (er) Principal, interest and rebates; public library boards	GPR	25,000	500,000

STATUTE, AGENCY AND PURPOSE	SOURCE	1997-98	1998-99
(1) (es) Principal, interest and rebates; school boards	GPR	250,000	5,000,000
<i>20.285 University of Wisconsin System</i>			
(1) (d) Principal repayment and interest	GPR	72,549,800	68,540,700
(1) (db) Self-amortizing facilities principal and interest	GPR	-0-	-0-
(1) (fh) State laboratory of hygiene; principal repayment and interest	GPR	-0-	-0-
<i>20.320 Environmental improvement program</i>			
(1) (c) Principal repayment and interest - clean water fund program	GPR	22,519,200	29,354,300
(2) (c) Principal repayment and interest - safe drinking water loan program	GPR	-0-	-0-
<i>20.370 Natural resources, department of</i>			
(7) (aa) Resource acquisition and development - principal repayment and interest	GPR	10,525,600	12,064,500
(7) (ac) Principal repayment and interest - recreational boating bonds	GPR	-0-	-0-
(7) (ba) Debt service - remedial action	GPR	1,429,500	1,995,900
(7) (ca) Principal repayment and interest - nonpoint source grants	GPR	1,594,100	2,547,200
(7) (cb) Principal repayment and interest - pollution abatement bonds	GPR	80,514,300	68,954,300
(7) (cc) Principal repayment and interest - combined sewer overflow; pollution abatement bonds	GPR	18,930,700	16,674,000

STATUTE, AGENCY AND PURPOSE	SOURCE	1997-98	1998-99
(7) (cd) Principal repayment and interest - municipal clean drinking water grants	GPR	845,300	857,900
(7) (ea) Administrative facilities -principal repayment and interest	GPR	462,500	484,100
<i>20.410 Corrections, department of</i>			
(1) (e) Principal repayment and interest	GPR	40,016,000	46,042,800
(1) (ec) Prison industries principal, interest and rebates	GPR	-0-	-0-
(3) (e) Principal repayment and interest	GPR	2,851,500	3,174,000
<i>20.435 Health and family services, department of</i>			
(2) (ee) Principal repayment and interest	GPR	8,039,400	7,876,800
(2) (ef) Lease rental payments	GPR	-0-	-0-
(6) (e) Principal repayment and interest	GPR	34,200	33,100
<i>20.465 Military affairs, department of</i>			
(1) (d) Principal repayment and interest	GPR	2,493,400	2,524,800
<i>20.485 Veterans affairs, department of</i>			
(1) (e) Lease rental payments	GPR	-0-	-0-
(1) (f) Principal repayment and interest	GPR	1,200,100	1,312,600
(4) (f) Repayment of principal and interest	GPR	-0-	-0-
<i>20.505 Administration</i>			
(5) (c) Principal repayment and interest; Black Point Estate	GPR	-0-	143,000
<i>20.867 Building commission</i>			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	1997-98	1998-99
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	4,437,200	6,055,900
(3) (a) Principal repayment and interest	GPR	16,574,500	24,103,700
(3) (b) Principal repayment and interest	GPR	-0-	-0-
(3) (e) Principal repayment, interest and rebates; parking ramp	GPR	-0-	-0-
TOTAL General Purpose Revenue Debt Service		<u>\$289,156,200</u>	<u>\$302,073,200</u>

20.190 State fair park board

(1) (j) State fair principal repayment, interest and rebates	PR	1,534,500	1,889,500
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20.245 Historical society

(2) (j) Self-amortizing facilities; principal repayment, interest and rebates	PR	112,300	208,500
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20.275 Technology for educational achievement in Wisconsin board

(1) (h) Principal, interest and rebates; school boards	PR	250,000	5,000,000
(1) (hb) Principal, interest and rebates; public library boards	PR	25,000	500,000

20.285 University of Wisconsin System

(1) (ih) State laboratory of hygiene; principal repayment and interest.	PR	-0-	-0-
(1) (kd) Principal repayment, interest and rebates	PR	19,321,200	25,146,900
(1) (ke) Lease rental payments	PR	-0-	-0-

20.410 Corrections, department of

(1) (ko) Prison industries principal repayment, interest and rebates	PR	146,000	242,800
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STATUTE, AGENCY AND PURPOSE	SOURCE	1997-98	1998-99
<i>20.485 Veterans affairs, department of</i>			
(1) (go) Self-amortizing housing facilities; principal repayment and interest	PR	17,400	94,800
<i>20.505 Administration, department of</i>			
(5) (g) Principal repayment, interest and rebates; parking	PR	908,200	1,460,100
(5) (kc) Principal repayment, interest and rebates	PR	11,310,200	11,148,900
<i>20.867 Building commission</i>			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	-0-	-0-
(3) (h) Principal repayment, interest and rebates	PR	-0-	-0-
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	-0-	-0-
TOTAL Program Revenue Debt Service		<u>\$ 33,624,800</u>	<u>\$ 46,691,500</u>
<i>20.320 Environmental improvement program</i>			
(1) (t) Principal repayment and interest - clean water fund program bonds	SEG	4,000,000	4,000,000
(1) (u) Principal repayment and interest - clean water fund program revenue obligation repayment	SEG	-0-	-0-
<i>20.370 Natural resources, department of</i>			
(7) (aq) Resource acquisition and development - principal repayment and interest	SEG	22,100	116,900
(7) (ar) Dam repair and removal - principal repayment and interest	SEG	230,100	252,300

STATUTE, AGENCY AND PURPOSE	SOURCE	1997-98	1998-99
(7) (at) Recreation development - principal repayment and interest	SEG	-0-	-0-
(7) (au) State forest acquisition and development - principal repayment and interest	SEG	8,000,000	8,000,000
(7) (eq) Administrative facilities - principal repayment and interest	SEG	1,032,400	1,240,900
(7) (er) Administrative facilities - principal repayment and interest; environmental fund	SEG	-0-	-0-
<i>20.395 Transportation, department of</i>			
(6) (aq) Principal repayment and interest, transportation facilities, state funds	SEG	6,386,600	6,422,000
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	604,900	477,900
<i>20.485 Veterans affairs, department of</i>			
(3) (t) Debt service	SEG	55,697,600	67,717,600
(3) (v) Revenue obligation repayment	SEG	-0-	-0-
(4) (qm) Repayment of principal and interest	SEG	-0-	-0-
TOTAL Segregated Revenue Debt Service		\$ 75,973,700	\$ 88,227,600
GRAND TOTAL All Debt Service		\$398,754,700	\$436,092,300

1

2 **SECTION 109.** 20.005 (3) of the statutes is repealed and recreated to read:

3 20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual,

4 biennial and sum certain continuing appropriations and anticipated expenditures

5 from other appropriations for the programs and other purposes indicated. All

6 appropriations are made from the general fund unless otherwise indicated. The

1 letter abbreviations shown designating the type of appropriation apply to both fiscal
2 years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

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Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
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Commerce

6 **20.115 Agriculture, trade and consumer protection, department of**

7 (1) FOOD SAFETY AND CONSUMER PROTECTION

8 (a) General program operations	GPR	A	3,200	3,200
9 Food inspection	GPR	A	3,068,900	3,068,900
10 Meat and poultry inspection	GPR	A	2,634,400	2,634,400
11 Trade and consumer protection	GPR	A	2,508,500	2,508,500
NET APPROPRIATION			8,215,000	8,215,000
12 (c) Automobile repair regulation	GPR	A	360,100	361,900
13 (g) Related services	PR	A	25,500	25,500
14 (gb) Food regulation	PR	A	3,606,600	3,606,600
15 (gh) Public warehouse regulation	PR	A	83,400	87,000
16 (gm) Dairy trade regulation; dairy				
17 product and vegetable producer				
18 security	PR	A	616,800	616,800
19 (hm) Ozone-depleting refrigerants and				
20 products regulation	PR	A	344,100	344,100
21 (i) Sale of supplies	PR	A	32,000	32,000
22 (j) Weights and measures inspection	PR	A	746,000	746,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(jm) Warehouse keeper and grain dealer				
2	regulation	PR	C	281,700	281,700
3	(m) Federal funds	PR-F	C	2,864,400	2,864,400
4	(r) Unfair sales act	SEG	A	104,000	104,600
5	(s) Weights and measures; petroleum				
6	inspection fund	SEG	A	207,200	207,500
7	(u) Recyclable and nonrecyclable				
8	products regulation	SEG	A	203,600	204,300
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			8,575,100	8,576,900
	PROGRAM REVENUE			8,600,500	8,604,100
	FEDERAL			(2,864,400)	(2,864,400)
	OTHER			(5,736,100)	(5,739,700)
	SEGREGATED FUNDS			514,800	516,400
	OTHER			(514,800)	(516,400)
	TOTAL-ALL SOURCES			17,690,400	17,697,400
9	(2) ANIMAL HEALTH SERVICES				
10	(a) General program operations	GPR	A	2,300	2,300
11	Animal health services	GPR	A	3,164,900	3,164,900
	NET APPROPRIATION			3,167,200	3,167,200
12	(b) Animal disease indemnities	GPR	S	108,600	108,600
13	(d) Principal repayment and interest	GPR	S	-0-	-0-
14	(g) Related services	PR	A	2,025,800	2,025,800
15	(gb) Animal health and disease				
16	research; gifts and grants	PR	C	-0-	-0-
17	(h) Sale of supplies	PR	A	30,000	30,000
18	(ha) Inspection, testing and enforcement	PR	C	151,300	151,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(i) Mink research assessments	PR	A	6,000	6,000
2	(j) Dog licenses, rabies control and				
3	related services	PR	A	112,800	112,800
4	(k) Animal health contractual services	PR-S	C	-0-	-0-
5	(m) Federal funds	PR-F	C	124,000	124,000
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,275,800	3,275,800
	PROGRAM REVENUE			2,449,900	2,449,900
	FEDERAL			(124,000)	(124,000)
	OTHER			(2,325,900)	(2,325,900)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,725,700	5,725,700
6	(3) MARKETING SERVICES				
7	(a) General program operations	GPR	A	700	700
8	Agricultural services	GPR	A	1,766,500	1,766,500
	NET APPROPRIATION			1,767,200	1,767,200
9	(g) Related services	PR	A	1,301,400	1,301,400
10	(ga) Gifts and grants	PR	C	-0-	-0-
11	(h) Grain inspection and certification	PR	C	2,854,500	2,854,500
12	(i) Marketing orders and agreements	PR	C	74,100	74,100
13	(j) Stray voltage program	PR	A	249,500	253,700
14	(ja) Marketing services and materials	PR	C	300,100	300,100
15	(jm) Stray voltage program; rural				
16	electric cooperatives	PR	A	12,500	15,300
17	(L) Something special from Wisconsin				
18	promotion	PR	A	30,200	30,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(m) Federal funds	PR-F	C	193,600	193,600
(3) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			1,767,200	1,767,200
	PROGRAM REVENUE			5,015,900	5,022,900
	FEDERAL			(193,600)	(193,600)
	OTHER			(4,822,300)	(4,829,300)
	TOTAL-ALL SOURCES			6,783,100	6,790,100
2	(4) AGRICULTURAL ASSISTANCE				
3	(a) Aid to Wisconsin livestock breeders				
4	association	GPR	A	40,000	40,000
5	(b) Aids to county and district fairs	GPR	S	69,800	264,600
6	(c) Research and development grants	GPR	B	300,000	300,000
7	(cd) Federal dairy policy reform	GPR	B	50,000	-0-
8	(d) Farmers tuition assistance grants	GPR	B	5,000	5,000
9	(e) Aids to world dairy expo, inc.	GPR	A	25,000	25,000
10	(f) Exposition center grants	GPR	A	240,000	240,000
11	(g) Pari-mutuel racing supplemental				
12	aid	PR	C	-0-	-0-
13	(h) Pari-mutuel racing supplemental				
14	aid to Wisconsin livestock breeders				
15	assn.	PR	C	-0-	-0-
16	(i) Agricultural investment aids; gifts				
17	and grants	PR	C	-0-	-0-
18	(q) Sustainable agriculture grants	SEG	A	100,000	100,000
(4) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			729,800	874,600
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	SEGREGATED FUNDS			100,000	100,000
	OTHER			(100,000)	(100,000)
	TOTAL-ALL SOURCES			829,800	974,600
1	(7) AGRICULTURAL RESOURCE MANAGEMENT				
2	(a) General program operations	GPR	A	1,637,000	1,640,800
3	(c) Soil and water resource				
4	management program	GPR	C	2,455,700	2,455,700
5	(e) Agricultural chemical cleanup				
6	program; general fund	GPR	B	1,550,000	1,850,000
7	(g) Agricultural impact statements	PR	C	165,400	168,300
8	(ga) Related services	PR	C	103,000	103,000
9	(gm) Seed testing and labeling	PR	C	67,600	67,600
10	(h) Fertilizer research assessments	PR	C	160,500	160,500
11	(ha) Liming material research funds	PR	C	25,000	25,000
12	(j) Gypsy moth eradication; program				
13	revenues	PR	C	74,600	74,600
14	(k) Agricultural resource management				
15	services	PR-S	C	218,300	218,300
16	(km) Animal waste management grants	PR-S	C	100,000	100,000
17	(m) Federal funds	PR-F	C	2,105,400	2,105,400
18	(q) Gypsy moth eradication;				
19	conservation fund	SEG	A	894,300	895,600
20	(qb) Gypsy moth eradication; segregated				
21	revenues	SEG	C	200,000	200,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(qd) Soil and water management;				
2	environmental fund	SEG	A	1,487,800	1,554,600
3	(r) General program operations;				
4	agricultural management	SEG	A	1,045,400	1,050,600
5	(s) Groundwater — standards;				
6	implementation	SEG	A	715,300	717,700
7	(t) Fertilizer, additives and commercial				
8	feed regulation	SEG	A	761,100	736,400
9	(u) Pesticide regulation and admin. of				
10	agricultural chemical cleanup				
11	program	SEG	A	2,093,700	2,074,800
12	(v) Chemical and container disposal	SEG	A	560,400	560,400
13	(wm) Agricultural chemical cleanup				
14	reimbursement	SEG	C	2,238,600	2,238,600
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,642,700	5,946,500
	PROGRAM REVENUE			3,019,800	3,022,700
	FEDERAL			(2,105,400)	(2,105,400)
	OTHER			(596,100)	(599,000)
	SERVICE			(318,300)	(318,300)
	SEGREGATED FUNDS			9,996,600	10,028,700
	OTHER			(9,996,600)	(10,028,700)
	TOTAL-ALL SOURCES			18,659,100	18,997,900
15	(8) CENTRAL ADMINISTRATIVE SERVICES				
16	(a) General program operations	GPR	A	3,696,200	3,696,200
17	(g) Gifts and grants	PR	C	-0-	-0-
18	(ga) Milk standards program	PR	C	389,500	389,500
19	(gm) Enforcement cost recovery	PR	A	25,000	25,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(h) Sale of material and supplies	PR	C	50,000	50,000
2	(ha) General laboratory related services	PR	C	40,000	40,000
3	(hm) Restitution	PR	C	-0-	-0-
4	(i) Related services	PR	A	200,900	200,900
5	(k) Computer system equipment, staff				
6	and services	PR-S	A	523,400	584,400
7	(kL) Central services	PR-S	C	696,000	696,000
8	(km) General laboratory services	PR-S	B	2,178,000	2,178,000
9	(kp) General laboratory services; other				
10	agencies	PR-S	C	40,100	40,100
11	(ks) State contractual services	PR-S	C	-0-	-0-
12	(kt) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(m) Federal funds	PR-F	C	40,000	40,000
15	(pz) Indirect cost reimbursements	PR-F	C	452,400	452,400

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	3,696,200	3,696,200
PROGRAM REVENUE	4,635,300	4,696,300
FEDERAL	(492,400)	(492,400)
OTHER	(705,400)	(705,400)
SERVICE	(3,437,500)	(3,498,500)
TOTAL-ALL SOURCES	8,331,500	8,392,500

20.115 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	23,686,800	24,137,200
PROGRAM REVENUE	23,721,400	23,795,900
FEDERAL	(5,779,800)	(5,779,800)
OTHER	(14,185,800)	(14,199,300)
SERVICE	(3,755,800)	(3,816,800)
SEGREGATED FUNDS	10,611,400	10,645,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
OTHER				(10,611,400)	(10,645,100)
TOTAL-ALL SOURCES				58,019,600	58,578,200
1	20.143 Commerce, department of				
2	(1) ECONOMIC AND COMMUNITY DEVELOPMENT				
3	(a) General program operations	GPR	A	5,137,200	5,128,700
4	(b) Economic development promotion,				
5	plans and studies	GPR	A	160,000	120,000
6	(bm) Aid to Forward Wisconsin, inc.	GPR	A	500,000	500,000
7	(br) Brownfields loans	GPR	A	5,000,000	5,000,000
8	(c) Wisconsin development fund;				
9	grants, loans and assistance	GPR	B	9,378,800	7,503,800
10	(cb) WI Dev. Fund; tech. & pollut.				
11	control & abatement grant & loans,				
12	assistance	GPR	B	-0-	-0-
13	(cf) Community-based nonprofit				
14	organization grant for educational				
15	project	GPR	A	-0-	-0-
16	(df) American Indian economic				
17	development; technical assistance	GPR	A	25,000	25,000
18	(dg) American Indian economic				
19	development; liaison	GPR	A	50,400	50,400
20	(dh) American Indian economic				
21	development; liaison — grants	GPR	A	25,000	25,000
22	(dr) Main street program	GPR	A	439,000	439,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(e) Technology-based economic				
2	development	GPR	A	190,000	190,000
3	(em) Hazardous pollution prevention				
4	contract	GPR	A	75,000	75,000
5	(en) Business development initiative	GPR	A	150,000	150,000
6	(er) Rural economic development				
7	program	GPR	B	436,300	456,500
8	(ew) International trade, business and				
9	economic development grants	GPR	B	-0-	-0-
10	(f) Physician and hlth. care provider				
11	loan assist. programs, repay. &				
12	contract	GPR	C	388,700	388,700
13	(fg) Community-based economic				
14	development programs	GPR	A	727,100	762,100
15	(fm) Minority business projects; grants				
16	and loans	GPR	B	429,200	429,200
17	(fy) Women's business incubator grant	GPR	B	-0-	-0-
18	(g) Gifts, grants and proceeds	PR	C	593,400	607,300
19	(gc) Business development assistance				
20	center	PR	C	-0-	-0-
21	(gm) Wisconsin development fund,				
22	administration of grants and loans	PR	C	98,500	100,700
23	(h) Economic development operations	PR	A	-0-	-0-
24	(hm) Brownfields loans; repayments	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ie) Wisconsin development fund,				
2	repayments	PR	C	2,532,400	1,803,000
3	(if) Mining economic development				
4	grants and loans; repayments	PR	C	-0-	-0-
5	(im) Minority business projects;				
6	repayments	PR	C	493,400	167,200
7	(in) Business development initiative				
8	loan repayments	PR	C	60,000	60,000
9	(ir) Rural economic development loan				
10	repayments	PR	C	162,400	70,100
11	(jL) Health care provider loan				
12	assistance program; local				
13	contributions	PR	C	-0-	-0-
14	(jm) Physician loan assistance program;				
15	local contributions	PR	C	-0-	-0-
16	(k) Sale of materials or services	PR-S	C	200	500
17	(ka) Sale of materials and services —				
18	local assistance	PR-S	C	-0-	-0-
19	(kb) Sale of materials and services —				
20	individuals and organizations	PR-S	C	-0-	-0-
21	(kc) Clean air act compliance assistance	PR-S	A	158,200	158,500
22	(L) Recycling market development;				
23	repayments	PR	C	1,500,000	1,500,000
24	(m) Federal aid, state operations	PR-F	C	607,100	607,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(n) Federal aid, local assistance	PR-F	C	34,400,000	34,400,000
2	(o) Federal aid, individuals and				
3	organizations	PR-F	C	-0-	-0-
4	(q) Brownfields grant program	SEG	C	5,000,000	-0-
5	(qa) Business development assistance				
6	center; activities and staff	SEG	A	250,400	266,700
7	(r) Mining economic development				
8	grants and loans	SEG	C	200,000	-0-
9	(s) WI Dev. Fund; tech. & pollut.				
10	control & abate. grants & loans,				
11	recy. fund	SEG	B	-0-	-0-
12	(sm) WI Dev. Fund; tech. & pollut.				
13	control & abate. grants & loans,				
14	env. fund	SEG	B	-0-	-0-
15	(st) Recycling market development				
16	board; operations	SEG	A	320,000	320,500
17	(t) Forestry education grant program	SEG	C	100,000	100,000
18	(tm) Recycling market development				
19	board; contracts and assistance	SEG	B	2,176,500	2,176,500
20	(x) Industrial building construction				
21	loan fund	SEG	C	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	23,111,700	21,243,400
PROGRAM REVENUE	40,605,600	39,475,100
FEDERAL	(35,007,100)	(35,007,800)
OTHER	(5,440,100)	(4,308,300)
SERVICE	(158,400)	(159,000)
SEGREGATED FUNDS	8,046,900	2,863,700

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
OTHER				(8,046,900)	(2,863,700)
TOTAL-ALL SOURCES				71,764,200	63,582,200
1	(3) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
2	(de) Private sewage system replacement				
3	and rehabilitation	GPR	C	3,500,000	3,500,000
4	(dm) Storage tank inventory	GPR	A	-0-	-0-
5	(g) Gifts and grants	PR	C	18,000	18,000
6	(ga) Auxiliary services	PR	C	25,000	25,000
7	(gb) Local agreements	PR	C	-0-	-0-
8	(h) Local energy resource system fees	PR	A	-0-	-0-
9	(j) Safety and buildings operations	PR	A	14,630,600	14,740,500
10	(ka) Interagency agreements	PR-S	C	95,500	95,700
11	(ks) Data processing	PR-S	C	-0-	-0-
12	(L) Fire dues distribution	PR	C	6,500,000	6,500,000
13	(La) Fire prevention and fire dues				
14	administration	PR	A	581,500	582,400
15	(m) Federal funds	PR-F	C	1,148,500	1,150,400
16	(ma) Federal aid program administration	PR-F	C	-0-	-0-
17	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
18	(q) Groundwater standards;				
19	implementation	SEG	A	-0-	-0-
20	(r) Safety and buildings operations;				
21	petroleum inspection fund	SEG	A	8,128,600	7,453,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(v) Petroleum storage environmental				
2	remedial action; awards	SEG	B	91,131,700	91,131,700
3	(w) Petroleum storage environmental				
4	remedial action; administration	SEG	A	2,392,900	2,342,100
(3) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			3,500,000	3,500,000
	PROGRAM REVENUE			22,999,100	23,112,000
	FEDERAL			(1,148,500)	(1,150,400)
	OTHER			(21,755,100)	(21,865,900)
	SERVICE			(95,500)	(95,700)
	SEGREGATED FUNDS			101,653,200	100,927,000
	OTHER			(101,653,200)	(100,927,000)
	TOTAL-ALL SOURCES			128,152,300	127,539,000
5	(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
6	(a) General program operations	GPR	A	1,885,200	1,882,100
7	(g) Gifts, grants and proceeds	PR	C	12,000	12,000
8	(k) Sale of materials or services	PR-S	C	43,100	43,100
9	(ka) Sale of materials and services —				
10	local assistance	PR-S	C	-0-	-0-
11	(kb) Sale of materials and services —				
12	individuals and organizations	PR-S	C	-0-	-0-
13	(kc) Information technology				
14	development projects	PR-S	A	-0-	-0-
15	(kd) Administrative services	PR-S	A	2,444,400	2,444,400
16	(ke) Transfer of unappropriated				
17	balances	PR-S	C	-0-	-0-
18	(m) Federal aid, state operations	PR-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
2	(o) Federal aid, individuals and				
3	organizations	PR-F	C	-0-	-0-
4	(pz) Indirect cost reimbursements	PR-F	C	175,400	175,400
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,885,200	1,882,100
	PROGRAM REVENUE			2,674,900	2,674,900
	FEDERAL			(175,400)	(175,400)
	OTHER			(12,000)	(12,000)
	SERVICE			(2,487,500)	(2,487,500)
	TOTAL-ALL SOURCES			4,560,100	4,557,000
20.143 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			28,496,900	26,625,500
	PROGRAM REVENUE			66,279,600	65,262,000
	FEDERAL			(36,331,000)	(36,333,600)
	OTHER			(27,207,200)	(26,186,200)
	SERVICE			(2,741,400)	(2,742,200)
	SEGREGATED FUNDS			109,700,100	103,790,700
	OTHER			(109,700,100)	(103,790,700)
	TOTAL-ALL SOURCES			204,476,600	195,678,200
5	20.144 Financial institutions, department of				
6	(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS				
7	(a) Losses on public deposits	GPR	S	-0-	-0-
8	(g) General program operations	PR	A	10,719,300	10,714,000
9	(h) Gifts, grants, settlements and				
10	publications	PR	C	65,000	65,000
11	(i) Investor education fund	PR	A	100,000	100,000
12	(u) State deposit fund	SEG	S	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			10,884,300	10,879,000
	OTHER			(10,884,300)	(10,879,000)
	SEGREGATED FUNDS			-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,884,300	10,879,000
1	(2) OFFICE OF CREDIT UNIONS				
2	(g) General program operations	PR	A	1,453,600	1,479,800
3	(m) Credit union examinations, federal				
4	funds	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			1,453,600	1,479,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,453,600)	(1,479,800)
	TOTAL-ALL SOURCES			1,453,600	1,479,800
	20.144 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			12,337,900	12,358,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(12,337,900)	(12,358,800)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			12,337,900	12,358,800
5	20.145 Insurance, office of the commissioner of				
6	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
7	(g) General program operations	PR	A	8,456,500	7,917,200
8	(gm) Gifts and grants	PR	C	-0-	-0-
9	(k) Administrative and support				
10	services	PR-S	A	2,353,900	2,353,900
11	(ka) Information technology				
12	development projects	PR-S	C	-0-	-0-
13	(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			10,810,400	10,271,100
	FEDERAL			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	OTHER			(8,456,500)	(7,917,200)
	SERVICE			(2,353,900)	(2,353,900)
	TOTAL-ALL SOURCES			10,810,400	10,271,100
1	(2) PATIENTS COMPENSATION FUND				
2	(q) Interest earned on future medical				
3	expenses	SEG	S	-0-	-0-
4	(u) Administration	SEG	A	733,700	733,700
5	(um) Peer review council	SEG	A	90,700	90,700
6	(v) Specified responsibilities, inv. board				
7	payments and future medical				
8	expenses	SEG	C	54,728,200	54,728,200
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			55,552,600	55,552,600
	OTHER			(55,552,600)	(55,552,600)
	TOTAL-ALL SOURCES			55,552,600	55,552,600
9	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
10	(u) Administration	SEG	A	491,600	491,600
11	(v) Specified payments, fire dues and				
12	reinsurance	SEG	C	6,547,000	6,547,000
	(3) PROGRAM TOTALS				
	SEGREGATED FUNDS			7,038,600	7,038,600
	OTHER			(7,038,600)	(7,038,600)
	TOTAL-ALL SOURCES			7,038,600	7,038,600
13	(4) STATE LIFE INSURANCE FUND				
14	(u) Administration	SEG	A	488,100	481,200
15	(v) Specified payments and losses	SEG	C	2,980,000	2,980,000
	(4) PROGRAM TOTALS				
	SEGREGATED FUNDS			3,468,100	3,461,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	OTHER			(3,468,100)	(3,461,200)
	TOTAL-ALL SOURCES			3,468,100	3,461,200
1	(7) HEALTH INSURANCE RISK-SHARING PLAN ADMINISTRATION				
2	(a) Premium and deductible reduction				
3	subsidy	GPR	B	423,100	-0-
4	(b) Mitigation of rate increase;				
5	premium reduction	GPR	A	-0-	-0-
6	(g) Premium and deductible reduction				
7	subsidy; insurer assessments and				
8	penalties	PR	C	1,021,900	-0-
9	(u) Administration	SEG	A	47,300	-0-
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			423,100	-0-
	PROGRAM REVENUE			1,021,900	-0-
	OTHER			(1,021,900)	(-0-)
	SEGREGATED FUNDS			47,300	-0-
	OTHER			(47,300)	(-0-)
	TOTAL-ALL SOURCES			1,492,300	-0-
	20.145 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			423,100	-0-
	PROGRAM REVENUE			11,832,300	10,271,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(9,478,400)	(7,917,200)
	SERVICE			(2,353,900)	(2,353,900)
	SEGREGATED FUNDS			66,106,600	66,052,400
	OTHER			(66,106,600)	(66,052,400)
	TOTAL-ALL SOURCES			78,362,000	76,323,500
10	20.155 Public service commission				
11	(1) REGULATION OF PUBLIC UTILITIES				
12	(g) Utility regulation	PR	A	11,482,300	11,459,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(h) Holding company and nonutility				
2	affiliate regulation	PR	C	545,300	545,300
3	(j) Intervenor financing	PR	A	500,000	500,000
4	(L) Stray voltage program	PR	A	192,800	192,800
5	(Lb) Gifts for stray voltage program	PR	C	-0-	-0-
6	(m) Federal funds	PR-F	C	71,000	71,000
7	(n) Indirect costs reimbursement	PR-F	C	19,000	19,000
8	(q) Universal telecommunications				
9	service	SEG	B	8,000,000	8,000,000
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			12,810,400	12,787,100
	FEDERAL			(90,000)	(90,000)
	OTHER			(12,720,400)	(12,697,100)
	SEGREGATED FUNDS			8,000,000	8,000,000
	OTHER			(8,000,000)	(8,000,000)
	TOTAL-ALL SOURCES			20,810,400	20,787,100
10	(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
11	(g) Railroad regulation and general				
12	program operations	PR	A	459,100	474,100
13	(m) Railroad regulation; federal funds	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			459,100	474,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(459,100)	(474,100)
	TOTAL-ALL SOURCES			459,100	474,100
	20.155 DEPARTMENT TOTALS				
	PROGRAM REVENUE			13,269,500	13,261,200
	FEDERAL			(90,000)	(90,000)
	OTHER			(13,179,500)	(13,171,200)
	SEGREGATED FUNDS			8,000,000	8,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	OTHER			(8,000,000)	(8,000,000)
	TOTAL-ALL SOURCES			21,269,500	21,261,200
1	20.165 Regulation and licensing, department of				
2	(1) PROFESSIONAL REGULATION				
3	(g) General program operations	PR	A	8,174,500	7,937,500
4	(gm) Applicant investigation				
5	reimbursement	PR	C	130,100	180,100
6	(h) Technical assistance; nonstate				
7	agencies and organizations	PR	C	-0-	-0-
8	(i) Examinations; general program				
9	operations	PR	C	620,200	620,200
10	(k) Technical assistance; state agencies	PR-S	C	-0-	-0-
11	(m) Federal funds	PR-F	C	-0-	-0-
	20.165 DEPARTMENT TOTALS				
	PROGRAM REVENUE			8,924,800	8,737,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,924,800)	(8,737,800)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			8,924,800	8,737,800
12	20.190 State fair park board				
13	(1) STATE FAIR PARK				
14	(c) Housing facilities principal				
15	repayment, interest and rebates	GPR	S	497,800	884,000
16	(d) Principal repayment and interest	GPR	S	-0-	-0-
17	(h) State fair operations	PR	A	12,111,000	12,136,500
18	(i) State fair capital expenses	PR	C	224,000	224,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(j) State fair principal repayment,				
2	interest and rebates	PR	S	1,534,500	1,889,500
3	(jm) Gifts and grants	PR	C	-0-	-0-
4	(m) Federal funds	PR-F	C	-0-	-0-

20.190 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	497,800	884,000
PROGRAM REVENUE	13,869,500	14,250,000
FEDERAL	(-0-)	(-0-)
OTHER	(13,869,500)	(14,250,000)
TOTAL-ALL SOURCES	14,367,300	15,134,000

Commerce

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	53,104,600	51,646,700
PROGRAM REVENUE	150,235,000	147,936,800
FEDERAL	(42,200,800)	(42,203,400)
OTHER	(99,183,100)	(96,820,500)
SERVICE	(8,851,100)	(8,912,900)
SEGREGATED FUNDS	194,418,100	188,488,200
FEDERAL	(-0-)	(-0-)
OTHER	(194,418,100)	(188,488,200)
SERVICE	(-0-)	(-0-)
LOCAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	397,757,700	388,071,700

Education5 **20.215 Arts board**

6	(1) SUPPORT OF ARTS PROJECTS				
7	(a) General program operations	GPR	A	309,700	309,800
8	(b) State aid for the arts	GPR	A	992,400	992,400
9	(c) Portraits of governors	GPR	A	-0-	-0-
10	(d) Challenge grant program	GPR	A	655,800	655,800
11	(f) Wisconsin regranting program	GPR	A	120,000	120,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(fm) Transfer to arts board endowment				
2	fund	GPR	A	442,100	442,100
3	(g) Gifts and grants; state operations	PR	C	18,000	18,000
4	(h) Gifts and grants; aids to individuals				
5	and organizations	PR	C	-0-	-0-
6	(k) Funds received from other state				
7	agencies	PR-S	C	-0-	-0-
8	(ka) Percent-for-art administration	PR-S	A	53,600	53,600
9	(kb) Information technology				
10	development projects	PR-S	A	-0-	-0-
11	(m) Federal grants; state operations	PR-F	C	453,600	453,600
12	(o) Federal grants; aids to individuals				
13	and organizations	PR-F	C	400,000	400,000
14	(r) Loans for the arts	SEG	C	442,100	442,100

20.215 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	2,520,000	2,520,100
PROGRAM REVENUE	925,200	925,200
FEDERAL	(853,600)	(853,600)
OTHER	(18,000)	(18,000)
SERVICE	(53,600)	(53,600)
SEGREGATED FUNDS	442,100	442,100
OTHER	(442,100)	(442,100)
TOTAL-ALL SOURCES	3,887,300	3,887,400

15 **20.225 Educational communications board**

16	(1) INSTRUCTIONAL TECHNOLOGY				
17	(a) General program operations	GPR	A	3,696,900	3,705,000
18	(b) Energy costs	GPR	A	421,600	425,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(c) Principal repayment and interest	GPR	S	1,011,000	788,200
2	(d) Milwaukee area technical college	GPR	A	330,000	330,000
3	(eg) Transmitter construction	GPR	C	-0-	-0-
4	(er) Transmitter operation	GPR	A	25,000	25,000
5	(f) Programming	GPR	A	1,519,600	1,458,100
6	(g) Gifts, grants, contracts and leases	PR	C	6,396,200	6,311,500
7	(h) Instructional material	PR	A	310,300	310,300
8	(k) Funds received from other state				
9	agencies	PR-S	C	-0-	-0-
10	(ka) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(kb) Emergency weather warning				
13	system operation	PR-S	A	40,800	57,400
14	(m) Federal grants	PR-F	C	471,800	471,800
20.225 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			7,004,100	6,731,500
	PROGRAM REVENUE			7,219,100	7,151,000
	FEDERAL			(471,800)	(471,800)
	OTHER			(6,706,500)	(6,621,800)
	SERVICE			(40,800)	(57,400)
	TOTAL-ALL SOURCES			14,223,200	13,882,500
15	20.235 Higher educational aids board				
16	(1) STUDENT SUPPORT ACTIVITIES				
17	(b) Tuition grants	GPR	B	16,371,200	16,862,300
18	(cg) Nursing student loans	GPR	A	-0-	-0-
19	(cr) Minority teacher loans	GPR	A	120,000	120,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(d) Dental education contract	GPR	A	1,167,000	1,167,000
2	(e) Minnesota-Wisconsin student				
3	reciprocity agreement	GPR	S	-0-	-0-
4	(fb) Indian student assistance	GPR	B	779,800	779,800
5	(fc) Independent student grants				
6	program	GPR	B	-0-	-0-
7	(fd) Talent incentive grants	GPR	B	3,933,800	3,933,800
8	(fe) Wisconsin higher education grants	GPR	B	14,257,400	14,694,500
9	(ff) Wisconsin higher education grants;				
10	technical college students	GPR	B	11,515,000	12,205,900
11	(fg) Minority undergraduate retention				
12	grants program	GPR	B	693,100	693,100
13	(fj) Handicapped student grants	GPR	B	123,800	123,800
14	(fy) Academic excellence higher				
15	education scholarship program	GPR	S	3,218,000	3,016,300
16	(g) Student loans	PR	A	-0-	-0-
17	(gg) Nursing student loan repayments	PR	C	-0-	-0-
18	(gm) Indian student assistance;				
19	contributions	PR	C	-0-	-0-
20	(i) Gifts and grants	PR	C	-0-	-0-
21	(no) Federal aid; aids to individuals and				
22	organizations	PR-F	C	1,042,000	1,042,000
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				52,179,100	53,596,500
PROGRAM REVENUE				1,042,000	1,042,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	FEDERAL			(1,042,000)	(1,042,000)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			53,221,100	54,638,500
1	(2) ADMINISTRATION				
2	(aa) General program operations	GPR	A	652,200	652,200
3	(bb) Student loan interest, loans sold or				
4	conveyed	GPR	S	-0-	-0-
5	(bc) Write-off of uncollectible student				
6	loans	GPR	A	-0-	-0-
7	(bd) Purchase of defective student loans	GPR	S	-0-	-0-
8	(ga) Student interest payments	PR	C	1,000	1,000
9	(gb) Student interest payments, loans				
10	sold or conveyed	PR	C	-0-	-0-
11	(ia) Student loans; collection and				
12	administration	PR	C	-0-	-0-
13	(ja) Write-off of defaulted student loans	PR	A	-0-	-0-
14	(ka) Information technology				
15	development projects	PR-S	A	-0-	-0-
16	(n) Federal aid; state operations	PR-F	C	-0-	-0-
17	(qa) Student loan revenue obligation				
18	repayment	SEG	C	-0-	-0-
19	(qb) Wisconsin health education loan				
20	revenue obligation repayment	SEG	C	105,100	105,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			652,200	652,200
	PROGRAM REVENUE			1,000	1,000
	FEDERAL			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	OTHER			(1,000)	(1,000)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			105,100	105,100
	OTHER			(105,100)	(105,100)
	TOTAL-ALL SOURCES			758,300	758,300
1	(3) EDUCATIONAL APPROVAL BOARD				
2	(g) Proprietary school programs	PR	A	337,600	343,500
3	(m) Federal aid	PR-F	C	171,900	171,900
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			509,500	515,400
	FEDERAL			(171,900)	(171,900)
	OTHER			(337,600)	(343,500)
	TOTAL-ALL SOURCES			509,500	515,400
	20.235 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			52,831,300	54,248,700
	PROGRAM REVENUE			1,552,500	1,558,400
	FEDERAL			(1,213,900)	(1,213,900)
	OTHER			(338,600)	(344,500)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			105,100	105,100
	OTHER			(105,100)	(105,100)
	TOTAL-ALL SOURCES			54,488,900	55,912,200
4	20.245 Historical society				
5	(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES				
6	(a) General program operations;				
7	archives and research services	GPR	A	1,963,200	2,054,700
8	(am) General program operations;				
9	library services	GPR	A	1,960,500	1,960,500
10	(b) Distribution of the history of				
11	Wisconsin	GPR	C	35,000	35,000
12	(d) Pilot electronic records program	GPR	A	81,300	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(e) Principal repayment, interest and				
2	rebates	GPR	S	5,200	30,200
3	(g) Admissions, sales and other				
4	receipts	PR	C	493,300	493,300
5	(h) Gifts and grants	PR	C	57,400	57,400
6	(k) Funds received from other state				
7	agencies	PR-S	C	25,000	25,000
8	(m) General program operations;				
9	federal funds	PR-F	C	126,900	126,900
10	(r) Endowment	SEG	C	118,400	118,400
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,045,200	4,080,400
	PROGRAM REVENUE			702,600	702,600
	FEDERAL			(126,900)	(126,900)
	OTHER			(550,700)	(550,700)
	SERVICE			(25,000)	(25,000)
	SEGREGATED FUNDS			118,400	118,400
	OTHER			(118,400)	(118,400)
	TOTAL-ALL SOURCES			4,866,200	4,901,400
11	(2) HISTORIC SITES				
12	(a) General program operations	GPR	A	242,400	242,400
13	(bd) Stonefield Village	GPR	A	185,000	185,000
14	(be) Pendarvis and First Capitol	GPR	A	149,700	149,700
15	(bf) Villa Louis	GPR	A	125,300	125,300
16	(bg) Old Wade House	GPR	A	228,400	228,400
17	(bh) Madeline Island	GPR	A	6,200	6,200
18	(bi) Old World Wisconsin	GPR	A	512,900	512,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(c) Energy costs	GPR	A	93,500	93,500
2	(e) Principal repayment and interest	GPR	S	622,000	641,200
3	(g) Admissions, sales and other				
4	receipts	PR	A	2,007,000	2,190,000
5	(h) Gifts and grants	PR	C	58,000	58,000
6	(j) Self-amortizing facilities; principal				
7	repayment, interest and rebates	PR	S	112,300	208,500
8	(k) Funds received from other state				
9	agencies	PR-S	C	-0-	-0-
10	(m) General program operations;				
11	federal funds	PR-F	C	64,300	64,300
12	(r) Endowment	SEG	C	175,900	175,900
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,165,400	2,184,600
	PROGRAM REVENUE			2,241,600	2,520,800
	FEDERAL			(64,300)	(64,300)
	OTHER			(2,177,300)	(2,456,500)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			175,900	175,900
	OTHER			(175,900)	(175,900)
	TOTAL-ALL SOURCES			4,582,900	4,881,300
13	(3) HISTORIC AND BURIAL SITES PRESERVATION				
14	(a) General program operations	GPR	A	1,124,000	1,124,000
15	(d) Historical markers; state-funded				
16	markers and plaques	GPR	A	10,000	10,000
17	(dm) Historic preservation	GPR	C	2,400	2,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(g) Admissions, sales and other				
2	receipts	PR	A	1,000	1,000
3	(gm) Excavation and analysis; cataloged				
4	burial sites	PR	C	-0-	-0-
5	(h) Gifts and grants	PR	C	16,000	16,000
6	(k) Funds received from other state				
7	agencies	PR-S	C	-0-	-0-
8	(m) General program operations;				
9	federal funds	PR-F	C	708,500	708,500
10	(n) Federal aids	PR-F	C	-0-	-0-
11	(r) Endowment	SEG	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,136,400	1,136,400
	PROGRAM REVENUE			725,500	725,500
	FEDERAL			(708,500)	(708,500)
	OTHER			(17,000)	(17,000)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,861,900	1,861,900
12	(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
13	(a) General program operations	GPR	A	1,627,000	1,627,000
14	(c) Energy costs	GPR	A	148,000	148,000
15	(e) Principal repayment and interest	GPR	S	-0-	-0-
16	(f) Humanities grants	GPR	B	-0-	-0-
17	(g) Admissions, sales and other				
18	receipts	PR	A	188,300	188,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(h) Gifts and grants	PR	C	163,900	163,900
2	(j) Maritime project grants	PR	C	-0-	-0-
3	(k) General program operations -				
4	service funds	PR-S	C	357,200	357,200
5	(ka) Information technology				
6	development projects	PR-S	A	-0-	-0-
7	(m) General program operations;				
8	federal funds	PR-F	C	3,000	3,000
9	(pz) Indirect cost reimbursements	PR-F	C	95,000	95,000
10	(q) Endowment principal	SEG	C	-0-	-0-
11	(r) Endowment	SEG	C	161,400	161,400
12	(s) Transfer to Historical Society				
13	endowment fund	SEG	S	-0-	-0-
14	(t) Historical legacy program	SEG	S	-0-	-0-
15	(y) Northern great lakes center	SEG	A	16,000	32,000
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,775,000	1,775,000
	PROGRAM REVENUE			807,400	807,400
	FEDERAL			(98,000)	(98,000)
	OTHER			(352,200)	(352,200)
	SERVICE			(357,200)	(357,200)
	SEGREGATED FUNDS			177,400	193,400
	OTHER			(177,400)	(193,400)
	TOTAL-ALL SOURCES			2,759,800	2,775,800
16	(5) MUSEUM				
17	(a) General program operations	GPR	A	920,300	920,300
18	(c) Energy costs	GPR	A	98,700	98,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(e) Principal repayment and interest	GPR	S	566,900	471,100
2	(g) Admissions, sales and other				
3	receipts	PR	C	339,800	339,800
4	(h) Gifts and grants	PR	C	22,200	22,200
5	(k) Funds received from other state				
6	agencies	PR-S	C	987,500	987,500
7	(m) General program operations;				
8	federal funds	PR-F	C	15,300	15,300
9	(r) Endowment	SEG	C	19,600	19,600
(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,585,900	1,490,100
	PROGRAM REVENUE			1,364,800	1,364,800
	FEDERAL			(15,300)	(15,300)
	OTHER			(362,000)	(362,000)
	SERVICE			(987,500)	(987,500)
	SEGREGATED FUNDS			19,600	19,600
	OTHER			(19,600)	(19,600)
	TOTAL-ALL SOURCES			2,970,300	2,874,500
20.245 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			10,707,900	10,666,500
	PROGRAM REVENUE			5,841,900	6,121,100
	FEDERAL			(1,013,000)	(1,013,000)
	OTHER			(3,459,200)	(3,738,400)
	SERVICE			(1,369,700)	(1,369,700)
	SEGREGATED FUNDS			491,300	507,300
	OTHER			(491,300)	(507,300)
	TOTAL-ALL SOURCES			17,041,100	17,294,900
10	20.250 Medical college of Wisconsin				
11	(1) TRAINING OF HEALTH PERSONNEL				
12	(a) General program operations	GPR	A	4,105,100	4,105,100
13	(b) Family medicine and practice	GPR	A	3,326,400	3,371,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(c) Area health education centers and				
2	projects	GPR	A	375,000	400,000
3	(e) Principal repayment and interest	GPR	S	64,400	123,000
20.250 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			7,870,900	8,000,000
	TOTAL-ALL SOURCES			7,870,900	8,000,000
4	20.255 Public instruction, department of				
5	(1) EDUCATIONAL LEADERSHIP				
6	(a) General program operations	GPR	A	10,547,200	10,514,500
7	(b) General program operations;				
8	residential schools	GPR	A	9,069,100	9,075,600
9	(c) Energy costs	GPR	A	338,300	348,000
10	(d) Principal repayment and interest	GPR	S	1,096,600	895,900
11	(dt) Educational assessment program	GPR	A	372,000	372,000
12	(dw) Pupil assessment	GPR	A	2,255,000	2,620,000
13	(g) Student activity therapy	PR	A	6,500	6,500
14	(gb) Residential schools; nonresident				
15	fees	PR	C	56,000	60,000
16	(gt) Residential schools; pupil				
17	transportation	PR	A	826,300	906,300
18	(hf) Administrative leadership academy	PR	A	-0-	-0-
19	(hg) Personnel certific., teacher supply,				
20	info. and analysis and teacher				
21	improv.	PR	A	2,313,300	2,313,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(hm) Services for drivers	PR	A	225,200	225,200
2	(hr) Alcohol and other drug abuse				
3	program	PR	C	723,500	759,600
4	(i) Publications	PR	A	530,900	535,900
5	(im) Library products and services	PR	C	660,700	660,700
6	(jg) School lunch handling charges	PR	A	3,000,500	3,000,500
7	(jm) Professional services center charges	PR	A	130,000	130,000
8	(jr) Gifts, grants and trust funds	PR	C	395,000	395,000
9	(js) State-owned housing maintenance	PR	A	7,100	7,100
10	(jz) School district boundary appeal				
11	proceedings	PR	C	10,500	10,500
12	(ke) Funds transferred from other state				
13	agencies; program operations	PR-S	C	1,811,000	1,678,500
14	(km) State agency library processing				
15	center	PR-S	A	86,400	86,400
16	(ks) Data processing	PR-S	C	1,557,400	1,557,500
17	(kt) Information technology				
18	development projects	PR-S	A	-0-	-0-
19	(me) Federal aids; program operations	PR-F	C	16,616,200	16,616,800
20	(pz) Indirect cost reimbursements	PR-F	C	912,400	912,400
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			23,678,200	23,826,000
	PROGRAM REVENUE			29,868,900	29,862,300
	FEDERAL			(17,528,600)	(17,529,200)
	OTHER			(8,885,500)	(9,010,700)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
SERVICE				(3,454,800)	(3,322,400)
TOTAL-ALL SOURCES				53,547,100	53,688,300
1	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
2	(ac) General equalization aids	GPR	S	3,343,600,000	3,481,600,000
3	(b) Aids for handicapped education	GPR	A	275,548,700	275,548,700
4	(bc) Aid for children-at-risk programs	GPR	A	3,500,000	3,500,000
5	(bh) Aid to county handicapped				
6	children's education boards	GPR	A	2,316,300	2,316,300
7	(br) Aid for handicapped education				
8	transportation	GPR	A	-0-	-0-
9	(cc) Bilingual-bicultural education aids	GPR	A	8,291,400	8,291,400
10	(cg) Tuition payments	GPR	A	7,445,100	7,595,100
11	(ci) Alternative school American Indian				
12	language and culture education aid	GPR	A	136,900	136,900
13	(cm) Grants for school breakfast				
14	programs	GPR	C	150,000	150,000
15	(cn) Aids for school lunches and				
16	nutritional improvement	GPR	A	4,320,600	4,320,600
17	(cp) Wisconsin morning milk program	GPR	A	429,300	429,300
18	(cr) Aid for pupil transportation	GPR	A	17,742,500	17,742,500
19	(cu) Achievement guarantee contracts	GPR	A	4,591,000	4,591,000
20	(cv) Achievement guarantee contracts;				
21	supplement	GPR	A	2,369,000	4,739,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(cw) Aid for transportation to				
2	institutions of higher education	GPR	A	20,000	20,000
3	(d) Youth initiatives program	GPR	A	-0-	-0-
4	(dc) Professional development	GPR	A	-0-	-0-
5	(dm) Grants for early alcohol & other				
6	drug abuse prevention &				
7	intervention progs	GPR	A	2,720,000	2,720,000
8	(do) Grants for preschool to grade 5				
9	programs	GPR	A	6,670,000	6,670,000
10	(ec) Aid to Milwaukee public schools	GPR	A	8,000,000	8,000,000
11	(ed) Youth service centers, truancy				
12	abatement and burglary				
13	suppression	GPR	A	-0-	-0-
14	(ef) Collaborative projects	GPR	A	-0-	-0-
15	(eg) Collaborative service programs	GPR	A	-0-	-0-
16	(eh) Head start supplement	GPR	A	4,950,000	4,950,000
17	(em) Driver education; local assistance	GPR	A	4,498,400	4,493,700
18	(fg) Aid for cooperative educational				
19	service agencies	GPR	A	300,000	300,000
20	(fm) Charter schools	GPR	S	-0-	-0-
21	(fu) Milwaukee parental choice program	GPR	S	6,600,000	6,600,000
22	(fy) Youth alcohol and other drug abuse				
23	programs	GPR	A	1,800,000	1,800,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(g) Aid for alcohol and other drug				
2	abuse programs	PR	C	1,900,300	1,248,500
3	(k) Funds transferred from other state				
4	agencies; local aids	PR-S	C	9,281,300	9,281,300
5	(m) Federal aids; local aid	PR-F	C	316,867,600	319,373,900
6	(s) School library aids	SEG	A	14,300,000	14,300,000
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,705,999,200	3,846,514,500
	PROGRAM REVENUE			328,049,200	329,903,700
	FEDERAL			(316,867,600)	(319,373,900)
	OTHER			(1,900,300)	(1,248,500)
	SERVICE			(9,281,300)	(9,281,300)
	SEGREGATED FUNDS			14,300,000	14,300,000
	OTHER			(14,300,000)	(14,300,000)
	TOTAL-ALL SOURCES			4,048,348,400	4,190,718,200
7	(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
8	(e) Aid to public library systems	GPR	A	11,772,200	11,772,200
9	(ea) Library service contracts	GPR	A	865,100	865,100
10	(eb) Youth village program	GPR	A	232,000	232,000
11	(ec) Wisconsin geography alliance	GPR	A	-0-	-0-
12	(ed) Wisconsin institute for school				
13	executives	GPR	A	-0-	-0-
14	(ef) School-to-work programs for				
15	children at risk	GPR	A	250,000	250,000
16	(eg) Milwaukee public museum	GPR	A	50,000	50,000
17	(fa) Very special arts	GPR	A	75,000	75,000
18	(fg) Special olympics	GPR	A	75,000	75,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(fz) Minority group pupil scholarships	GPR	A	1,211,500	1,211,500
2	(mm) Federal funds; local assistance	PR-F	C	1,261,900	1,261,900
3	(ms) Federal funds; individuals and				
4	organizations	PR-F	C	34,973,600	35,657,500
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			14,530,800	14,530,800
	PROGRAM REVENUE			36,235,500	36,919,400
	FEDERAL			(36,235,500)	(36,919,400)
	TOTAL-ALL SOURCES			50,766,300	51,450,200
	20.255 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			3,744,208,200	3,884,871,300
	PROGRAM REVENUE			394,153,600	396,685,400
	FEDERAL			(370,631,700)	(373,822,500)
	OTHER			(10,785,800)	(10,259,200)
	SERVICE			(12,736,100)	(12,603,700)
	SEGREGATED FUNDS			14,300,000	14,300,000
	OTHER			(14,300,000)	(14,300,000)
	TOTAL-ALL SOURCES			4,152,661,800	4,295,856,700
5	20.275 Technology for educational achievement in Wisconsin board				
6	(1) EDUCATIONAL TECHNOLOGY				
7	(a) General program operations	GPR	A	596,500	710,900
8	(d) Pioneering partners grants	GPR	A	5,000,000	-0-
9	(er) Principal, interest & rebates;				
10	general purpose rev. - public				
11	library boards	GPR	S	25,000	500,000
12	(es) Principal, interest and rebates;				
13	general purpose revenue - school				
14	districts	GPR	S	250,000	5,000,000
15	(et) Educational technology training &				
16	technical assistance grants	GPR	A	2,000,000	4,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(f) Educational technology block				
2	grants	GPR	A	10,000,000	30,000,000
3	(fs) Supplemental educational				
4	technology block grants	GPR	A	2,000,000	-0-
5	(g) Gifts and grants	PR	C	-0-	-0-
6	(h) Principal, interest and rebates;				
7	program revenue - school districts	PR	S	250,000	5,000,000
8	(hb) Principal, interest & rebates;				
9	program revenue - public library				
10	boards	PR	C	25,000	500,000
11	(L) Equipment purchases and leases	PR	C	-0-	-0-
12	(m) Federal aid	PR-F	C	-0-	-0-
13	(s) Educational telec. access support;				
14	school dists. & tech. coll. dists.	SEG	B	4,375,000	5,500,000
15	(t) Educational telec. access support;				
16	private coll. & public library boards	SEG	B	730,000	1,091,400
17	(u) Educational technology aid	SEG	A	15,000,000	5,000,000
	20.275 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			19,871,500	40,210,900
	PROGRAM REVENUE			275,000	5,500,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(275,000)	(5,500,000)
	SEGREGATED FUNDS			20,105,000	11,591,400
	OTHER			(20,105,000)	(11,591,400)
	TOTAL-ALL SOURCES			40,251,500	57,302,300

18 **20.285 University of Wisconsin system**

19 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) General program operations	GPR	A	696,204,000	696,755,100
2	(ab) Student aid	GPR	A	1,315,300	1,315,300
3	(am) Distinguished professorships	GPR	A	648,700	648,700
4	(as) Industrial and economic				
5	development research	GPR	A	1,408,300	1,408,300
6	(b) Area health education centers	GPR	A	375,000	400,000
7	(bm) Fee remissions	GPR	A	15,000	15,000
8	(c) Energy costs	GPR	A	41,312,000	42,267,000
9	(cg) Driver education teachers	GPR	C	61,000	61,000
10	(cm) Educational technology	GPR	A	1,325,200	1,580,800
11	(d) Principal repayment and interest	GPR	S	72,549,800	68,540,700
12	(da) Lease rental payments	GPR	S	-0-	-0-
13	(db) Self-amortizing facilities principal				
14	and interest	GPR	S	-0-	-0-
15	(ee) Environmental educational grants	GPR	A	200,000	200,000
16	(em) Schools of business	GPR	A	1,331,600	1,331,600
17	(eo) Extension outreach	GPR	A	282,800	282,800
18	(fc) Department of family medicine and				
19	practice	GPR	A	6,502,900	6,502,900
20	(fd) State laboratory of hygiene; general				
21	program operations	GPR	A	5,812,300	6,254,800
22	(fh) State laboratory of hygiene;				
23	principal repayment and interest	GPR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(fm) Laboratories	GPR	A	4,185,900	4,185,900
2	(fs) Farm safety program grants	GPR	A	20,000	20,000
3	(fx) Alcohol and other drug abuse				
4	prevention and intervention	GPR	A	46,500	46,500
5	(g) Physical plant service departments	PR	C	-0-	-0-
6	(ga) Surplus auxiliary funds	PR	C	-0-	-0-
7	(gm) Auxiliary enterprises building				
8	projects	PR	C	14,747,500	14,747,500
9	(gr) Center for urban land economics				
10	research	PR	A	175,000	175,000
11	(h) Auxiliary enterprises	PR	C	338,056,300	338,603,300
12	(ha) Stores	PR	C	5,602,800	5,602,800
13	(hm) Extension outreach	PR	C	171,600	171,600
14	(i) State laboratory of hygiene	PR	C	15,378,900	17,001,300
15	(ia) State laboratory of hygiene, drivers	PR	C	633,700	639,700
16	(ih) State laboratory of hygiene;				
17	principal repayment and interest	PR	S	-0-	-0-
18	(im) Academic student fees	PR	A	393,307,400	396,160,500
19	(ip) Extension student fees	PR	A	7,693,600	7,693,600
20	(iz) General operations receipts	PR	C	71,557,000	75,365,800
21	(j) Gifts and donations	PR	C	219,442,800	221,757,600
22	(ja) Gifts; student loans	PR	C	3,398,600	3,398,600
23	(jm) Distinguished professorships	PR	C	432,000	432,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(jp) License plate scholarship programs	PR	C	-0-	-0-
2	(k) Funds transferred from other state				
3	agencies	PR-S	C	-0-	-0-
4	(ka) Sale of real property	PR	C	-0-	-0-
5	(kc) Information technology				
6	development projects	PR-S	A	-0-	-0-
7	(kd) Principal repayment, interest and				
8	rebates	PR-S	S	19,321,200	25,146,900
9	(ke) Lease rental payments	PR-S	S	-0-	-0-
10	(kp) Student-related activities	PR-S	C	-0-	-0-
11	(L) Recycling market development;				
12	repayments	PR	C	-0-	-0-
13	(Lm) Laboratories	PR	A	4,405,400	4,405,400
14	(Ls) Schools of business	PR	A	592,300	592,300
15	(m) Federal aid	PR-F	C	325,529,300	325,529,300
16	(ma) Federal aid; loans and grants	PR-F	C	158,245,100	158,245,100
17	(n) Federal indirect cost				
18	reimbursement	PR-F	C	73,147,800	73,147,800
19	(q) Telecommunications services	SEG	A	-0-	-0-
20	(r) Environmental education;				
21	environmental assessments	SEG	C	30,000	30,000
22	(rc) Environmental education; forestry	SEG	A	200,000	200,000
23	(tb) Extension recycling education	SEG	A	306,900	306,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(tm) Solid waste research and				
2	experiments	SEG	A	189,800	190,200
3	(u) Trust fund income	SEG	C	28,780,800	19,829,000
4	(w) Trust fund operations	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			833,596,300	831,816,400
	PROGRAM REVENUE			1,651,838,300	1,668,816,100
	FEDERAL			(556,922,200)	(556,922,200)
	OTHER			(1,075,594,900)	(1,086,747,000)
	SERVICE			(19,321,200)	(25,146,900)
	SEGREGATED FUNDS			29,507,500	20,556,100
	OTHER			(29,507,500)	(20,556,100)
	TOTAL-ALL SOURCES			2,514,942,100	2,521,188,600
5	(3) UNIVERSITY SYSTEM ADMINISTRATION				
6	(a) General program operations	GPR	A	8,770,300	8,769,900
7	(iz) General operations receipts	PR	C	235,500	235,500
8	(ka) Information technology				
9	development projects; system				
10	administration	PR-S	A	-0-	-0-
11	(n) Federal indirect cost				
12	reimbursement	PR-F	C	1,690,200	1,690,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,770,300	8,769,900
	PROGRAM REVENUE			1,925,700	1,925,700
	FEDERAL			(1,690,200)	(1,690,200)
	OTHER			(235,500)	(235,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,696,000	10,695,600
13	(4) MINORITY AND DISADVANTAGED PROGRAMS				
14	(a) Minority and disadvantaged				
15	programs	GPR	A	7,148,500	7,148,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(b) Graduate student financial aid	GPR	A	3,798,800	3,798,800
2	(dd) Lawton minority undergraduate				
3	grants program	GPR	A	2,006,900	2,006,900
4	(de) Pilot minority student tuition				
5	award program	GPR	A	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			12,954,200	12,954,200
	TOTAL-ALL SOURCES			12,954,200	12,954,200
6	(5) UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETICS				
7	(a) General program operations	GPR	A	576,400	576,400
8	(h) Auxiliary enterprises	PR	A	25,170,300	26,006,400
9	(i) Nonincome sports	PR	C	250,100	250,100
10	(j) Gifts and grants	PR	C	3,108,400	3,108,400
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			576,400	576,400
	PROGRAM REVENUE			28,528,800	29,364,900
	OTHER			(28,528,800)	(29,364,900)
	TOTAL-ALL SOURCES			29,105,200	29,941,300
11	(6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY				
12	(a) Services received from authority	GPR	A	3,751,000	3,751,000
13	(g) Services provided to authority	PR	C	26,593,000	27,392,300
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,751,000	3,751,000
	PROGRAM REVENUE			26,593,000	27,392,300
	OTHER			(26,593,000)	(27,392,300)
	TOTAL-ALL SOURCES			30,344,000	31,143,300
	20.285 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			859,648,200	857,867,900
	PROGRAM REVENUE			1,708,885,800	1,727,499,000
	FEDERAL			(558,612,400)	(558,612,400)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	OTHER			(1,130,952,200)	(1,143,739,700)
	SERVICE			(19,321,200)	(25,146,900)
	SEGREGATED FUNDS			29,507,500	20,556,100
	OTHER			(29,507,500)	(20,556,100)
	TOTAL-ALL SOURCES			2,598,041,500	2,605,923,000
1	20.292 Technical college system, board of				
2	(1) TECHNICAL COLLEGE SYSTEM				
3	(a) General program operations	GPR	A	2,824,000	2,825,200
4	(am) Fee remissions	GPR	A	15,000	15,000
5	(b) Displaced homemakers' program	GPR	A	851,700	851,700
6	(bm) Workplace literacy resource center	GPR	A	-0-	-0-
7	(c) Minority student participation and				
8	retention grants	GPR	A	617,000	617,000
9	(ce) Basic skills grants	GPR	A	-0-	-0-
10	(cm) Technical preparation aid	GPR	A	-0-	-0-
11	(d) State aid for technical colleges	GPR	A	111,852,200	113,530,000
12	(dc) Incentive grants	GPR	C	7,888,100	7,888,100
13	(dd) Farm training program tuition				
14	grants	GPR	A	150,000	150,000
15	(de) Services for handicapped students;				
16	local assistance	GPR	A	200,000	200,000
17	(dm) Aid for special collegiate transfer				
18	programs	GPR	A	1,124,300	1,124,300
19	(e) Technical college instructor				
20	occupational competency program	GPR	A	71,300	71,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(eg) Faculty development grants	GPR	A	832,000	832,000
2	(em) Apprenticeship curriculum				
3	development	GPR	A	75,000	75,000
4	(f) Alcohol and other drug abuse				
5	prevention and intervention	GPR	A	525,000	525,000
6	(fc) Driver education, local assistance	GPR	A	322,000	322,000
7	(fg) Chauffeur training grants	GPR	C	200,000	200,000
8	(fm) Supplemental aid	GPR	A	1,500,000	1,500,000
9	(fp) Emergency medical technician -				
10	basic training; state operations	GPR	A	179,900	179,900
11	(g) Text materials	PR	A	123,000	123,000
12	(gm) Fire schools; state operations	PR	A	266,900	266,900
13	(gr) Fire schools; local assistance	PR	A	500,000	500,000
14	(gt) Telecommunications retraining	PR	C	300,000	300,000
15	(h) Gifts and grants	PR	C	20,600	20,600
16	(i) Conferences	PR	C	85,900	85,900
17	(j) Personnel certification	PR	A	203,800	203,800
18	(k) Gifts and grants	PR	C	30,200	30,200
19	(ka) Interagency projects; local				
20	assistance	PR-S	A	3,414,700	3,414,700
21	(kb) Interagency projects; state				
22	operations	PR-S	A	766,900	766,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kc) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(L) Services for district boards	PR	A	140,900	140,900
4	(m) Federal aid, state operations	PR-F	C	23,774,600	23,741,000
5	(n) Federal aid, local assistance	PR-F	C	5,055,000	5,055,000
6	(o) Federal aid, aids to individuals and				
7	organizations	PR-F	C	200,000	200,000
8	(pz) Indirect cost reimbursements	PR-F	C	136,000	136,000

20.292 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	129,227,500	130,906,500
PROGRAM REVENUE	35,018,500	34,984,900
FEDERAL	(29,165,600)	(29,132,000)
OTHER	(1,671,300)	(1,671,300)
SERVICE	(4,181,600)	(4,181,600)
TOTAL-ALL SOURCES	164,246,000	165,891,400

Education

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	4,833,889,600	4,996,023,400
PROGRAM REVENUE	2,153,871,600	2,180,425,000
FEDERAL	(961,962,000)	(965,119,200)
OTHER	(1,154,206,600)	(1,171,892,900)
SERVICE	(37,703,000)	(43,412,900)
SEGREGATED FUNDS	64,951,000	47,502,000
FEDERAL	(-0-)	(-0-)
OTHER	(64,951,000)	(47,502,000)
SERVICE	(-0-)	(-0-)
LOCAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	7,052,712,200	7,223,950,400

Environmental Resources

9	20.315 Boundary area commission, Minnesota-Wisconsin				
10	(1) BOUNDARY AREA COOPERATION				
11	(g) Gifts or grants	PR	C	90,000	90,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ka) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(q) General program operations —				
4	conservation fund	SEG	A	171,100	174,100
20.315 DEPARTMENT TOTALS					
	PROGRAM REVENUE			90,000	90,000
	OTHER			(90,000)	(90,000)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			171,100	174,100
	OTHER			(171,100)	(174,100)
	TOTAL-ALL SOURCES			261,100	264,100
5	20.320 Environmental improvement program				
6	(1) CLEAN WATER FUND PROGRAM OPERATIONS				
7	(a) Environmental aids — clean water				
8	fund program	GPR	A	-0-	-0-
9	(c) Principal repayment and				
10	interest — clean water fund				
11	program	GPR	S	22,519,200	29,354,300
12	(r) Clean water fund program				
13	repayment of revenue obligations	SEG	S	-0-	-0-
14	(s) Clean water fund program financial				
15	assistance	SEG	S	-0-	-0-
16	(sm) Land recycling loan program				
17	financial assistance	SEG	S	-0-	-0-
18	(t) Principal repayment and				
19	interest — clean water fund				
20	program bonds	SEG	A	4,000,000	4,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(u) Principal repay. & interest - clean				
2	water fd. prog. rev. obligation repay.	SEG	C	-0-	-0-
3	(x) Clean water fund program financial				
4	assistance; federal	SEG-F	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			22,519,200	29,354,300
	SEGREGATED FUNDS			4,000,000	4,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(4,000,000)	(4,000,000)
	TOTAL-ALL SOURCES			26,519,200	33,354,300
5	(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
6	(c) Principal repayment and				
7	interest — safe drinking water loan				
8	program	GPR	S	-0-	-0-
9	(s) Safe drinking water loan programs				
10	financial assistance	SEG	S	-0-	-0-
11	(x) Safe drinking water loan programs				
12	financial assistance; federal	SEG-F	C	-0-	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
20.320 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			22,519,200	29,354,300
	SEGREGATED FUNDS			4,000,000	4,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(4,000,000)	(4,000,000)
	TOTAL-ALL SOURCES			26,519,200	33,354,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	20.360 Lower Wisconsin state riverway board				
2	(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
3	(g) Gifts and grants	PR	C	-0-	-0-
4	(ka) Information technology				
5	development projects	PR-S	A	-0-	-0-
6	(q) General program operations —				
7	conservation fund	SEG	A	112,100	112,600
	20.360 DEPARTMENT TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			112,100	112,600
	OTHER			(112,100)	(112,600)
	TOTAL-ALL SOURCES			112,100	112,600
8	20.370 Natural resources, department of				
9	(1) LAND				
10	(cq) Forestry — reforestation	SEG	C	100,000	100,000
11	(cr) Forestry — recording fees	SEG	C	80,000	50,000
12	(cs) Forestry — forest fire emergencies	SEG	C	-0-	-0-
13	(ea) Parks — general program				
14	operations	GPR	A	4,969,900	4,969,900
15	(eq) Parks and forests - operation and				
16	maintenance	SEG	S	-0-	-0-
17	(er) Parks and forests - recycling				
18	activities	SEG	A	70,000	70,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(fb) Endangered resources — general				
2	program operations	GPR	A	-0-	-0-
3	(fc) Endangered resources — Wisconsin				
4	stewardship program	GPR	A	-0-	-0-
5	(fd) Endangered resources — natural				
6	heritage inventory program	GPR	A	220,100	220,100
7	(fe) Endangered resources — general				
8	fund	GPR	S	500,000	500,000
9	(fs) Endangered resources — voluntary				
10	payments; sales, leases and fees	SEG	C	1,116,800	1,116,800
11	(ft) Endangered resources —				
12	application fees	SEG	C	-0-	-0-
13	(gr) Endangered resources program —				
14	gifts and grants	SEG	C	-0-	-0-
15	(hr) Pheasant restoration	SEG	C	448,400	448,400
16	(ht) Wild turkey restoration	SEG	C	212,200	212,200
17	(hu) Wetlands habitat improvement	SEG	C	338,400	338,400
18	(it) Atlas revenues	SEG	C	-0-	-0-
19	(jr) Rental property and equipment —				
20	maintenance and replacement	SEG	C	-0-	-0-
21	(kq) Taxes and assessments —				
22	conservation fund	SEG	A	300,000	300,000
23	(Lq) Trapper education program	SEG	C	29,100	29,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(Lr) Beaver control; fish and wildlife				
2	account	SEG	C	100,000	100,000
3	(Ls) Control of wild animals	SEG	C	100,000	100,000
4	(ma) General program operations —				
5	state funds	GPR	A	583,200	583,200
6	(mg) General program operations —				
7	endangered resources	PR	C	-0-	-0-
8	(mi) General program operations —				
9	private and public sources	PR	C	351,000	351,000
10	(mk) General program operations —				
11	service funds	PR-S	C	452,700	452,700
12	(mq) General program operations —				
13	state snowmobile trails and areas	SEG	A	63,800	63,800
14	(ms) General program operations —				
15	state all-terrain vehicle projects	SEG	A	40,000	40,000
16	(mu) General program operations —				
17	state funds	SEG	A	-0-	-0-
18	Land program management	SEG	A	3,731,600	3,731,600
19	Wildlife management	SEG	A	7,961,700	7,958,500
20	Forestry	SEG	A	25,814,200	25,711,300
21	Southern forests	SEG	A	3,353,700	3,365,100
22	Parks and recreation	SEG	A	5,845,900	6,115,700
23	Facilities and lands	SEG	A	4,559,200	4,597,300
	NET APPROPRIATION			51,266,300	51,479,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(my) General program operations —				
2	federal funds	SEG-F	C	-0-	-0-
3	Land program management	SEG-F	C	-0-	-0-
4	Wildlife management	SEG-F	C	3,638,000	3,645,300
5	Forestry	SEG-F	C	369,200	372,000
6	Southern forests	SEG-F	C	161,800	161,800
7	Parks and recreation	SEG-F	C	410,600	412,800
8	Endangered resources	SEG-F	C	361,200	363,600
9	Facilities and lands	SEG-F	C	1,691,600	1,694,500
	NET APPROPRIATION			6,632,400	6,650,000
10	(mz) Forest fire emergencies — federal				
11	funds	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			6,273,200	6,273,200
	PROGRAM REVENUE			803,700	803,700
	OTHER			(351,000)	(351,000)
	SERVICE			(452,700)	(452,700)
	SEGREGATED FUNDS			60,897,400	61,098,500
	FEDERAL			(6,632,400)	(6,650,000)
	OTHER			(54,265,000)	(54,448,500)
	TOTAL-ALL SOURCES			67,974,300	68,175,400
12	(2) AIR AND WASTE				
13	(bg) Air management — stationary				
14	sources	PR	A	8,429,600	8,302,900
15	(bi) Air management — asbestos				
16	management	PR	C	281,500	281,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(bq) Air management — vapor recovery				
2	administration	SEG	A	82,500	82,500
3	(br) Air management — mobile sources	SEG	A	1,267,000	1,271,400
4	(cf) Air management - motor veh.				
5	emission inspection & maint. prog.,				
6	state funds	GPR	A	60,100	60,100
7	(cg) Air management — recovery of				
8	ozone-depleting refrigerants	PR	A	59,700	59,700
9	(ch) Air management — emission				
10	analysis	PR	C	-0-	-0-
11	(ci) Air management — permit review				
12	and enforcement	PR	A	1,163,000	1,163,000
13	(cL) Air management - air waste				
14	management-incinerator operator				
15	certification	PR	C	-0-	-0-
16	(dg) Solid waste management — solid				
17	and hazardous waste disposal				
18	administration	PR	C	1,973,100	1,993,200
19	(dh) Solid waste				
20	management-remediated property	PR	C	233,100	228,600
21	(di) Solid waste management —				
22	operator certification	PR	C	-0-	-0-
23	(dq) Solid waste management — waste				
24	management fund	SEG	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(dt) Solid waste management — closure				
2	and long-term care	SEG	C	-0-	-0-
3	(dv) Solid waste management —				
4	environmental repair; spills;				
5	abandoned containers	SEG	C	3,239,500	3,239,500
6	(dw) Solid waste management —				
7	environmental repair; petroleum				
8	spills; admin.	SEG	A	244,800	250,600
9	(dy) Solid waste mgt. — corrective				
10	action; proofs of financial				
11	responsibility	SEG	C	-0-	-0-
12	(dz) Solid waste management -				
13	assessments and legal action	SEG	C	-0-	-0-
14	(eg) Solid waste facility siting board fee	PR	C	-0-	-0-
15	(eh) Solid waste management — source				
16	reduction review	PR	C	-0-	-0-
17	(eq) Solid waste management - dry				
18	cleaner environmental response	SEG	A	38,400	98,200
19	(fg) Remediation professional				
20	certification	PR	C	74,500	95,100
21	(gh) Mining — mining regulation and				
22	administration	PR	A	60,900	60,900
23	(gi) Mining — nonmetallic mining				
24	regulation and administration	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(gr) Solid waste management — mining				
2	programs	SEG	C	-0-	-0-
3	(hq) Recycling; administration	SEG	A	1,219,500	1,223,000
4	(ma) General program operations —				
5	state funds	GPR	A	2,815,900	2,815,900
6	(mi) General program operations —				
7	private and public sources	PR	C	-0-	-0-
8	(mk) General program operations —				
9	service funds	PR-S	C	200,000	200,000
10	(mm) General program operations —				
11	federal funds	PR-F	C	6,219,800	6,183,900
12	(mq) General program operations -				
13	environmental fund	SEG	A	3,347,600	3,369,100
14	(mu) Petroleum inspection fd. suppl. to				
15	env. fd.; env. repair and well comp.	SEG-S	A	1,049,400	1,049,400
16	(my) General program operations —				
17	environmental fund; federal funds	SEG-F	C	1,332,900	1,333,100
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,876,000	2,876,000
	PROGRAM REVENUE			18,695,200	18,568,800
	FEDERAL			(6,219,800)	(6,183,900)
	OTHER			(12,275,400)	(12,184,900)
	SERVICE			(200,000)	(200,000)
	SEGREGATED FUNDS			11,821,600	11,916,800
	FEDERAL			(1,332,900)	(1,333,100)
	OTHER			(9,439,300)	(9,534,300)
	SERVICE			(1,049,400)	(1,049,400)
	TOTAL-ALL SOURCES			33,392,800	33,361,600

18 (3) ENFORCEMENT AND SCIENCE

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ad) Law enforcement - car killed deer;				
2	general fund	GPR	A	233,500	260,000
3	(aq) Law enforcement — snowmobile				
4	enforcement and safety training	SEG	A	64,200	64,200
5	(ar) Law enforcement — boat				
6	enforcement and safety training	SEG	A	1,612,300	1,612,300
7	(as) Law enforcement — all-terrain				
8	vehicle enforcement	SEG	A	161,000	177,100
9	(aw) Law enforcement — car kill deer	SEG	A	233,500	260,000
10	(bg) Enforcement — stationary sources	PR	A	60,300	60,300
11	(dg) Environmental impact —				
12	consultant services; printing and				
13	postage costs	PR	C	-0-	-0-
14	(dh) Environmental impact — power				
15	projects	PR	C	171,600	172,400
16	(di) Environmental consulting costs —				
17	federal power projects	PR	A	-0-	-0-
18	(fj) Environmental quality - lab.				
19	certification	PR	A	461,300	463,000
20	(is) Lake research; voluntary				
21	contributions	SEG	C	34,000	34,000
22	(ma) General program operations —				
23	state funds	GPR	A	4,225,900	4,225,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(mi) General program operations —				
2	private and public sources	PR	C	277,300	277,300
3	(mk) General program operations —				
4	service funds	PR-S	C	714,400	714,400
5	(mm) General program operations —				
6	federal funds	PR-F	C	407,700	408,200
7	(mq) General program operations —				
8	environmental fund	SEG	A	786,000	786,000
9	(mr) Recycling; enforcement and				
10	research	SEG	A	82,300	82,300
11	(ms) General program operations -				
12	pollution prevention	SEG	A	55,000	55,100
13	(mt) General program operations,				
14	nonpoint source — environmental				
15	fund	SEG	A	306,700	306,700
16	(mu) General program operations —				
17	state funds	SEG	A	13,722,900	13,707,900
18	(mv) Aquatic and terrestrial resources				
19	inventory	SEG	A	75,000	75,000
20	(my) General program operations —				
21	federal funds	SEG-F	C	3,653,900	3,671,500
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,459,400	4,485,900
	PROGRAM REVENUE			2,092,600	2,095,600
	FEDERAL			(407,700)	(408,200)
	OTHER			(970,500)	(973,000)
	SERVICE			(714,400)	(714,400)
	SEGREGATED FUNDS			20,786,800	20,832,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	FEDERAL			(3,653,900)	(3,671,500)
	OTHER			(17,132,900)	(17,160,600)
	TOTAL-ALL SOURCES			27,338,800	27,413,600
1	(4) WATER				
2	(af) Water resources - remedial action	GPR	C	150,000	150,000
3	(ag) Water resources - pollution credits	PR	C	-0-	-0-
4	(ah) Water resources - Great Lakes				
5	protection fund	PR	C	229,000	229,000
6	(aq) Water resources management -				
7	lake and river management	SEG	A	1,539,800	1,539,800
8	(ar) Water resources - groundwater				
9	management	SEG	B	125,000	125,000
10	(as) Water resources - trading water				
11	pollution credits	SEG	C	50,000	50,000
12	(at) Watershed - nonpoint source				
13	contracts	SEG	B	1,000,400	1,076,100
14	(au) Cooperative remedial action;				
15	contributions	SEG	C	-0-	-0-
16	(av) Cooperative remedial action;				
17	interest on contributions	SEG	S	-0-	-0-
18	(bh) Water regulation and zoning - dam				
19	inspect. and safety administ.; gen.				
20	fund	PR	A	-0-	-0-
21	(bi) Water regulation and zoning - fees	PR	C	218,900	219,500
22	(bj) Storm water management - fees	PR	A	246,600	248,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(bL) Wastewater management - fees	PR	C	205,100	205,100
2	(br) Water reg. & zoning — dam safety				
3	& wetland mapping; conservation				
4	fund	SEG	A	449,900	449,900
5	(ku) Great Lakes trout and salmon	SEG	C	1,052,100	1,052,100
6	(kv) Trout habitat improvement	SEG	C	1,107,100	1,107,100
7	(ma) General program operations - state				
8	funds	GPR	A	-0-	-0-
9	Watershed management	GPR	A	8,909,100	9,001,600
10	Fisheries management and habitat				
11	protection	GPR	A	3,298,800	3,298,800
12	Drinking water and groundwater	GPR	A	3,446,200	3,446,200
13	Water integration team	GPR	A	395,000	395,000
14	Water program management	GPR	A	2,251,500	2,251,500
	NET APPROPRIATION			18,300,600	18,393,100
15	(mi) General program operations -				
16	private and public sources	PR	C	60,600	60,600
17	(mk) General program operations —				
18	service funds	PR-S	C	385,200	385,200
19	(mm) General program operations -				
20	federal funds	PR-F	C	-0-	-0-
21	Watershed management	PR-F	C	3,737,900	3,479,100
22	Fisheries management and habitat				
23	protection	PR-F	C	550,500	500,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	Drinking water and groundwater	PR-F	C	2,081,900	2,092,100
2	Water integration team	PR-F	C	16,600	16,700
3	Water program management	PR-F	C	147,200	147,700
	NET APPROPRIATION			6,534,100	6,235,600
4	(mq) General program operations -				
5	environmental fund	SEG	A	-0-	-0-
6	Watershed management	SEG	A	459,700	459,700
7	Drinking water and groundwater	SEG	A	1,416,200	1,418,500
8	Water integration team	SEG	A	81,700	81,700
9	Water program management	SEG	A	84,800	84,800
	NET APPROPRIATION			2,042,400	2,044,700
10	(mr) General program operations -				
11	nonpoint source	SEG	A	449,700	449,700
12	(mt) General program				
13	operations-environmental				
14	improvement programs; state funds	SEG	A	451,100	452,500
15	(mu) General program operations - state				
16	funds	SEG	A	12,542,600	12,539,600
17	(mw) Petroleum inspection fund				
18	supplement to env. fund;				
19	groundwater management	SEG-S	A	764,600	766,900
20	(mx) General program operations - clean				
21	water fund program; federal funds	SEG-F	C	519,900	527,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(my) General program operations -				
2	environmental fund - federal funds	SEG-F	C	-0-	-0-
3	(mz) General program operations -				
4	federal funds	SEG-F	C	2,937,100	2,949,900
5	(nz) General program operations-safe				
6	drinking water loan programs;				
7	federal funds	SEG-F	C	46,000	50,200
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			18,450,600	18,543,100
	PROGRAM REVENUE			7,879,500	7,583,000
	FEDERAL			(6,534,100)	(6,235,600)
	OTHER			(960,200)	(962,200)
	SERVICE			(385,200)	(385,200)
	SEGREGATED FUNDS			25,077,700	25,181,000
	FEDERAL			(3,503,000)	(3,527,600)
	OTHER			(20,810,100)	(20,886,500)
	SERVICE			(764,600)	(766,900)
	TOTAL-ALL SOURCES			51,407,800	51,307,100
8	(5) CONSERVATION AIDS				
9	(aq) Resource aids - Canadian agencies				
10	migratory waterfowl aids	SEG	C	169,200	169,200
11	(ar) Resource aids - county				
12	conservation aids	SEG	C	150,000	150,000
13	(as) Recreation aids - fish, wildlife, and				
14	forestry recreation aids	SEG	C	230,000	230,000
15	(av) Resource aids - private forest				
16	grants	SEG	B	1,000,000	1,000,000
17	(aw) Resource aids - nonprofit				
18	conservation organizations	SEG	C	75,000	75,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ax) Resource aids - lake states wood				
2	utilization consortium	SEG	C	100,000	-0-
3	(bq) Resource aids - county forest loans;				
4	severance share payments	SEG	C	-0-	-0-
5	(br) Resource aids - forest croplands				
6	and managed forest land aids	SEG	A	1,250,000	1,250,000
7	(bs) Resource aids - county forest loans	SEG	A	622,400	622,400
8	(bt) Resource aids - county forest				
9	project loans	SEG	C	400,000	400,000
10	(bu) Resource aids - county forest				
11	project loans; severance share				
12	payments	SEG	C	-0-	-0-
13	(bv) Res. aids - county forests, forest				
14	croplands and managed forest land				
15	aids	SEG	S	1,196,300	1,248,400
16	(bw) Resource aids - urban forestry and				
17	county forest administrator grants	SEG	A	832,900	832,900
18	(bx) Resource aids - national forest				
19	income aids	PR-F	C	782,200	782,200
20	(by) Resource aids — fire suppression				
21	grants	SEG	A	525,000	525,000
22	(cq) Recreation aids - recreational				
23	boating projects; Milwaukee river				
24	study	SEG	C	5,147,000	5,147,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(cr) Recreation aids - county				
2	snowmobile trail and area aids	SEG	C	2,251,400	2,951,400
3	(cs) Recreation aids - snowmobile trail				
4	areas	SEG	C	3,368,200	3,706,400
5	(ct) Recreation aids - all-terrain				
6	vehicle project aids; gas tax				
7	payment	SEG	C	474,700	554,900
8	(cu) Recreation aids — all-terrain				
9	vehicle project aids	SEG	C	466,400	450,300
10	(cv) Recreation aids — motorcycle				
11	recreation aids; trails	SEG	A	197,500	197,500
12	(cy) Recreation and resource aids,				
13	federal funds	SEG-F	C	183,900	183,900
14	(da) Aids in lieu of taxes	GPR	S	1,570,000	1,570,000
15	(dq) Aids in lieu of taxes	SEG	S	800,000	800,000
16	(dx) Resource aids — payment in lieu of				
17	taxes; federal	PR-F	C	440,000	440,000
18	(ea) Enforcement aids — spearfishing				
19	enforcement	GPR	C	10,000	10,000
20	(eq) Enforcement aids — boating				
21	enforcement	SEG	A	700,000	700,000
22	(er) Enforcement aids — all-terrain				
23	vehicle enforcement	SEG	A	30,000	30,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(es) Enforcement aids — snowmobiling				
2	enforcement	SEG	A	200,000	200,000
3	(et) Enforcement aids — boating	SEG	A	400,000	400,000
4	(ex) Enforcement aids — federal funds	SEG-F	C	-0-	-0-
5	(fq) Wildlife damage claims and				
6	abatement	SEG	C	2,187,700	2,187,700
(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,580,000	1,580,000
	PROGRAM REVENUE			1,222,200	1,222,200
	FEDERAL			(1,222,200)	(1,222,200)
	SEGREGATED FUNDS			22,957,600	24,012,000
	FEDERAL			(183,900)	(183,900)
	OTHER			(22,773,700)	(23,828,100)
	TOTAL-ALL SOURCES			25,759,800	26,814,200
7	(6) ENVIRONMENTAL AIDS				
8	(aa) Environmental aids - non-point				
9	source	GPR	B	-0-	6,363,600
10	(ag) Environmental aids - nonpoint				
11	repayments	PR	C	-0-	-0-
12	(aq) Environmental aids — non-point				
13	source program	SEG	B	6,047,600	6,505,300
14	(ar) Environmental aids - lakes				
15	management grants	SEG	C	2,053,300	2,053,300
16	(as) Environmental aids - lakes				
17	managment planning grants	SEG	C	622,100	622,100
18	(au) Environmental aids - watershed				
19	activities and grants	SEG	A	50,000	50,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ba) Environmental aids — dump				
2	closure cost share	GPR	C	1,247,700	1,247,700
3	(bj) Environmental aids — waste				
4	reduction and recycling grants and				
5	gifts	PR	C	-0-	-0-
6	(bq) Environmental aids - municipal				
7	and county recycling grants	SEG	S	24,000,000	24,000,000
8	(br) Environmental aids - waste				
9	reduction and recycling				
10	demonstration grants	SEG	C	1,000,000	1,000,000
11	(bs) Environmental aids - household				
12	hazardous waste	SEG	A	150,000	150,000
13	(bt) Environmental aids - lake states				
14	wood utilization consortium	SEG	C	100,000	-0-
15	(bu) Environmental aids - responsible				
16	unit recycling grants	SEG	S	-0-	-0-
17	(ca) Environmental aids - scenic urban				
18	waterways	GPR	C	-0-	-0-
19	(cm) Environmental aids - federal funds	PR-F	C	75,000	75,000
20	(cr) Environmental aids - compensation				
21	for well contamination	SEG	C	600,000	400,000
22	(da) Environmental planning aids -				
23	local water quality planning	GPR	A	283,400	283,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(dm) Environmental planning aids -				
2	federal funds	PR-F	C	260,600	260,600
3	(eq) Environmental aids - dry cleaner				
4	environmental response	SEG	A	-0-	1,600,000
(6) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			1,531,100	7,894,700
	PROGRAM REVENUE			335,600	335,600
	FEDERAL			(335,600)	(335,600)
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			34,623,000	36,380,700
	OTHER			(34,623,000)	(36,380,700)
	TOTAL-ALL SOURCES			36,489,700	44,611,000
5	(7) DEBT SERVICE AND DEVELOPMENT				
6	(aa) Resource acquisition and				
7	development - principal repayment				
8	and interest	GPR	S	9,825,600	11,364,500
9	(ac) Principal repayment and interest -				
10	recreational boating bonds	GPR	S	-0-	-0-
11	(aq) Resource acquisition and				
12	development - principal repayment				
13	and interest	SEG	S	22,100	148,900
14	(ar) Dam repair and removal - principal				
15	repayment and interest	SEG	S	230,100	459,200
16	(at) Recreation development - principal				
17	repayment and interest	SEG	S	-0-	-0-
18	(au) State forest acquisition and				
19	development-principal repayment				
20	and interest	SEG	A	8,700,000	8,700,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ba) Debt service - remedial action	GPR	S	1,429,500	1,995,900
2	(ca) Principal repayment and interest -				
3	nonpoint source grants	GPR	S	1,594,100	2,547,200
4	(cb) Principal repayment and interest -				
5	pollution abatement bonds	GPR	S	80,514,300	68,954,300
6	(cc) Principal repay. and int. - combined				
7	sewer overflow; pollution abat.				
8	bonds	GPR	S	18,930,700	16,674,000
9	(cd) Principal repayment and interest -				
10	municipal clean drinking water				
11	grants	GPR	S	845,300	857,900
12	(ea) Administrative facilities - principal				
13	repayment and interest	GPR	S	462,500	484,100
14	(eq) Administrative facilities - principal				
15	repayment and interest	SEG	S	1,032,400	1,240,900
16	(er) Administrative facilities - principal				
17	repayment & interest; env. fund	SEG	S	-0-	-0-
18	(fa) Resource maintenance and				
19	development - state funds	GPR	C	1,278,200	1,278,200
20	(fr) Resource acq. and dev. - boating				
21	access to southeastern lakes	SEG	C	100,000	100,000
22	(fs) Resource acquisition and				
23	development - state funds	SEG	C	940,500	1,076,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ft) Resource acquisition and				
2	development - boating access	SEG	C	200,000	200,000
3	(fu) Resource acquisition and				
4	development — nonmotorized				
5	boating improvements	SEG	C	-0-	-0-
6	(fv) Resource acquisition and				
7	development - fish and wildlife				
8	projects	SEG	C	283,300	283,300
9	(fw) Resource acq. and dev. - Mississippi				
10	and St. Croix rivers management	SEG	C	62,500	62,500
11	(fy) Resource acquisition and				
12	development — federal funds	SEG-F	C	1,960,200	1,960,200
13	(gg) Ice Age trail - gifts and grants	PR	C	-0-	-0-
14	(gh) State trails - gifts and grants	SEG	C	-0-	-0-
15	(ha) Facilities acquisition, development				
16	and maintenance	GPR	C	183,100	183,100
17	(hq) Facilities acquisition, development				
18	and maintenance - conservation				
19	fund	SEG	C	376,800	376,800
20	(jr) Rental property and equipment -				
21	maintenance and replacement	SEG	C	-0-	-0-
22	(mc) Resource maintenance and				
23	development - state park, forest &				
24	riverway roads	GPR	C	1,900,000	1,900,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(mi) General program operations -				
2	private and public sources	PR	C	-0-	-0-
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			116,963,300	106,239,200
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			13,907,900	14,608,600
	FEDERAL			(1,960,200)	(1,960,200)
	OTHER			(11,947,700)	(12,648,400)
	TOTAL-ALL SOURCES			130,871,200	120,847,800
3	(8) ADMINISTRATION AND TECHNOLOGY				
4	(ir) Promotional activities and				
5	publications	SEG	C	83,000	83,000
6	(iw) Statewide recycling administration	SEG	A	1,139,300	1,141,500
7	(ma) General program operations —				
8	state funds	GPR	A	7,035,900	6,981,200
9	(mg) General program operations —				
10	stationary sources	PR	A	789,800	782,100
11	(mh) Information technology				
12	development projects	PR-S	A	-0-	-0-
13	(mi) General program operations —				
14	private and public sources	PR	C	-0-	-0-
15	(mk) General program operations —				
16	service funds	PR-S	C	5,605,000	5,605,000
17	(mq) General program operations —				
18	mobile sources	SEG	A	395,400	395,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(mr) General program operations -				
2	environmental improvement fund	SEG	A	235,600	235,600
3	(mt) Equipment pool operations	SEG-S	C	-0-	-0-
4	(mu) General program operations —				
5	state funds	SEG	A	13,729,600	13,748,400
6	(mv) General program operations —				
7	environmental fund	SEG	A	1,499,600	1,499,600
8	(mz) Indirect cost reimbursements	SEG-F	C	4,178,200	4,178,200
9	(ni) Geographic information systems,				
10	general program operations - other				
11	funds	PR	C	-0-	-0-
12	(nk) Geographic information systems,				
13	general program operations —				
14	service fds.	PR-S	C	1,058,700	1,058,700
15	(zq) Gifts and donations	SEG	C	-0-	-0-
(8) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			7,035,900	6,981,200
	PROGRAM REVENUE			7,453,500	7,445,800
	OTHER			(789,800)	(782,100)
	SERVICE			(6,663,700)	(6,663,700)
	SEGREGATED FUNDS			21,260,700	21,281,900
	FEDERAL			(4,178,200)	(4,178,200)
	OTHER			(17,082,500)	(17,103,700)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			35,750,100	35,708,900
16	(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS				
17	(eg) Gifts and grants; environmental				
18	management systems	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(gb) Education programs - program fees	PR	B	57,300	52,900
2	(ht) Approval fees to Lac du Flambeau				
3	band	SEG	S	-0-	-0-
4	(hu) Handling fees	SEG	C	380,000	380,000
5	(iq) Natural resources magazine	SEG	C	792,900	792,900
6	(is) Statewide recycling administration	SEG	A	760,000	761,000
7	(jL) Fox river management; fees	PR	C	-0-	-0-
8	(ju) Fox river management	SEG	B	121,700	121,700
9	(ma) General program operations - state				
10	funds	GPR	A	2,269,000	2,305,000
11	(mh) General programs operations -				
12	stationary sources	PR	A	455,700	456,700
13	(mi) General program operations —				
14	private and public sources	PR	C	40,000	40,000
15	(mj) General program operations —				
16	solid and hazardous waste	PR	A	139,700	141,000
17	(mk) General program operations —				
18	service funds	PR-S	C	100,100	100,100
19	(mm) General program operations -				
20	federal funds	PR-F	C	320,400	324,100
21	(mq) General program operations -				
22	mobile sources	SEG	A	155,300	155,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ms) General program operations —				
2	cooperative environmental				
3	assistance	SEG	A	118,700	119,600
4	(mt) Aids administration —				
5	environmental improvement				
6	programs; state funds	SEG	A	991,900	995,400
7	(mu) General program operations - state				
8	funds	SEG	A	8,975,900	9,613,900
9	(mv) General program operations —				
10	environmental fund	SEG	A	556,600	556,600
11	(mw) Aids administration - snowmobile				
12	recreation	SEG	A	132,900	132,900
13	(mx) Aids administration - clean water				
14	fund program; federal funds	SEG-F	C	948,800	948,800
15	(my) General program operations -				
16	federal funds	SEG-F	C	98,200	98,200
17	(mz) Indirect cost reimbursements	SEG-F	C	579,700	579,700
18	(nq) Aids administration - dry cleaner				
19	environmental response	SEG	A	37,000	94,400
20	(ny) Aids administration - safe drinking				
21	water loan programs; federal funds	SEG-F	C	187,700	94,600

(9) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	2,269,000	2,305,000
PROGRAM REVENUE	1,113,200	1,114,800
FEDERAL	(320,400)	(324,100)
OTHER	(692,700)	(690,600)
SERVICE	(100,100)	(100,100)
SEGREGATED FUNDS	14,837,300	15,445,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
FEDERAL			(1,814,400)	(1,721,300)
OTHER			(13,022,900)	(13,723,700)
TOTAL-ALL SOURCES			18,219,500	18,864,800

20.370 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			161,438,500	157,178,300
PROGRAM REVENUE			39,595,500	39,169,500
FEDERAL			(15,039,800)	(14,709,600)
OTHER			(16,039,600)	(15,943,800)
SERVICE			(8,516,100)	(8,516,100)
SEGREGATED FUNDS			226,170,000	230,756,600
FEDERAL			(23,258,900)	(23,225,800)
OTHER			(201,097,100)	(205,714,500)
SERVICE			(1,814,000)	(1,816,300)
TOTAL-ALL SOURCES			427,204,000	427,104,400

1	20.380 Tourism, department of				
2	(1) TOURISM DEVELOPMENT PROMOTION				
3	(a) General program operations	GPR	A	3,673,900	3,726,600
4	(b) Tourism marketing	GPR	A	7,741,000	7,741,000
5	(bm) Heritage tourism program	GPR	B	134,200	134,200
6	(g) Gifts, grants and proceeds	PR	C	5,400	5,400
7	(h) Tourism promotion; sale of surplus				
8	property	PR	C	33,700	44,200
9	(j) Tourism promotion - private and				
10	public sources	PR	C	100,000	100,000
11	(k) Sale of materials or				
12	services-operations	PR-S	C	-0-	-0-
13	(ka) Sales of materials or services-local				
14	assistance	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kb) Sales of materials or				
2	services-individuals and				
3	organizations	PR-S	C	-0-	-0-
4	(kc) Marketing clearinghouse charges	PR-S	A	-0-	-0-
5	(kd) Information technology				
6	development projects	PR-S	A	-0-	-0-
7	(m) Federal aid-state operations	PR-F	C	-0-	-0-
8	(n) Federal aid-local assistance	PR-F	C	-0-	-0-
9	(o) Federal aid-individuals and				
10	organizations	PR-F	C	-0-	-0-
11	(q) Administrative				
12	services-conservation fund	SEG	A	42,500	42,500
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			11,549,100	11,601,800
	PROGRAM REVENUE			139,100	149,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(139,100)	(149,600)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			42,500	42,500
	OTHER			(42,500)	(42,500)
	TOTAL-ALL SOURCES			11,730,700	11,793,900
13	(2) KICKAPOO VALLEY RESERVE				
14	(dq) Kickapoo valley reserve; aids in lieu				
15	of taxes	GPR	S	-0-	-0-
16	(ip) Kickapoo reserve management				
17	board; program services	PR	C	-0-	-0-
18	(ir) Kickapoo reserve management				
19	board; gifts and grants	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ms) Kickapoo reserve management				
2	board; federal aid	PR-F	C	-0-	-0-
3	(q) Kickapoo reserve management				
4	board; general program operations	SEG	A	180,800	180,800
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			180,800	180,800
	OTHER			(180,800)	(180,800)
	TOTAL-ALL SOURCES			180,800	180,800
20.380 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			11,549,100	11,601,800
	PROGRAM REVENUE			139,100	149,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(139,100)	(149,600)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			223,300	223,300
	OTHER			(223,300)	(223,300)
	TOTAL-ALL SOURCES			11,911,500	11,974,700
5	20.395 Transportation, department of				
6	(1) Aids				
7	(ar) Corrections of transportation aid				
8	payments	SEG	S	-0-	-0-
9	(as) Transportation aids to counties,				
10	state funds	SEG	A	74,882,900	79,121,500
11	(at) Transportation aids to				
12	municipalities, state funds	SEG	A	235,590,600	248,925,900
13	(br) Milwaukee urban area rail transit				
14	system planning study, state funds	SEG	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(bs) Demand management and				
2	ride-sharing grants, state funds	SEG	A	336,000	336,000
3	(bt) Urban rail transit system grants	SEG	C	-0-	-0-
4	(bv) Transit and demand management				
5	aids, local funds	SEG-L	C	-0-	-0-
6	(bx) Transit and demand management				
7	aids, federal funds	SEG-F	C	11,700,000	12,400,000
8	(cq) Elderly and disabled capital aids,				
9	state funds	SEG	A	797,800	797,800
10	(cr) Elderly and disabled county aids,				
11	state funds	SEG	A	6,439,600	6,439,600
12	(cv) Elderly and disabled aids, local				
13	funds	SEG-L	C	474,500	474,500
14	(cx) Elderly and disabled aids, federal				
15	funds	SEG-F	C	1,100,000	1,100,000
16	(dq) Tier I transit operating aids, state				
17	funds	SEG	A	33,319,300	-0-
18	(dr) Tier II transit operating aids, state				
19	funds	SEG	A	8,413,900	-0-
20	(ds) Tier III transit operating aids, state				
21	funds	SEG	A	1,688,300	-0-
22	(dt) Tier IV transit operating aids, state				
23	funds	SEG	A	10,492,400	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(du) Tier V transit operating aids, state				
2	funds	SEG	A	3,290,000	-0-
3	(ex) Highway safety, local assistance,				
4	federal funds	SEG-F	C	1,700,000	1,700,000
5	(fq) Connecting highways aids, state				
6	funds	SEG	A	12,163,400	12,851,900
7	(fr) Snow removal aids, state funds	SEG	C	100,000	100,000
8	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
9	(ft) Lift bridge aids, state funds	SEG	B	1,060,000	1,350,000
10	(fu) County forest road aids, state funds	SEG	A	303,300	303,300
11	(gq) Expressway policing aids, state				
12	funds	SEG	A	900,800	900,800
13	(gr) Transportation aids to professional				
14	baseball park districts, state funds	SEG	A	3,000,000	9,000,000
15	(hq) Tier A transit operating aids, state				
16	funds	SEG	A	14,558,500	58,743,400
17	(hr) Tier B transit operating aids, state				
18	funds	SEG	A	4,815,700	19,431,500
19	(hs) Tier C transit operating aids, state				
20	funds	SEG	A	1,523,800	6,148,700

(1) PROGRAM TOTALS

SEGREGATED FUNDS	429,250,800	460,724,900
FEDERAL	(14,500,000)	(15,200,000)
OTHER	(414,276,300)	(445,050,400)
LOCAL	(474,500)	(474,500)
TOTAL-ALL SOURCES	429,250,800	460,724,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(2) LOCAL TRANSPORTATION ASSISTANCE				
2	(aq) Accelerated local bridge				
3	improvement assistance, state				
4	funds	SEG	C	17,280,000	-0-
5	(av) Accelerated local bridge				
6	improvement assistance, local				
7	funds	SEG-L	C	5,760,000	-0-
8	(ax) Accelerated local bridge				
9	improvement assistance, federal				
10	funds	SEG-F	C	-0-	-0-
11	(bq) Rail service assistance, state funds	SEG	C	688,200	688,200
12	(bu) Freight rail infrastructure				
13	improvements, state funds	SEG	C	4,579,800	4,079,800
14	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
15	(bw) Freight rail assistance loan				
16	repayments, local funds	SEG-L	C	1,000,000	1,500,000
17	(bx) Rail service assistance, federal				
18	funds	SEG-F	C	50,000	50,000
19	(cq) Harbor assistance, state funds	SEG	C	580,800	580,800
20	(cr) Rail passenger service, state funds	SEG	C	730,000	682,500
21	(cv) Rail passenger service, local funds	SEG-L	C	-0-	-0-
22	(cx) Rail passenger service; federal				
23	funds	SEG-F	C	2,920,000	2,730,000
24	(dq) Aeronautics assistance, state funds	SEG	C	11,945,600	11,945,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(dv) Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
2	(dx) Aeronautics assistance, federal				
3	funds	SEG-F	C	20,000,000	20,000,000
4	(eq) Highway and local bridge				
5	improvement assistance, state				
6	funds	SEG	C	8,211,500	8,211,500
7	(ev) Local bridge improvement				
8	assistance, local funds	SEG-L	C	8,280,400	8,280,400
9	(ex) Local bridge improvement				
10	assistance, federal funds	SEG-F	C	24,538,200	24,538,200
11	(fr) Local roads improvement program,				
12	state funds	SEG	C	20,656,200	20,656,200
13	(fv) Local transportation facility				
14	improvement assistance, local				
15	funds	SEG-L	C	34,053,200	34,053,200
16	(fx) Local transportation facility				
17	improvement assistance, federal				
18	funds	SEG-F	C	50,538,000	50,538,000
19	(gq) Railroad crossing improvement and				
20	protection maintenance, state funds	SEG	A	1,750,000	2,250,000
21	(gr) Railroad crossing improvement and				
22	protection installation, state funds	SEG	C	950,000	450,000
23	(gs) Railroad crossing repair assistance,				
24	state funds	SEG	C	210,000	250,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(gv) Railroad crossing improvement,				
2	local funds	SEG-L	C	-0-	-0-
3	(gx) Railroad crossing improvement,				
4	federal funds	SEG-F	C	1,849,300	1,849,300
5	(hq) Multimodal transportation studies,				
6	state funds	SEG	C	750,000	750,000
7	(hx) Multimodal transportation studies,				
8	federal funds	SEG-F	C	-0-	-0-
9	(iq) Transportation facilities economic				
10	assistance and development, state				
11	funds	SEG	C	3,500,000	3,500,000
12	(iv) Transportation facilities economic				
13	assistance and development, local				
14	funds	SEG-L	C	3,500,000	3,500,000
15	(iw) Transportation facility				
16	improvement loans, local funds	SEG-L	C	-0-	-0-
17	(ix) Transportation facilities economic				
18	assistance & development, federal				
19	funds	SEG-F	C	-0-	-0-
20	(jq) Surface transportation grants, state				
21	funds	SEG	C	-0-	-0-
22	(jv) Surface transportation grants, local				
23	funds	SEG-L	C	680,000	680,000
24	(jx) Surface transportation grants,				
25	federal funds	SEG-F	C	2,720,000	2,720,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kv) Congestion mitigation and air				
2	quality improvement, local funds	SEG-L	C	1,347,400	1,394,900
3	(kx) Congestion mitigation and air				
4	quality improvement, federal funds	SEG-F	C	5,389,500	5,579,500
5	(nv) Transportation enhancement				
6	activities, local funds	SEG-L	C	750,000	750,000
7	(nx) Transportation enhancement				
8	activities, federal funds	SEG-F	C	3,000,000	3,000,000
9	(ph) Transportation infrastructure				
10	loans, gifts and grants	SEG	C	-0-	-0-
11	(pq) Transportation infrastructure				
12	loans, state funds	SEG	C	-0-	-0-
13	(pu) Transportation infrastructure				
14	loans, service funds	SEG-S	C	-0-	-0-
15	(pv) Transportation infrastructure				
16	loans, local funds	SEG-L	C	-0-	-0-
17	(px) Transportation infrastructure				
18	loans, federal funds	SEG-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			245,693,300	222,693,300
	FEDERAL			(111,005,000)	(111,005,000)
	OTHER			(71,832,100)	(54,044,600)
	SERVICE			(-0-)	(-0-)
	LOCAL			(62,856,200)	(57,643,700)
	TOTAL-ALL SOURCES			245,693,300	222,693,300
19	(3) STATE HIGHWAY FACILITIES				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(bq) Major highway development, state				
2	funds	SEG	C	20,854,500	23,050,400
3	(br) Major highway development,				
4	service funds	SEG-S	C	92,815,300	110,535,300
5	(bv) Major highway development, local				
6	funds	SEG-L	C	-0-	-0-
7	(bx) Major highway development,				
8	federal funds	SEG-F	C	58,655,100	40,935,100
9	(cq) State highway rehabilitation, state				
10	funds	SEG	C	227,743,100	257,100,500
11	(cv) State highway rehabilitation, local				
12	funds	SEG-L	C	2,000,000	2,000,000
13	(cx) State highway rehabilitation,				
14	federal funds	SEG-F	C	224,078,000	203,531,400
15	(eq) Highway maintenance, repair and				
16	traffic operations, state funds	SEG	B	142,790,900	146,429,800
17	(ev) Highway maintenance, repair and				
18	traffic operations, local funds	SEG-L	C	250,000	250,000
19	(ex) Highway maintenance, repair and				
20	traffic operations, federal funds	SEG-F	C	800,000	880,000
21	(iq) Administration and planning, state				
22	funds	SEG	A	18,192,800	18,192,800
23	(ir) Disadvantaged business				
24	mobilization assistance, state funds	SEG	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(iv) Administration and planning, local				
2	funds	SEG-L	C	-0-	-0-
3	(ix) Administration and planning,				
4	federal funds	SEG-F	C	2,903,300	2,903,300
5	(jq) Replacement of damaged signs,				
6	state funds	SEG	C	-0-	-0-
(3) PROGRAM TOTALS					
	SEGREGATED FUNDS			791,083,000	805,808,600
	FEDERAL			(286,436,400)	(248,249,800)
	OTHER			(409,581,300)	(444,773,500)
	SERVICE			(92,815,300)	(110,535,300)
	LOCAL			(2,250,000)	(2,250,000)
	TOTAL-ALL SOURCES			791,083,000	805,808,600
7	(4) GENERAL TRANSPORTATION OPERATIONS				
8	(aq) Departmental management and				
9	operations, state funds	SEG	A	44,082,500	44,036,500
10	(ar) Minor construction projects, state				
11	funds	SEG	C	-0-	-0-
12	(as) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(at) Capital building projects, service				
15	funds	SEG-S	C	2,785,400	2,785,400
16	(av) Departmental management and				
17	operations, local funds	SEG-L	C	369,000	369,000
18	(ax) Departmental management and				
19	operations, federal funds	SEG-F	C	7,756,200	7,760,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(bh) Hazardous materials				
2	transportation fees	PR	B	108,700	108,700
3	(ch) Gifts and grants	SEG	C	-0-	-0-
4	(dq) Demand management	SEG	A	267,600	267,600
5	(eq) Data processing services, service				
6	funds	SEG-S	C	15,109,600	15,109,600
7	(er) Fleet operations, service funds	SEG-S	C	11,707,900	11,722,800
8	(es) Other department services,				
9	operations, service funds	SEG-S	C	1,022,100	1,022,100
10	(et) Equipment acquisition	SEG	A	-0-	-0-
11	(ew) Operating budget supplements,				
12	state funds	SEG	C	-0-	-0-
(4) PROGRAM TOTALS					
	PROGRAM REVENUE			108,700	108,700
	OTHER			(108,700)	(108,700)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			83,100,300	83,073,400
	FEDERAL			(7,756,200)	(7,760,400)
	OTHER			(44,350,100)	(44,304,100)
	SERVICE			(30,625,000)	(30,639,900)
	LOCAL			(369,000)	(369,000)
	TOTAL-ALL SOURCES			83,209,000	83,182,100
13	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
14	(cg) Vehicle registration, telephone				
15	renewal transactions, state funds	PR	C	-0-	-0-
16	(ch) Repaired salvage vehicle				
17	examinations, state funds	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ci) Breath screening instruments,				
2	state funds	PR	C	1,990,400	-0-
3	(cq) Vehicle reg., inspection &				
4	maintenance & driver licensing,				
5	state funds	SEG	A	59,935,200	60,424,200
6	(cx) Vehicle registration and driver				
7	licensing, federal funds	SEG-F	C	200,000	200,000
8	(dg) Escort, security and traffic				
9	enforcement services, state funds	PR	C	79,200	79,200
10	(dh) Traffic academy tuition payments,				
11	state funds	PR	C	170,700	170,700
12	(di) Chemical testing training and				
13	services, state funds	PR	A	444,200	888,300
14	(dk) Public safety radio management,				
15	service funds	PR-S	C	144,700	168,900
16	(dq) Vehicle inspection, traffic				
17	enforcement and radio				
18	management, state funds	SEG	A	39,489,900	39,639,400
19	(dx) Vehicle inspection and traffic				
20	enforcement, federal funds	SEG-F	C	2,085,700	2,085,700
21	(hq) Motor veh. emission insp. and				
22	maint. program, contractor costs,				
23	state funds	SEG	A	7,782,900	7,782,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(hx) Motor vehicle emission inspection				
2	and maintenance programs, federal				
3	funds	SEG-F	C	1,700,000	2,052,600
4	(iv) Municipal and county registration				
5	fee, local funds	SEG-L	C	-0-	-0-
6	(qr) Sesquicentennial commemorative				
7	registration plates	SEG	S	-0-	-0-
	(5) PROGRAM TOTALS				
	PROGRAM REVENUE			2,829,200	1,307,100
	OTHER			(2,684,500)	(1,138,200)
	SERVICE			(144,700)	(168,900)
	SEGREGATED FUNDS			111,193,700	112,184,800
	FEDERAL			(3,985,700)	(4,338,300)
	OTHER			(107,208,000)	(107,846,500)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			114,022,900	113,491,900
8	(6) DEBT SERVICES				
9	(aq) Principal repayment and interest,				
10	transportation facilities, state funds	SEG	S	6,386,600	6,422,000
11	(ar) Principal repayment and interest,				
12	buildings, state funds	SEG	S	604,900	477,900
13	(as) Transportation facilities and				
14	highway projects revenue				
15	obligation repayment	SEG	C	-0-	-0-
	(6) PROGRAM TOTALS				
	SEGREGATED FUNDS			6,991,500	6,899,900
	OTHER			(6,991,500)	(6,899,900)
	TOTAL-ALL SOURCES			6,991,500	6,899,900
16	(9) GENERAL PROVISIONS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1 (qh) Highways, bridges and local				
2 transportation assistance clearing				
3 account	SEG	C	-0-	-0-
4 (qj) Hwys., bridges & local transp.				
5 assist. clearing acct., fed. funded				
6 pos.	SEG-F	C	-0-	-0-
(9) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.395 DEPARTMENT TOTALS				
PROGRAM REVENUE			2,937,900	1,415,800
OTHER			(2,793,200)	(1,246,900)
SERVICE			(144,700)	(168,900)
SEGREGATED FUNDS			1,667,312,600	1,691,384,900
FEDERAL			(423,683,300)	(386,553,500)
OTHER			(1,054,239,300)	(1,102,919,000)
SERVICE			(123,440,300)	(141,175,200)
LOCAL			(65,949,700)	(60,737,200)
TOTAL-ALL SOURCES			1,670,250,500	1,692,800,700
Environmental Resources				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			195,506,800	198,134,400
PROGRAM REVENUE			42,762,500	40,824,900
FEDERAL			(15,039,800)	(14,709,600)
OTHER			(19,061,900)	(17,430,300)
SERVICE			(8,660,800)	(8,685,000)
SEGREGATED FUNDS			1,897,989,100	1,926,651,500
FEDERAL			(446,942,200)	(409,779,300)
OTHER			(1,259,842,900)	(1,313,143,500)
SERVICE			(125,254,300)	(142,991,500)
LOCAL			(65,949,700)	(60,737,200)
TOTAL-ALL SOURCES			2,136,258,400	2,165,610,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
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Human Relations and Resources

1	20.410 Corrections, department of				
2	(1) ADULT CORRECTIONAL SERVICES				
3	(a) General program operations	GPR	A	247,581,300	254,086,400
4	(aa) Institutional repair and				
5	maintenance	GPR	A	2,806,000	2,900,400
6	(ab) Corrections contracts and				
7	agreements	GPR	A	31,442,700	33,093,500
8	(b) Services for community corrections	GPR	A	102,461,700	108,171,300
9	(bn) Reimbursing counties for probation				
10	and parole holds	GPR	A	3,832,000	4,019,800
11	(c) Reimbursement claims of counties				
12	containing state prisons	GPR	S	146,100	146,100
13	(cm) Home detention program	GPR	A	-0-	-0-
14	(cw) Mother-young child care program	GPR	A	200,000	200,000
15	(d) Purchased services for offenders	GPR	A	19,018,600	19,971,500
16	(e) Principal repayment and interest	GPR	S	40,016,000	46,042,800
17	(ec) Prison industries principal, interest				
18	and rebates	GPR	S	-0-	-0-
19	(ed) Correctional facilities rental	GPR	A	-0-	-0-
20	(ef) Lease rental payments	GPR	S	-0-	-0-
21	(f) Energy costs	GPR	A	8,572,100	8,967,800
22	(fm) Offender release information	GPR	B	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(g) Loan fund for persons on probation				
2	and parole	PR	A	6,000	6,000
3	(gb) Drug testing	PR	C	38,900	38,900
4	(gc) Sex offender honesty testing	PR	C	-0-	-0-
5	(ge) Administrative and minimum				
6	supervision	PR	A	516,900	503,800
7	(gf) Probation and parole	PR	A	4,000,000	4,000,000
8	(gg) Supervision of defendants and				
9	offenders	PR	A	23,300	23,300
10	(gi) General operations	PR	A	1,110,300	1,111,600
11	(gm) Sale of fuel and utility service	PR	A	-0-	-0-
12	(gr) Home detention services	PR	A	1,523,600	1,584,300
13	(gt) Telephone company commissions	PR	A	272,800	272,800
14	(h) Administration of restitution	PR	A	513,000	521,300
15	(hm) Private business employment of				
16	inmates and residents	PR	A	-0-	-0-
17	(i) Gifts and grants	PR	C	33,400	33,400
18	(j) State-owned housing maintenance	PR	A	5,800	5,800
19	(jp) Correctional officer training	PR	A	1,459,500	1,470,300
20	(kc) Correctional institution enterprises;				
21	inmate activities and employment	PR-S	C	529,800	592,200
22	(kf) Correctional farms	PR-S	A	2,351,800	2,393,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kk) Institutional operations and				
2	charges	PR-S	A	9,812,800	9,866,300
3	(km) Prison industries	PR-S	A	15,663,900	16,500,100
4	(ko) Prison industries principal				
5	repayment, interest and rebates	PR-S	S	146,000	242,800
6	(kw) Information technology				
7	development projects	PR-S	A	-0-	-0-
8	(kx) Interagency and intra-agency				
9	programs	PR-S	C	902,100	2,715,500
10	(ky) Interagency and intra-agency aids	PR-S	C	1,442,100	1,442,100
11	(kz) Interagency and intra-agency local				
12	assistance	PR-S	C	-0-	-0-
13	(m) Federal project operations	PR-F	C	31,000	31,000
14	(n) Federal program operations	PR-F	C	-0-	-0-

(1) PROGRAM TOTALS

	GENERAL PURPOSE REVENUES			456,076,500	477,599,600
	PROGRAM REVENUE			40,383,000	43,355,300
	FEDERAL			(31,000)	(31,000)
	OTHER			(9,503,500)	(9,571,500)
	SERVICE			(30,848,500)	(33,752,800)
	TOTAL-ALL SOURCES			496,459,500	520,954,900

15	(2) PAROLE COMMISSION				
16	(a) General program operations	GPR	A	660,900	666,100
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	41,400	41,400

(2) PROGRAM TOTALS

	GENERAL PURPOSE REVENUES			660,900	666,100
	PROGRAM REVENUE			41,400	41,400

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1997-98	1998-99
SERVICE					(41,400)	(41,400)
TOTAL-ALL SOURCES					702,300	707,500
1	(3)	JUVENILE CORRECTIONAL SERVICES				
2	(a)	General program operations	GPR	A	1,440,800	1,444,500
3	(c)	Reimbursement claims of counties				
4		containing secured correctional				
5		facilities	GPR	A	200,000	200,000
6	(cd)	Community youth and family aids	GPR	A	76,016,700	76,016,700
7	(cg)	Serious juvenile offenders	GPR	A	6,569,600	10,813,200
8	(e)	Principal repayment and interest	GPR	S	2,851,500	3,174,000
9	(f)	Community intervention program	GPR	A	3,750,000	3,750,000
10	(hm)	Juvenile correctional services	PR	A	59,981,700	63,345,800
11	(ho)	Juvenile residential aftercare	PR	A	5,279,600	5,355,700
12	(hr)	Juvenile corrective sanctions				
13		program	PR	A	3,417,800	3,691,200
14	(i)	Gifts and grants	PR	C	5,300	5,300
15	(j)	State-owned housing maintenance	PR	A	30,500	30,500
16	(jk)	Youth diversion program	PR	B	450,000	450,000
17	(jr)	Institutional operations and				
18		charges	PR	A	198,000	190,500
19	(jv)	Secure detention services	PR	C	-0-	-0-
20	(ko)	Interagency programs; community				
21		youth and family aids	PR-S	C	2,449,200	2,449,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kp) Interagency programs; alcohol and				
2	other drug abuse	PR-S	C	300,000	300,000
3	(kx) Interagency and intra-agency				
4	programs	PR-S	C	1,244,800	1,263,900
5	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
6	(kz) Interagency and intra-agency local				
7	assistance	PR-S	C	-0-	-0-
8	(m) Federal project operations	PR-F	C	-0-	-0-
9	(n) Federal program operations	PR-F	C	-0-	-0-
10	(o) Federal aid; foster care and				
11	treatment foster care	PR-F	C	-0-	-0-
12	(q) Girls school benevolent trust fund	SEG	C	-0-	-0-

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	90,828,600	95,398,400
PROGRAM REVENUE	73,356,900	77,082,100
FEDERAL	(-0-)	(-0-)
OTHER	(69,362,900)	(73,069,000)
SERVICE	(3,994,000)	(4,013,100)
SEGREGATED FUNDS	-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES	164,185,500	172,480,500

20.410 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	547,566,000	573,664,100
PROGRAM REVENUE	113,781,300	120,478,800
FEDERAL	(31,000)	(31,000)
OTHER	(78,866,400)	(82,640,500)
SERVICE	(34,883,900)	(37,807,300)
SEGREGATED FUNDS	-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES	661,347,300	694,142,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	20.425 Employment relations commission				
2	(1) PROMOTION OF PEACE IN LABOR RELATIONS				
3	(a) General program operations	GPR	A	2,384,100	2,384,100
4	(g) Publications	PR	A	29,500	29,500
5	(h) Collective bargaining training	PR	C	-0-	-0-
6	(i) Fees	PR	A	328,000	328,000
7	(ka) Information technology				
8	development projects	PR-S	A	-0-	-0-
	20.425 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,384,100	2,384,100
	PROGRAM REVENUE			357,500	357,500
	OTHER			(357,500)	(357,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,741,600	2,741,600
9	20.432 Board on aging and long-term care				
10	(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
11	(a) General program operations	GPR	A	603,600	638,000
12	(i) Gifts and grants	PR	C	-0-	-0-
13	(k) Contracts with state agencies	PR-S	A	168,600	172,400
14	(kb) Insurance and other information,				
15	counseling and assistance	PR-S	A	177,400	180,400
16	(kc) Information technology				
17	development projects	PR-S	A	-0-	-0-
18	(kd) Ombudsman services	PR-S	A	34,300	91,500
19	(m) Federal aid	PR-F	C	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			603,600	638,000
PROGRAM REVENUE			380,300	444,300
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(380,300)	(444,300)
TOTAL-ALL SOURCES			983,900	1,082,300
1 20.433 Child abuse and neglect prevention board				
2 (1) PREVENTION OF CHILD ABUSE AND NEGLECT				
3 (b) Early childhood family education				
4 center grants	GPR	A	-0-	-0-
5 (g) General program operations	PR	A	279,300	283,900
6 (h) Grants to organizations	PR	C	1,480,000	1,480,000
7 (i) Gifts and grants	PR	C	-0-	-0-
8 (k) Interagency programs	PR-S	C	-0-	-0-
9 (m) Federal project operations	PR-F	C	108,500	108,500
10 (ma) Federal project aids	PR-F	C	350,000	350,000
11 (q) Children's trust fund grants	SEG	C	-0-	-0-
12 (r) Children's trust fund; general				
13 program operations and statewide				
14 projects	SEG	A	30,000	30,000
20.433 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			2,217,800	2,222,400
FEDERAL			(458,500)	(458,500)
OTHER			(1,759,300)	(1,763,900)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			30,000	30,000
OTHER			(30,000)	(30,000)
TOTAL-ALL SOURCES			2,247,800	2,252,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	20.434 Adolescent pregnancy prevention and pregnancy services board				
2	(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES				
3	(a) General program operations	GPR	A	105,500	105,500
4	(b) Grants to organizations	GPR	A	439,300	439,300
5	(ka) Information technology				
6	development projects	PR-S	A	-0-	-0-
	20.434 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			544,800	544,800
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			544,800	544,800
7	20.435 Health and family services, department of				
8	(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; STATE OPERATIONS				
9	(a) General program operations	GPR	A	11,787,800	11,542,600
10	(bm) Medical assistance administration	GPR	B	15,635,600	15,124,800
11	(cg) Emergency medical services;				
12	general program operations	GPR	A	362,900	362,600
13	(gm) Licensing, review and certifying				
14	activities	PR	A	4,851,400	4,927,400
15	(gr) Supplemental food program for				
16	women, infants and children				
17	administration	PR	C	-0-	-0-
18	(hg) General program operations: health				
19	care information	PR	A	1,359,600	1,359,600
20	(hi) Compilations and special reports	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99	
1	(i) Gifts and grants	PR	C	261,300	213,900	
2	(in) Community options program; estate					
3	recovery administration	PR	A	65,400	66,400	
4	(j) Fees for services and supplies	PR	A	1,280,400	1,296,600	
5	(jb) Congenital disorders; operations	PR	A	16,200	16,200	
6	(km) Internal services	PR-S	A	1,874,000	1,898,800	
7	(kx) Interagency and intra-agency					
8	programs	PR-S	C	1,783,000	1,804,000	
9	(m) Federal project operations	PR-F	C	11,371,100	11,469,100	
10	(mc) Block grant operations	PR-F	C	6,013,600	6,104,100	
11	(n) Federal program operations	PR-F	C	28,909,700	22,279,200	
12	(p) Federal aid; medical assistance					
13	contracts administration	PR-F	C	34,416,000	26,037,700	
14	(q) Groundwater and air quality					
15	standards	SEG	A	292,200	291,700	
16	(u) Health insurance risk-sharing					
17	plan; administration	SEG	A	47,300	94,600	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			27,786,300	27,030,000	
	PROGRAM REVENUE			92,201,700	77,473,000	
	FEDERAL			(80,710,400)	(65,890,100)	
	OTHER			(7,834,300)	(7,880,100)	
	SERVICE			(3,657,000)	(3,702,800)	
	SEGREGATED FUNDS			339,500	386,300	
	OTHER			(339,500)	(386,300)	
	TOTAL-ALL SOURCES			120,327,500	104,889,300	
18	(2) CARE AND TREATMENT FACILITIES					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) General program operations	GPR	A	36,340,100	36,824,600
2	(aa) Institutional repair and				
3	maintenance	GPR	A	499,200	499,200
4	(b) Wisconsin resource center	GPR	A	15,459,000	17,226,700
5	(bj) Conditional and supervised release				
6	treatment and services	GPR	B	2,803,400	3,479,500
7	(bm) Secure mental health units or				
8	facilities	GPR	A	6,815,400	8,535,400
9	(ee) Principal repayment and interest	GPR	S	8,039,400	7,876,800
10	(ef) Lease rental payments	GPR	S	-0-	-0-
11	(f) Energy costs	GPR	A	1,982,400	2,004,700
12	(gk) Institutional operations and				
13	charges	PR	A	149,817,100	154,254,900
14	(gs) Sex offender honesty testing	PR	C	-0-	-0-
15	(i) Gifts and grants	PR	C	123,400	123,400
16	(kx) Interagency and intra-agency				
17	programs	PR-S	C	4,994,900	5,141,100
18	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
19	(kz) Interagency and intra-agency local				
20	assistance	PR-S	C	-0-	-0-
21	(m) Federal project operations	PR-F	C	-0-	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			71,938,900	76,446,900
	PROGRAM REVENUE			154,935,400	159,519,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(149,940,500)	(154,378,300)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1997-98	1998-99
SERVICE					(4,994,900)	(5,141,100)
TOTAL-ALL SOURCES					226,874,300	235,966,300
1	(3)	CHILDREN AND FAMILY SERVICES				
2	(a)	General program operations	GPR	A	3,203,500	3,177,900
3	(cd)	Domestic abuse grants	GPR	A	4,325,500	5,070,200
4	(cf)	Foster, treatment foster and				
5		family-operated group home ins. &				
6		liability	GPR	A	60,000	60,000
7	(cw)	Milwaukee child welfare services;				
8		general program operations	GPR	A	9,317,800	9,534,300
9	(cx)	Milwaukee child welfare services;				
10		aids	GPR	A	-0-	12,531,500
11	(cz)	Foster care services, kinship care				
12		and aid to minor custodial parents	GPR	A	4,678,800	1,662,000
13	(db)	Foster care assessments	GPR	A	187,000	112,800
14	(dd)	State foster care and adoption				
15		services	GPR	A	14,812,500	17,601,600
16	(dg)	State adoption information				
17		exchange and state adoption center	GPR	A	150,000	150,000
18	(dn)	Food distribution grants	GPR	A	170,000	170,000
19	(dr)	Community-based hunger				
20		prevention program grants	GPR	A	250,000	250,000
21	(eg)	Programs for adolescents and				
22		adolescent parents	GPR	A	1,482,100	1,482,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(fm) Community alcohol and other drug				
2	abuse prevention programs	GPR	A	250,000	250,000
3	(gx) Milwaukee child welfare services;				
4	collections	PR	C	2,319,700	4,639,500
5	(hh) Domestic abuse assessment grants	PR	C	300,000	300,000
6	(i) Gifts and grants	PR	C	-0-	-0-
7	(jb) Fees for administrative services	PR	C	-0-	-0-
8	(jj) Searches for birth parents and				
9	adoption record information;				
10	foreign adopt	PR	A	57,700	58,700
11	(jm) Licensing activities	PR	A	682,600	733,300
12	(kc) Interagency and intra-agency aids;				
13	kinship care	PR-S	A	13,985,300	20,652,400
14	(kd) Kinship care assessments	PR-S	A	1,735,100	1,464,000
15	(kw) Interagency and intra-agency aids;				
16	Milwaukee child welfare services	PR-S	C	31,280,700	62,561,400
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	1,841,200	1,877,800
19	(ky) Interagency and intra-agency aids	PR-S	C	90,000	90,000
20	(kz) Interagency and intra-agency local				
21	assistance	PR-S	C	1,090,000	1,090,000
22	(m) Federal project operations	PR-F	C	285,400	291,500
23	(ma) Federal project aids	PR-F	C	1,593,300	1,593,300
24	(mb) Federal project local assistance	PR-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(mc) Federal block grant operations	PR-F	C	3,853,500	3,852,300
2	(md) Federal block grant aids	PR-F	C	6,490,300	6,142,700
3	(mw) Federal aid; Milwaukee child				
4	welfare services general program				
5	operations	PR-F	C	10,707,500	5,955,100
6	(mx) Federal aid; Milwaukee child				
7	welfare services aids	PR-F	C	1,933,500	5,930,800
8	(n) Federal program operations	PR-F	C	4,436,300	4,414,000
9	(na) Federal program aids	PR-F	C	2,915,100	2,917,800
10	(nL) Federal program local assistance	PR-F	C	7,280,100	7,110,700
11	(o) Community aids; prevention				
12	activities	PR-F	A	2,710,100	2,710,100
13	(pd) Federal aid; state foster care and				
14	adoption services	PR-F	C	13,951,000	16,655,900
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			38,887,200	52,052,400
	PROGRAM REVENUE			109,538,400	151,041,300
	FEDERAL			(56,156,100)	(57,574,200)
	OTHER			(3,360,000)	(5,731,500)
	SERVICE			(50,022,300)	(87,735,600)
	TOTAL-ALL SOURCES			148,425,600	203,093,700
15	(5) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; AIDS & LOCAL ASSISTANCE				
16	(af) Health insurance risk-sharing				
17	plan; costs	GPR	A	6,000,000	11,900,000
18	(ah) HIRSP; premium and deductible				
19	reduction subsidy	GPR	B	435,600	780,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(am) Services, reimburse & payment				
2	related to acquired				
3	immunodeficiency syndrome	GPR	A	3,669,600	4,332,500
4	(b) Medical assistance program				
5	benefits	GPR	B	921,681,700	957,748,300
6	(bs) Relief block grants to tribal				
7	governing bodies	GPR	A	800,000	800,000
8	(bt) Relief block grants to counties with				
9	a population of 500,000 or more	GPR	A	-0-	-0-
10	(bu) Relief block grants to counties with				
11	a population of less than 500,000	GPR	A	2,000,000	2,000,000
12	(cb) Women's health services	GPR	A	-0-	-0-
13	(cc) Cancer treatment, training,				
14	follow-up, control and prevention	GPR	A	982,800	982,800
15	(ce) Services for homeless individuals	GPR	C	125,000	125,000
16	(ch) Emergency medical services; aids	GPR	A	2,200,000	2,200,000
17	(cm) Immunization	GPR	S	-0-	-0-
18	(d) Facility appeals mechanism	GPR	A	546,800	546,800
19	(de) Dental services	GPR	A	2,800,000	2,800,000
20	(ds) Statewide poison control program	GPR	A	375,000	375,000
21	(e) Disease aids	GPR	B	4,598,700	4,952,100
22	(ed) Radon aids	GPR	A	30,000	30,000
23	(ef) Lead poisoning or lead exposure				
24	services	GPR	A	1,004,100	1,004,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(eg) Pregnancy counseling	GPR	A	275,000	275,000
2	(ek) Cooperative American Indian				
3	health projects	GPR	A	120,000	120,000
4	(em) Supplemental food program for				
5	women, infants and children				
6	benefits	GPR	C	112,000	112,000
7	(ev) Pregnancy outreach	GPR	A	250,000	250,000
8	(f) Family planning	GPR	A	1,955,200	1,955,200
9	(gp) Health care; aids	PR	C	1,650,000	1,500,000
10	(i) Gifts and grants; aids	PR	C	-0-	-0-
11	(im) Medical assistance; recovery of				
12	correct payments	PR	C	13,802,700	14,502,700
13	(ja) Congenital disorders; diagnosis,				
14	special dietary treatment and				
15	counseling	PR	A	1,456,400	1,456,400
16	(kp) Supplemental primary health care				
17	program	PR-S	A	-0-	-0-
18	(ky) Interagency and intra-agency aids	PR-S	C	517,000	517,000
19	(kz) Interagency and intra-agency local				
20	assistance	PR-S	C	234,100	234,100
21	(ma) Federal project aids	PR-F	C	3,614,100	3,614,100
22	(md) Block grant aids	PR-F	C	9,174,000	9,174,000
23	(na) Federal program aids	PR-F	C	63,891,700	63,891,700
24	(o) Federal aid; medical assistance	PR-F	C	1,596,531,500	1,660,717,800

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				949,961,500	993,289,600
PROGRAM REVENUE				1,690,871,500	1,755,607,800
FEDERAL				(1,673,211,300)	(1,737,397,600)
OTHER				(16,909,100)	(17,459,100)
SERVICE				(751,100)	(751,100)
TOTAL-ALL SOURCES				2,640,833,000	2,748,897,400
1	(6) SUPPORTIVE LIVING; STATE OPERATIONS				
2	(a) General program operations	GPR	A	13,037,500	12,944,400
3	(d) Council on physical disabilities	GPR	A	9,500	9,500
4	(dm) Nursing home monitoring and				
5	receivership supplement	GPR	S	-0-	-0-
6	(e) Principal repayment and interest	GPR	S	34,200	33,100
7	(ee) Admin. exp. for state suppl to				
8	federal supplemental security				
9	income program	GPR	A	1,245,600	1,214,800
10	(g) Nursing facility resident protection	PR	A	-0-	-0-
11	(ga) Community-based residential				
12	facility monitoring and receivership				
13	ops	PR	C	-0-	-0-
14	(gb) Alcohol and drug abuse initiatives	PR	A	888,500	649,000
15	(gd) Group home revolving loan fund	PR	A	100,000	100,000
16	(gg) Contractural services	PR	C	19,200	19,500
17	(hs) Interpreter services for hearing				
18	impaired	PR	A	40,000	40,000
19	(hx) Services related to drivers, receipts	PR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99	
1	(i) Gifts and grants	PR	C	451,400	427,000	
2	(jb) Fees for administrative services	PR	C	156,400	156,400	
3	(jm) Licensing and support services	PR	A	2,381,700	2,456,600	
4	(k) Nursing home monitoring and					
5	receivership operations	PR-S	C	-0-	-0-	
6	(kx) Interagency and intra-agency					
7	programs	PR-S	C	1,512,200	1,532,900	
8	(m) Federal project operations	PR-F	C	5,662,700	5,656,200	
9	(mc) Federal block grant operations	PR-F	C	1,754,500	1,715,500	
10	(n) Federal program operations	PR-F	C	13,471,600	13,590,700	
	(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			14,326,800	14,201,800	
	PROGRAM REVENUE			26,438,200	26,343,800	
	FEDERAL			(20,888,800)	(20,962,400)	
	OTHER			(4,037,200)	(3,848,500)	
	SERVICE			(1,512,200)	(1,532,900)	
	TOTAL-ALL SOURCES			40,765,000	40,545,600	
11	(7) SUPPORTIVE LIVING; AIDS AND LOCAL ASSISTANCE					
12	(b) Community aids	GPR	A	174,793,300	175,393,200	
13	(bc) Grants for community programs	GPR	A	2,863,500	2,329,800	
14	(bd) Community options program and					
15	long-term support pilot projects	GPR	A	84,013,100	88,018,400	
16	(be) Mental health treatment services	GPR	A	11,861,000	11,861,000	
17	(bg) Alzheimer's disease; training and					
18	information grants	GPR	A	132,700	132,700	

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(bL) Community support program				
2	grants	GPR	A	186,900	186,900
3	(bm) Purchased services for clients	GPR	A	163,900	163,900
4	(bt) Early intervention services for				
5	infants and toddlers with				
6	disabilities	GPR	A	4,709,200	4,709,200
7	(c) Independent living centers	GPR	A	1,130,200	1,221,000
8	(ce) Services for homeless individuals	GPR	A	45,000	45,000
9	(cg) Guardianship grant program	GPR	A	193,600	193,600
10	(co) Integrated services programs for				
11	children with severe disabilities	GPR	A	133,300	133,300
12	(cp) Capacity building for treatment				
13	programs	GPR	A	-0-	-0-
14	(d) Telecommunication aid for the				
15	hearing impaired	GPR	A	80,000	80,000
16	(da) Reimbursements to local units of				
17	government	GPR	S	400,000	400,000
18	(dh) Programs for senior citizens and				
19	elder abuse services	GPR	A	7,591,400	7,591,400
20	(dj) Benefit specialist program	GPR	A	2,516,500	2,516,500
21	(dL) Indian aids	GPR	A	271,600	271,600
22	(dm) Indian drug abuse prevention and				
23	education	GPR	A	500,000	500,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ed) State supplement to federal				
2	supplemental security income				
3	program	GPR	S	128,281,600	128,281,600
4	(gg) Collection remittances to local units				
5	of government	PR	C	100,000	100,000
6	(hy) Services for drivers, local assistance	PR	A	500,000	500,000
7	(i) Gifts and grants; local assistance	PR	C	-0-	-0-
8	(im) Community options program;				
9	recovery of costs of care	PR	C	10,000	15,000
10	(j) Fees from residential care				
11	apartment complexes	PR	C	34,300	91,500
12	(kb) Severely emotionally disturbed				
13	children	PR	C	6,285,900	6,285,900
14	(kc) Independent living center grants	PR-S	A	300,000	300,000
15	(kd) Rehabilitation teaching aids	PR-S	C	22,700	22,700
16	(kw) Interagency and intra-agency				
17	community aids	PR-S	A	32,700,000	32,450,000
18	(ky) Interagency and intra-agency aids	PR-S	C	2,082,200	970,300
19	(kz) Interagency and intra-agency local				
20	assistance	PR-S	C	2,500,900	2,500,900
21	(ma) Federal project aids	PR-F	C	12,471,500	12,471,500
22	(mb) Federal project local assistance	PR-F	C	6,521,400	6,387,800
23	(md) Federal block grant aids	PR-F	C	4,989,000	5,728,000
24	(me) Federal block grant local assistance	PR-F	C	2,947,400	2,947,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(na) Federal program aids	PR-F	C	22,687,700	22,687,700
2	(nL) Federal program local assistance	PR-F	C	5,553,800	5,553,800
3	(o) Federal aid; community aids	PR-F	C	94,373,000	92,829,300
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			419,866,800	424,029,100
	PROGRAM REVENUE			194,079,800	191,841,800
	FEDERAL			(149,543,800)	(148,605,500)
	OTHER			(6,930,200)	(6,992,400)
	SERVICE			(37,605,800)	(36,243,900)
	TOTAL-ALL SOURCES			613,946,600	615,870,900
4	(8) GENERAL ADMINISTRATION				
5	(a) General program operations	GPR	A	12,318,200	12,367,800
6	(g) Legal services collections	PR	C	12,200	12,200
7	(i) Gifts and grants	PR	C	500	500
8	(k) Administrative and support				
9	services	PR-S	A	28,503,700	25,028,000
10	(ka) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(kx) Interagency and intra-agency				
13	programs	PR-S	C	106,400	110,600
14	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
15	(kz) Interagency and intra-agency local				
16	assistance	PR-S	C	-0-	-0-
17	(m) Federal project operations	PR-F	C	7,000	7,000
18	(ma) Federal project aids	PR-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(mb) Income augmentation services				
2	receipts	PR-F	C	-0-	-0-
3	(mc) Federal block grant operations	PR-F	C	1,366,200	1,393,600
4	(n) Federal program operations	PR-F	C	515,600	520,500
5	(pz) Indirect cost reimbursements	PR-F	C	2,021,900	2,044,400
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			12,318,200	12,367,800
	PROGRAM REVENUE			32,533,500	29,116,800
	FEDERAL			(3,910,700)	(3,965,500)
	OTHER			(12,700)	(12,700)
	SERVICE			(28,610,100)	(25,138,600)
	TOTAL-ALL SOURCES			44,851,700	41,484,600
	20.435 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			1,535,085,700	1,599,417,600
	PROGRAM REVENUE			2,300,598,500	2,390,943,900
	FEDERAL			(1,984,421,100)	(2,034,395,300)
	OTHER			(189,024,000)	(196,302,600)
	SERVICE			(127,153,400)	(160,246,000)
	SEGREGATED FUNDS			339,500	386,300
	OTHER			(339,500)	(386,300)
	TOTAL-ALL SOURCES			3,836,023,700	3,990,747,800
6	20.440 Health and educational facilities authority				
7	(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
8	(a) General program operations	GPR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
9	(2) RURAL HOSPITAL LOAN GUARANTEE				
10	(a) Rural assistance loan fund	GPR	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99	
20.440 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			-0-	-0-	
TOTAL-ALL SOURCES			-0-	-0-	
1	20.445 Workforce development, department of				
2	(1)	WORKFORCE DEVELOPMENT			
3	(a)	General program operations	GPR A	6,666,900	6,682,200
4	(aa)	Special death benefit	GPR S	400,000	400,000
5	(bc)	Assistance for dislocated workers	GPR A	-0-	-0-
6	(cm)	Wisconsin service corps member			
7		compensation and support	GPR C	94,300	94,300
8	(em)	Youth apprenticeship training			
9		grants	GPR A	690,000	1,150,000
10	(ev)	Division of connecting education			
11		and work	GPR A	645,600	679,400
12	(f)	Death and disability benefit			
13		payments; public insurrections	GPR S	-0-	-0-
14	(fg)	Employment transit aids, state			
15		funds	GPR A	579,100	579,100
16	(g)	Gifts and grants	PR C	-0-	-0-
17	(ga)	Auxiliary services	PR C	649,500	649,600
18	(gb)	Local agreements	PR C	6,509,700	6,294,400
19	(gc)	Unemployment administration	PR C	-0-	-0-
20	(gd)	Unemployment interest and			
21		penalty payments	PR C	546,000	546,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ge) Unemployment reserve fund				
2	research	PR	A	282,300	282,700
3	(gf) Employment security				
4	administration	PR	A	1,538,000	1,563,000
5	(ha) Worker's compensation operations	PR	A	8,454,500	8,464,100
6	(hb) Worker's compensation contracts	PR	C	211,000	211,000
7	(hp) Uninsured employers program;				
8	administration	PR	A	866,300	867,300
9	(jm) Dislocated worker program grants	PR	C	-0-	-0-
10	(jr) Wisconsin service corps member				
11	compensation & support; sponsor				
12	contribution	PR	C	-0-	-0-
13	(ka) Interagency and intra-agency				
14	agreements	PR-S	C	11,481,300	11,095,300
15	(kb) Funds transferred from the				
16	technical college system board;				
17	school-to-work	PR-S	C	104,400	139,100
18	(kc) Administrative services	PR-S	A	27,744,600	27,637,300
19	(kd) Information technology				
20	development projects	PR-S	A	-0-	-0-
21	(km) Wisconsin service corps member				
22	compensation and support; service				
23	funds	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kr) Employment transit aids, federal				
2	oil overcharge funds	PR-F	C	-0-	-0-
3	(L) Fees	PR	C	86,200	86,400
4	(m) Federal funds	PR-F	C	7,309,300	7,311,900
5	(ma) Federal aid — program				
6	administration	PR-F	C	5,502,200	5,508,000
7	(mb) Federal aid — employment and				
8	training local assistance	PR-F	C	2,500,000	2,500,000
9	(mc) Federal aid — employment and				
10	training aids	PR-F	C	33,292,800	33,292,800
11	(n) Unemployment administration;				
12	federal moneys	PR-F	C	69,037,200	69,026,000
13	(na) Employment security buildings and				
14	equipment	PR-F	C	53,100	-0-
15	(ox) Employment transit aids, federal				
16	funds	PR-F	C	-0-	-0-
17	(pz) Indirect cost reimbursements	PR-F	C	234,000	234,000
18	(s) Self-insured employers liability				
19	fund	SEG	C	-0-	-0-
20	(sm) Uninsured employers fund;				
21	payments	SEG	S	1,050,000	1,200,000
22	(t) Work injury supplemental benefit				
23	fund	SEG	C	2,500,000	2,500,000
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				9,075,900	9,585,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	PROGRAM REVENUE			176,402,400	175,708,900
	FEDERAL			(117,928,600)	(117,872,700)
	OTHER			(19,143,500)	(18,964,500)
	SERVICE			(39,330,300)	(38,871,700)
	SEGREGATED FUNDS			3,550,000	3,700,000
	OTHER			(3,550,000)	(3,700,000)
	TOTAL-ALL SOURCES			189,028,300	188,993,900
1	(2) REVIEW COMMISSION				
2	(a) General program operations, review				
3	commission	GPR	A	168,600	168,900
4	(ha) Worker's compensation operations	PR	A	531,500	532,300
5	(m) Federal moneys	PR-F	C	109,900	110,200
6	(n) Unemployment administration;				
7	federal moneys	PR-F	C	1,479,900	1,483,400
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			168,600	168,900
	PROGRAM REVENUE			2,121,300	2,125,900
	FEDERAL			(1,589,800)	(1,593,600)
	OTHER			(531,500)	(532,300)
	TOTAL-ALL SOURCES			2,289,900	2,294,800
8	(3) ECONOMIC SUPPORT				
9	(a) General program operations	GPR	A	27,414,600	21,857,800
10	(br) Public assistance reform studies	GPR	C	525,300	525,300
11	(cb) Child support collections; county				
12	administration	GPR	A	1,840,100	1,840,100
13	(cm) Wisconsin works child care	GPR	A	26,344,300	27,554,300
14	(cr) State supplement to employment				
15	opportunity demonstration projects	GPR	A	250,000	250,000
16	(dc) Emergency assistance program	GPR	A	1,659,700	1,659,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(dz) Wisconsin works and other public				
2	assistance administration and				
3	benefits	GPR	A	148,190,500	149,701,000
4	(e) Job access loans	GPR	B	3,645,600	866,800
5	(em) Employment skills advancement				
6	program	GPR	A	291,700	350,000
7	(g) Child support collections	PR	C	55,818,000	53,798,900
8	(i) Gifts and grants	PR	C	15,900	15,900
9	(ja) Child support state operations-fees	PR	C	327,200	1,077,600
10	(jb) Fees for administrative services	PR	C	481,600	481,600
11	(jg) State child care program operations	PR	C	75,000	75,000
12	(jL) Job access loan repayments	PR	C	414,400	1,469,800
13	(jm) Wisconsin works fees	PR	A	-0-	-0-
14	(k) Child support transfers	PR	C	-0-	-0-
15	(kp) Delinquent support and maintenace				
16	payments	PR-S	C	-0-	-0-
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	869,000	869,100
19	(ky) Interagency and intra-agency aids	PR-S	C	3,110,600	3,110,600
20	(kz) Interagency and intra-agency local				
21	assistance	PR-S	C	-0-	-0-
22	(L) Welfare fraud and error reductions;				
23	state operations	PR	A	894,900	895,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(Lm) Welfare fraud and error reduction;				
2	local assistance	PR	C	1,469,800	1,469,800
3	(m) Federal project operations	PR-F	C	81,100	81,200
4	(ma) Federal project aids	PR-F	C	61,000	61,000
5	(mb) Federal project local assistance	PR-F	C	-0-	-0-
6	(mc) Federal block grant operations	PR-F	C	63,093,000	57,511,800
7	(md) Federal block grant aids	PR-F	C	357,527,300	325,899,900
8	(n) Federal program operations	PR-F	C	44,922,100	41,406,100
9	(na) Federal program aids	PR-F	C	5,000,000	5,000,000
10	(nL) Federal program local assistance	PR-F	C	71,205,400	71,205,400
11	(pm) Food stamp employment and				
12	training program; administration	PR-F	C	349,100	360,400
13	(ps) Food stamp employment and				
14	training program; aids	PR-F	C	17,447,300	17,436,000
15	(pz) Income augmentation services				
16	receipts	PR-F	C	-0-	-0-
17	(q) Centralized support receipt and				
18	disbursement; interest	SEG	S	-0-	112,500
19	(r) Support receipt and disbursement				
20	program; payments	SEG	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			210,161,800	204,605,000
	PROGRAM REVENUE			623,162,700	582,226,000
	FEDERAL			(559,686,300)	(518,961,800)
	OTHER			(59,496,800)	(59,284,500)
	SERVICE			(3,979,600)	(3,979,700)
	SEGREGATED FUNDS			-0-	112,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
OTHER				(-0-)	(112,500)
TOTAL-ALL SOURCES				833,324,500	786,943,500
1	(4) ADJUDICATION OF CLAIMS				
2	(a) Administration of mining damage				
3	claims	GPR	A	-0-	-0-
4	(b) Funding for mining damage claims	GPR	S	-0-	-0-
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				-0-	-0-
TOTAL-ALL SOURCES				-0-	-0-
5	(5) VOCATIONAL REHABILITATION SERVICES				
6	(a) General program operations	GPR	A	5,053,800	5,066,500
7	(bm) Purchased services for clients	GPR	A	5,354,500	5,354,500
8	(gg) Contractual services	PR	C	32,200	32,200
9	(gp) Contractual services aids	PR	C	2,162,000	2,162,000
10	(h) Enterprises and services for blind				
11	and visually impaired	PR	C	127,700	127,800
12	(hd) Rehabilitation teaching aids	PR	A	22,700	22,700
13	(he) Supervised business enterprise	PR	C	188,100	188,100
14	(i) Gifts and grants	PR	C	10,100	10,100
15	(kx) Interagency and intra-agency				
16	programs	PR-S	C	169,900	170,300
17	(ky) Interagency and intra-agency aids	PR-S	C	60,000	60,000
18	(kz) Interagency and intra-agency local				
19	assistance	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(m) Federal project operations	PR-F	C	494,000	494,100
2	(ma) Federal project aids	PR-F	C	660,600	660,600
3	(n) Federal program operations	PR-F	C	19,737,800	19,833,100
4	(na) Federal program aids	PR-F	C	28,834,300	28,834,300
5	(nL) Federal program local assistance	PR-F	C	-0-	-0-
(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			10,408,300	10,421,000
	PROGRAM REVENUE			52,499,400	52,595,300
	FEDERAL			(49,726,700)	(49,822,100)
	OTHER			(2,542,800)	(2,542,900)
	SERVICE			(229,900)	(230,300)
	TOTAL-ALL SOURCES			62,907,700	63,016,300
6	(6) WISCONSIN CONSERVATION CORPS				
7	(b) General enrollee operations	GPR	B	1,082,700	1,268,300
8	(bm) General enrollee operations				
9	supplement	GPR	B	281,100	281,100
10	(c) Administrative support; general				
11	program operations	GPR	A	228,300	228,700
12	(j) General enrollee operations;				
13	sponsor contribution	PR	C	10,000	10,000
14	(ja) Administrative support; sponsor				
15	contribution	PR	C	-0-	-0-
16	(jb) Gifts and related support	PR	C	-0-	-0-
17	(k) General enrollee operations; service				
18	funds	PR-S	C	587,600	587,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ka) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(kb) Administrative support; service				
4	funds	PR-S	C	38,900	39,000
5	(m) General enrollee operations; federal				
6	funds	PR-F	C	-0-	-0-
7	(n) Administrative support; federal				
8	funds	PR-F	C	-0-	-0-
9	(u) General enrollee operations;				
10	conservation fund	SEG	B	2,553,200	2,567,800
11	(w) General enrollee operations;				
12	environmental fund	SEG	B	76,700	76,700
13	(x) General enrollee operations;				
14	waterfront projects; conservation				
15	fund	SEG	B	141,700	141,700
16	(y) Administrative support;				
17	conservation fund	SEG	A	449,300	451,100

(6) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,592,100	1,778,100
PROGRAM REVENUE	636,500	636,600
FEDERAL	(-0-)	(-0-)
OTHER	(10,000)	(10,000)
SERVICE	(626,500)	(626,600)
SEGREGATED FUNDS	3,220,900	3,237,300
OTHER	(3,220,900)	(3,237,300)
TOTAL-ALL SOURCES	5,449,500	5,652,000

20.445 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	231,406,700	226,558,000
PROGRAM REVENUE	854,822,300	813,292,700
FEDERAL	(728,931,400)	(688,250,200)
OTHER	(81,724,600)	(81,334,200)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	SERVICE			(44,166,300)	(43,708,300)
	SEGREGATED FUNDS			6,770,900	7,049,800
	OTHER			(6,770,900)	(7,049,800)
	TOTAL-ALL SOURCES			1,092,999,900	1,046,900,500
1	20.455 Justice, department of				
2	(1) LEGAL SERVICES				
3	(a) General program operations	GPR	A	11,782,100	11,828,900
4	(b) Special counsel	GPR	S	1,100,000	1,100,000
5	(d) Legal expenses	GPR	B	927,200	938,000
6	(gh) Investigations and prosecution	PR	A	-0-	-0-
7	(gs) Delinquent obligation collection	PR	A	100,200	100,200
8	(hm) Restitution	PR	C	-0-	-0-
9	(k) Environment litigation project	PR-S	C	294,900	294,900
10	(km) Interagency and intra-agency				
11	assistance	PR-S	A	387,400	387,400
12	(kt) Telecommunications positions	PR	C	113,200	113,200
13	(m) Federal aid	PR-F	C	803,500	810,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			13,809,300	13,866,900
	PROGRAM REVENUE			1,699,200	1,706,600
	FEDERAL			(803,500)	(810,900)
	OTHER			(213,400)	(213,400)
	SERVICE			(682,300)	(682,300)
	TOTAL-ALL SOURCES			15,508,500	15,573,500
14	(2) LAW ENFORCEMENT SERVICES				
15	(a) General program operations	GPR	A	12,024,000	12,024,000
16	(am) Officer training reimbursement	GPR	S	125,000	125,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(b) Investigations and operations	GPR	A	-0-	-0-
2	(c) Crime laboratory equipment	GPR	B	-0-	-0-
3	(cm) Computers for transaction				
4	information for management of				
5	enforcement system	GPR	A	1,048,500	1,048,500
6	(d) County-tribal law enforcement				
7	programs	GPR	A	60,000	60,000
8	(dg) Weed and seed and law				
9	enforcement technology	GPR	A	500,000	500,000
10	(dq) Law enforcement community				
11	policing grants	GPR	B	-0-	-0-
12	(e) Drug enforcement	GPR	A	360,400	-0-
13	(g) Gaming law enforcement; racing				
14	revenues	PR	A	96,900	98,300
15	(gc) Gaming law enforcement; Indian				
16	gaming	PR	A	76,100	77,800
17	(gm) Criminal history searches;				
18	fingerprint identification	PR	C	1,782,000	1,882,000
19	(gr) Gun purchaser record checks	PR	C	326,800	326,800
20	(h) Terminal charges	PR	A	2,529,800	2,529,800
21	(hm) County-tribal programs, surcharge				
22	receipts	PR	A	-0-	-0-
23	(hn) County-tribal programs, local				
24	assistance	PR	A	547,200	547,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ho) County-tribal programs, state				
2	operations	PR	A	48,000	48,000
3	(i) Penalty assessment surcharge,				
4	receipts	PR	A	-0-	-0-
5	(j) Law enforcement training fund,				
6	local assistance	PR	A	3,465,000	3,420,100
7	(ja) Law enforcement training fund,				
8	state operations	PR	A	2,268,100	2,290,100
9	(jb) Crime laboratory equipment and				
10	supplies	PR	B	377,300	377,300
11	(k) Interagency and intra-agency				
12	assistance; investigations	PR-S	C	1,752,300	1,719,200
13	(kd) Drug law enforcement and crime				
14	laboratories	PR	A	212,500	1,840,300
15	(kg) Interagency and intra-agency				
16	assistance; fingerprint				
17	identification	PR-S	A	850,300	850,300
18	(Lm) Crime laboratories;				
19	deoxyribonucleic acid analysis	PR	C	398,200	463,400
20	(m) Federal aid, state operations	PR-F	C	74,500	74,500
21	(ma) Federal aid, drug enforcement	PR-F	C	1,076,400	-0-
22	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
23	(r) Gaming law enforcement; lottery				
24	revenues	SEG	A	225,800	229,600

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				14,117,900	13,757,500
PROGRAM REVENUE				15,881,400	16,545,100
FEDERAL				(1,150,900)	(74,500)
OTHER				(12,127,900)	(13,901,100)
SERVICE				(2,602,600)	(2,569,500)
SEGREGATED FUNDS				225,800	229,600
OTHER				(225,800)	(229,600)
TOTAL-ALL SOURCES				30,225,100	30,532,200
1	(3) ADMINISTRATIVE SERVICES				
2	(a) General program operations	GPR	A	3,650,200	3,650,200
3	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
4	(k) Interagency and intra-agency				
5	assistance	PR-S	A	-0-	-0-
6	(ka) Information technology				
7	development projects	PR-S	A	-0-	-0-
8	(m) Federal aid, state operations	PR-F	C	-0-	-0-
9	(pz) Indirect cost reimbursements	PR-F	C	76,100	76,100
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				3,650,200	3,650,200
PROGRAM REVENUE				76,100	76,100
FEDERAL				(76,100)	(76,100)
OTHER				(-0-)	(-0-)
SERVICE				(-0-)	(-0-)
TOTAL-ALL SOURCES				3,726,300	3,726,300
10	(5) VICTIMS AND WITNESSES				
11	(a) General program operations	GPR	A	807,000	810,000
12	(b) Awards for victims of crimes	GPR	A	1,324,200	1,324,200
13	(c) Reimbursement for victim and				
14	witness services	GPR	A	1,497,100	1,497,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(g) Crime victim and witness				
2	assistance surcharge, general				
3	services	PR	A	2,342,200	2,257,400
4	(gc) Crime victim and witness				
5	surcharge, sexual assault victim				
6	services	PR	C	1,000,000	1,000,000
7	(h) Crime victim compensation services	PR	A	39,300	39,300
8	(i) Victim compensation, inmate				
9	payments	PR	C	-0-	-0-
10	(j) Victim payments, victim surcharge	PR	A	488,800	488,800
11	(k) Interagency and intra-agency				
12	assistance	PR-S	A	954,300	954,300
13	(m) Federal aid; victim compensation	PR-F	C	643,900	643,900
14	(mh) Federal aid; victim assistance	PR-F	C	2,433,000	2,433,000

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	3,628,300	3,631,300
PROGRAM REVENUE	7,901,500	7,816,700
FEDERAL	(3,076,900)	(3,076,900)
OTHER	(3,870,300)	(3,785,500)
SERVICE	(954,300)	(954,300)
TOTAL-ALL SOURCES	11,529,800	11,448,000

20.455 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	35,205,700	34,905,900
PROGRAM REVENUE	25,558,200	26,144,500
FEDERAL	(5,107,400)	(4,038,400)
OTHER	(16,211,600)	(17,900,000)
SERVICE	(4,239,200)	(4,206,100)
SEGREGATED FUNDS	225,800	229,600
OTHER	(225,800)	(229,600)
TOTAL-ALL SOURCES	60,989,700	61,280,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	20.465 Military affairs, department of				
2	(1) NATIONAL GUARD OPERATIONS				
3	(a) General program operations	GPR	A	4,291,000	4,300,400
4	(b) Repair and maintenance	GPR	A	644,800	644,800
5	(c) Public emergencies	GPR	S	48,500	48,500
6	(d) Principal repayment and interest	GPR	S	2,493,400	2,524,800
7	(e) State service flags	GPR	A	400	400
8	(f) Energy costs	GPR	A	1,494,100	1,537,500
9	(g) Military property	PR	A	380,100	445,000
10	(h) Intergovernmental services	PR	A	186,300	186,300
11	(k) Armory store operations	PR-S	A	202,400	202,400
12	(km) Agency services	PR-S	A	68,200	68,200
13	(kn) Information technology				
14	development projects; national				
15	guard	PR-S	A	-0-	-0-
16	(Li) Gifts and grants	PR	C	-0-	-0-
17	(m) Federal aid	PR-F	C	12,219,100	12,924,100
18	(pz) Indirect cost reimbursements	PR-F	C	135,400	135,400
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,972,200	9,056,400
	PROGRAM REVENUE			13,191,500	13,961,400
	FEDERAL			(12,354,500)	(13,059,500)
	OTHER			(566,400)	(631,300)
	SERVICE			(270,600)	(270,600)
	TOTAL-ALL SOURCES			22,163,700	23,017,800
19	(2) GUARD MEMBERS' BENEFITS				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) Tuition grants	GPR	A	3,194,000	3,589,400
	(2) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			3,194,000	3,589,400
	TOTAL-ALL SOURCES			3,194,000	3,589,400
2	(3) EMERGENCY MANAGEMENT SERVICES				
3	(a) General program operations	GPR	A	514,600	514,600
4	(dd) Regional emergency response				
5	teams	GPR	A	1,400,000	1,346,700
6	(dh) Hazardous substance emergency				
7	response; administration	GPR	A	79,600	79,600
8	(dp) Emergency response equipment	GPR	A	568,000	568,000
9	(dr) Emergency response supplement	GPR	C	-0-	-0-
10	(dt) Emergency response training	GPR	B	75,500	75,500
11	(e) Disaster recovery aid	GPR	S	881,200	881,200
12	(f) Civil air patrol aids	GPR	A	19,000	19,000
13	(g) Program services	PR	A	1,026,500	1,018,800
14	(i) Emergency planning and reporting;				
15	administration	PR	A	710,500	710,500
16	(j) State emergency response board;				
17	gifts and grants	PR	C	-0-	-0-
18	(jm) State emergency response board;				
19	emergency planning grants	PR	C	834,700	834,700
20	(jt) Regional emergency response				
21	reimbursement	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(m) Federal aid, state operations	PR-F	C	1,307,400	1,307,400
2	(n) Federal aid, local assistance	PR-F	C	4,182,200	4,182,200
3	(o) Federal aid, individuals and				
4	organizations	PR-F	C	42,000	42,000
5	(r) State emergency response board;				
6	petroleum inspection fund	SEG	A	465,700	465,700
7	(t) Emergency response training -				
8	environmental fund	SEG	B	75,300	75,300
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,537,900	3,484,600
	PROGRAM REVENUE			8,103,300	8,095,600
	FEDERAL			(5,531,600)	(5,531,600)
	OTHER			(2,571,700)	(2,564,000)
	SEGREGATED FUNDS			541,000	541,000
	OTHER			(541,000)	(541,000)
	TOTAL-ALL SOURCES			12,182,200	12,121,200
20.465 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			15,704,100	16,130,400
	PROGRAM REVENUE			21,294,800	22,057,000
	FEDERAL			(17,886,100)	(18,591,100)
	OTHER			(3,138,100)	(3,195,300)
	SERVICE			(270,600)	(270,600)
	SEGREGATED FUNDS			541,000	541,000
	OTHER			(541,000)	(541,000)
	TOTAL-ALL SOURCES			37,539,900	38,728,400
9	20.475 District attorneys				
10	(1) DISTRICT ATTORNEYS				
11	(d) Salaries and fringe benefits	GPR	A	30,729,000	30,993,400
12	(h) Gifts and grants	PR	C	1,032,300	987,000
13	(i) Other Employees	PR	A	159,000	164,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(k) Interagency and intra-agency				
2	assistance	PR-S	C	-0-	-0-
3	(m) Federal aid	PR-F	C	-0-	-0-
20.475 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			30,729,000	30,993,400
	PROGRAM REVENUE			1,191,300	1,151,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,191,300)	(1,151,600)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			31,920,300	32,145,000
4	20.485 Veterans affairs, department of				
5	(1) HOME FOR VETERANS				
6	(b) General fund supplement to				
7	institutional operations	GPR	B	-0-	-0-
8	(d) Cemetery maintenance and				
9	beautification	GPR	A	24,900	24,900
10	(e) Lease rental payments	GPR	S	-0-	-0-
11	(f) Principal repayment and interest	GPR	S	1,200,100	1,312,600
12	(g) Home exchange	PR	A	262,600	267,600
13	(gd) Veterans home cemetery operations	PR	C	-0-	-0-
14	(gk) Institutional operations	PR	A	33,753,500	34,327,600
15	(gm) Sale of fuel and utility service	PR	A	41,300	41,300
16	(go) Self-amortizing housing facilities;				
17	principal repayment and interest	PR	S	17,400	94,800
18	(h) Gifts and bequests	PR	C	264,700	214,700
19	(hm) Gifts and grants	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(i) State-owned housing maintenance	PR	A	65,700	65,700
2	(j) Geriatric program receipts	PR	C	115,400	115,400
3	(m) Federal aid; care at veterans home	PR-F	C	-0-	-0-
4	(mj) Federal aid; geriatric unit	PR-F	C	-0-	-0-
5	(mn) Federal projects	PR-F	C	15,000	15,000
6	(t) Veterans home member accounts	SEG	C	-0-	-0-
7	(u) Rentals; improvements; equipment;				
8	land acquisition	SEG	A	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,225,000	1,337,500
	PROGRAM REVENUE			34,535,600	35,142,100
	FEDERAL			(15,000)	(15,000)
	OTHER			(34,520,600)	(35,127,100)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			35,760,600	36,479,600
9	(2) LOANS AND AIDS TO VETERANS				
10	(b) Wisconsin veterans museum space				
11	rental	GPR	A	334,700	345,800
12	(c) Operation of Wisconsin veterans				
13	museum	GPR	A	485,400	479,300
14	(d) Veterans memorials at The				
15	Highground	GPR	C	-0-	-0-
16	(db) General fund supplement to				
17	veterans trust fund	GPR	A	-0-	-0-
18	(e) Veterans memorial grants	GPR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(em) Payments related to The				
2	Highground	GPR	C	-0-	-0-
3	(g) Consumer reporting agency fees	PR	C	-0-	-0-
4	(ka) Information technology				
5	development projects	PR-S	A	-0-	-0-
6	(m) Federal aid projects	PR-F	C	272,600	272,600
7	(mn) Federal projects; museum				
8	acquisitions and operations	PR-F	C	-0-	-0-
9	(rm) Veterans assistance program	SEG	B	837,200	849,500
10	(rp) Veterans assistance program				
11	receipts	SEG	A	-0-	-0-
12	(tf) Veterans' tuition and fee				
13	reimbursement program	SEG	A	1,483,800	1,672,100
14	(th) Correspondence courses and				
15	part-time classroom study	SEG	A	762,500	771,800
16	(tj) Retraining grant program	SEG	A	500,000	500,000
17	(tm) Facilities	SEG	C	-0-	-0-
18	(u) Administration of loans and aids to				
19	veterans	SEG	A	2,607,400	2,664,100
20	(v) Wisconsin veterans museum sales				
21	receipts	SEG	C	132,700	132,700
22	(vg) Health care aid grants	SEG	A	915,700	915,700
23	(vm) Subsistence grants	SEG	A	236,200	236,200
24	(vo) Veterans of World War I	SEG	A	2,500	2,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(vw) Payments to veterans organizations				
2	for claims service	SEG	A	75,000	75,000
3	(vx) County grants	SEG	A	301,600	292,800
4	(w) Home for needy veterans	SEG	C	10,000	10,000
5	(wd) Operation of Wisconsin veterans				
6	museum	SEG	A	5,000	5,000
7	(x) Federal per diem payments	SEG-F	C	-0-	-0-
8	(yg) Acquisition of 1981 revenue bond				
9	mortgages	SEG	S	-0-	-0-
10	(yn) Veterans trust fund loans and				
11	expenses	SEG	A	7,800,000	7,800,000
12	(yo) Debt payment	SEG	S	-0-	-0-
13	(z) Gifts	SEG	C	-0-	-0-
14	(zm) Museum gifts and bequests	SEG	C	-0-	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			820,100	825,100
	PROGRAM REVENUE			272,600	272,600
	FEDERAL			(272,600)	(272,600)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			15,669,600	15,927,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(15,669,600)	(15,927,400)
	TOTAL-ALL SOURCES			16,762,300	17,025,100
15	(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
16	(b) Self insurance	GPR	S	-0-	-0-
17	(e) General program deficiency	GPR	S	-0-	-0-
18	(q) Foreclosure loss payments	SEG	C	801,000	801,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(r) Funded reserves	SEG	C	50,000	50,000
2	(rm) Other reserves	SEG	C	-0-	-0-
3	(s) General program operations	SEG	A	3,859,100	3,920,600
4	(sm) County grants	SEG	A	452,600	439,200
5	(t) Debt service	SEG	C	55,697,600	67,717,600
6	(v) Revenue obligation repayment	SEG	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			60,860,300	72,928,400
	OTHER			(60,860,300)	(72,928,400)
	TOTAL-ALL SOURCES			60,860,300	72,928,400
7	(4) VETERANS MEMORIAL CEMETERIES				
8	(a) Cemetery administration and				
9	maintenance, general fund	GPR	A	100	100
10	(g) Cemetery operations	PR	A	106,500	94,500
11	(h) Gifts, grants and bequests	PR	C	-0-	-0-
12	(m) Federal aid; cemetery operations				
13	and burials	PR-F	C	-0-	-0-
14	(q) Cemetery administration and				
15	maintenance	SEG	A	270,200	282,200
16	(qm) Repayment of principal and				
17	interest	SEG	S	-0-	-0-
18	(r) Cemetery energy costs	SEG	A	11,800	11,800
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			100	100
	PROGRAM REVENUE			106,500	94,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(106,500)	(94,500)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
SEGREGATED FUNDS			282,000	294,000
OTHER			(282,000)	(294,000)
TOTAL-ALL SOURCES			388,600	388,600

20.485 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			2,045,200	2,162,700
PROGRAM REVENUE			34,914,700	35,509,200
FEDERAL			(287,600)	(287,600)
OTHER			(34,627,100)	(35,221,600)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			76,811,900	89,149,800
FEDERAL			(-0-)	(-0-)
OTHER			(76,811,900)	(89,149,800)
TOTAL-ALL SOURCES			113,771,800	126,821,700

1 **20.490 Wisconsin housing and economic development authority**

2 (1) FACILITATION OF CONSTRUCTION

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

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

4 (2) HOUSING REHABILITATION LOAN PROGRAM

5 (a) General program operations	GPR	C	-0-	-0-
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6 (q) Loan loss reserve fund	SEG	C	-0-	-0-
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(2) PROGRAM TOTALS

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

7 (4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE

8 (g) Disadvantaged business

9 mobilization loan guarantee	PR	C	-0-	-0-
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(4) PROGRAM TOTALS

PROGRAM REVENUE			-0-	-0-
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
2	(a) Wisconsin development reserve				
3	fund	GPR	C	-0-	-0-
4	(q) Recycling fund transfer to				
5	Wisconsin development reserve				
6	fund	SEG	C	-0-	-0-
7	(r) Agrichemical management fund				
8	transfer to Wisconsin development				
9	reserve fd.	SEG	C	-0-	-0-
10	(s) Petroleum inspection fund transfer				
11	to WDRF	SEG	A	-0-	-0-
12	(t) Recycling fund transfer for				
13	brownfields remediation	SEG	C	100,000	-0-
14	(tm) Recycling fund transfers for				
15	brownfields remediation	SEG	S	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			100,000	-0-
	OTHER			(100,000)	(-0-)
	TOTAL-ALL SOURCES			100,000	-0-
16	(6) WISCONSIN JOB TRAINING LOAN GUARANTEES				
17	(a) Wisconsin job training reserve fund	GPR	S	-0-	-0-
18	(k) Department of commerce				
19	appropriation transfer to Wisconsin				
20	job training	PR-S	C	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			-0-	-0-
SERVICE			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			100,000	-0-
OTHER			(100,000)	(-0-)
TOTAL-ALL SOURCES			100,000	-0-

1 **20.495 University of Wisconsin hospitals and clinics board**

2 (1) CONTRACTUAL SERVICES

3 (g) General program operations PR C 54,347,800 55,306,000

20.495 DEPARTMENT TOTALS				
PROGRAM REVENUE			54,347,800	55,306,000
OTHER			(54,347,800)	(55,306,000)
TOTAL-ALL SOURCES			54,347,800	55,306,000

Human Relations and Resources

FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			2,401,274,900	2,487,399,000
PROGRAM REVENUE			3,409,464,500	3,467,907,900
FEDERAL			(2,737,123,100)	(2,746,052,100)
OTHER			(461,247,700)	(475,173,200)
SERVICE			(211,093,700)	(246,682,600)
SEGREGATED FUNDS			84,819,100	97,386,500
FEDERAL			(-0-)	(-0-)
OTHER			(84,819,100)	(97,386,500)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			5,895,558,500	6,052,693,400

General Executive Functions

4 **20.505 Administration, department of**

5 (1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) General program operations	GPR	A	8,457,300	8,457,400
2	(ab) General program operations; state				
3	prosecutor	GPR	A	203,500	203,500
4	(am) Information technology investment				
5	fund administration	GPR	A	121,300	121,300
6	(b) Midwest interstate low-level				
7	radioactive waste compact; loan				
8	from gen. fund	GPR	C	-0-	-0-
9	(d) Energy development and				
10	demonstration fund	GPR	A	-0-	-0-
11	(f) Badger state games assistance	GPR	A	-0-	-0-
12	(fn) Free books to organizations	GPR	A	-0-	100,000
13	(g) Midwest interstate low-level				
14	radioactive waste compact;				
15	membership & costs	PR	A	60,700	60,700
16	(gm) Historical grants	PR	C	-0-	-0-
17	(ie) Land information; general program				
18	operations	PR	A	401,700	382,700
19	(ig) Land information; technical				
20	assistance and education	PR	A	-0-	-0-
21	(ij) Land information; aids to counties	PR	C	1,799,000	1,799,000
22	(im) Services to nonstate governmental				
23	units	PR	A	1,475,000	1,475,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(is) Information technology processing				
2	services to nonstate entities	PR	C	-0-	-0-
3	(iu) Plat review	PR	C	335,600	335,600
4	(j) Gifts and donations	PR	C	-0-	-0-
5	(ja) Justice information systems	PR	A	2,740,200	3,562,100
6	(jb) Gifts and grants; free books to				
7	organizations	PR	C	-0-	-0-
8	(ka) Materials and services to state				
9	agencies and certain districts	PR-S	A	4,319,800	4,330,300
10	(kb) Transportation services	PR-S	A	15,931,400	14,821,200
11	(kc) Capital planning and building				
12	construction services	PR-S	A	9,835,600	9,868,900
13	(kd) Printing, document sales, mail				
14	distribution and record services	PR-S	A	18,010,000	18,116,400
15	(ke) Telecommunications and data				
16	processing services	PR-S	A	33,195,200	33,195,200
17	(kj) Financial services	PR-S	A	8,736,700	8,852,900
18	(kL) Information technology processing				
19	services to agencies	PR-S	A	41,648,300	41,640,000
20	(kn) Multi-agency information				
21	technology development projects	PR-S	A	-0-	-0-
22	(ko) Information technology				
23	development projects; justice				
24	information systems	PR-S	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kp) Interagency assistance; justice				
2	information systems	PR-S	A	754,500	1,495,300
3	(kr) Information technology				
4	development and management				
5	services	PR-S	A	-0-	-0-
6	(ks) Wisconsin land council; state				
7	agency support	PR-S	C	409,900	323,400
8	(ma) Federal grants and contracts	PR-F	C	45,100	45,100
9	(mb) Federal energy grants and				
10	contracts	PR-F	C	895,300	895,300
11	(mc) Coastal zone management	PR-F	C	1,112,100	1,112,100
12	(md) Oil overcharge restitution funds	PR-F	C	6,877,500	6,877,500
13	(n) Federal aid; local assistance	PR-F	C	-0-	-0-
14	(pz) Indirect cost reimbursements	PR-F	C	81,700	81,700
15	(qm) Recycling activities	SEG	A	121,000	121,000
16	(r) Information technology investment				
17	fund administration	SEG	A	-0-	-0-
18	(v) General program operations —				
19	environmental improvement				
20	programs; state funds	SEG	A	734,900	734,900
21	(x) General program operations —				
22	clean water fund program; federal				
23	funds	SEG-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(y) General program operations — safe				
2	drinking water loan program;				
3	federal funds	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,782,100	8,882,200
	PROGRAM REVENUE			148,665,300	149,270,400
	FEDERAL			(9,011,700)	(9,011,700)
	OTHER			(6,812,200)	(7,615,100)
	SERVICE			(132,841,400)	(132,643,600)
	SEGREGATED FUNDS			855,900	855,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(855,900)	(855,900)
	TOTAL-ALL SOURCES			158,303,300	159,008,500
4	(2) RISK MANAGEMENT				
5	(a) General fund supplement — risk				
6	management claims	GPR	S	-0-	-0-
7	(k) Risk management costs	PR-S	C	20,100,000	20,500,000
8	(ki) Risk management administration	PR-S	A	4,397,500	4,397,500
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			24,497,500	24,897,500
	SERVICE			(24,497,500)	(24,897,500)
	TOTAL-ALL SOURCES			24,497,500	24,897,500
9	(3) COMMITTEES AND INTERSTATE BODIES				
10	(a) General program operations	GPR	A	367,100	367,100
11	(b) Women's council operations	GPR	A	90,400	90,400
12	(e) Mediation office operations	GPR	A	-0-	-0-
13	(g) Gifts and grants	PR	C	-0-	-0-
14	(h) Program fees	PR	A	6,100	6,100
15	(m) Federal aid	PR-F	C	-0-	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99	
(3) PROGRAM TOTALS						
GENERAL PURPOSE REVENUES				457,500	457,500	
PROGRAM REVENUE				6,100	6,100	
FEDERAL				(-0-)	(-0-)	
OTHER				(6,100)	(6,100)	
TOTAL-ALL SOURCES				463,600	463,600	
1	(4)	ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS				
2	(a)	Adjudication of tax appeals	GPR	A	506,900	511,200
3	(b)	Adjudication of equalization				
4		appeals	GPR	S	-0-	-0-
5	(c)	Claims board; general program				
6		operations	GPR	A	43,800	43,800
7	(d)	Claims awards	GPR	S	25,000	25,000
8	(f)	Hearings and appeals operations	GPR	A	2,009,600	2,015,100
9	(gm)	Gifts and grants	PR	C	-0-	-0-
10	(h)	Program services	PR	A	26,000	26,000
11	(is)	Relay service	PR	A	5,000,000	5,000,000
12	(j)	National and community service				
13		board; gifts and grants	PR	C	-0-	-0-
14	(k)	Waste facility siting board; general				
15		program operations	PR-S	A	115,100	115,100
16	(ka)	State use board — general program				
17		operations	PR-S	A	133,000	133,000
18	(kb)	Info tech development projects;				
19		attached divisions, boards and				
20		commissions	PR-S	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(kp) Hearings and appeals fees	PR-S	A	1,600,700	1,613,000
2	(o) National and community service				
3	board; federal aid for				
4	administration	PR-F	C	205,500	174,900
5	(p) National and community service				
6	board; federal aid for grants	PR-F	C	1,500,000	1,500,000
7	(r) State capitol and executive				
8	residence board; gifts and grants	SEG	C	-0-	-0-
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,585,300	2,595,100
	PROGRAM REVENUE			8,580,300	8,562,000
	FEDERAL			(1,705,500)	(1,674,900)
	OTHER			(5,026,000)	(5,026,000)
	SERVICE			(1,848,800)	(1,861,100)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			11,165,600	11,157,100
9	(5) FACILITIES MANAGEMENT				
10	(c) Principal repayment and interest;				
11	Black Point Estate	GPR	S	-0-	143,000
12	(g) Principal repayment, interest and				
13	rebates; parking	PR-S	S	908,200	1,460,100
14	(ka) Facility operations and				
15	maintenance; police and protection				
16	functions	PR-S	A	28,525,300	28,903,400
17	(kb) Parking	PR	A	566,000	585,800
18	(kc) Principal repayment, interest and				
19	rebates	PR-S	C	11,310,200	11,148,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(q) Energy efficiency	SEG	S	-0-	-0-
(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	143,000
	PROGRAM REVENUE			41,309,700	42,098,200
	OTHER			(566,000)	(585,800)
	SERVICE			(40,743,700)	(41,512,400)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			41,309,700	42,241,200
2	(6) OFFICE OF JUSTICE ASSISTANCE				
3	(a) General program operations	GPR	A	277,700	278,400
4	(c) Law enforcement officer				
5	supplement grants	GPR	A	1,000,000	1,000,000
6	(g) Anti-drug enforcement program,				
7	penalty assessment - local	PR	C	2,170,300	1,980,400
8	(h) Anti-drug enforcement program,				
9	penalty assessment - state	PR	C	1,269,700	1,068,900
10	(k) Anti-drug enforcement program —				
11	administration	PR-S	C	110,300	110,300
12	(m) Federal aid, planning and				
13	administration, state operations	PR-F	C	203,600	203,700
14	(o) Federal aid, criminal justice				
15	improvement projects, state				
16	operations	PR-F	C	2,453,400	587,000
17	(p) Federal aid, criminal justice				
18	improvement projects, local				
19	assistance	PR-F	C	1,966,700	2,125,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(pa) Federal aid, criminal justice				
2	improvement projects, aid to				
3	organizations	PR-F	C	1,108,500	1,139,800
4	(pb) Federal aid, anti-drug enforcement				
5	program, aids and local assistance	PR-F	C	6,490,500	6,155,400
6	(pc) Federal aid, anti-drug enforcement				
7	program, state operations	PR-F	C	4,312,500	3,472,300
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,277,700	1,278,400
	PROGRAM REVENUE			20,085,500	16,843,700
	FEDERAL			(16,535,200)	(13,684,100)
	OTHER			(3,440,000)	(3,049,300)
	SERVICE			(110,300)	(110,300)
	TOTAL-ALL SOURCES			21,363,200	18,122,100
8	(7) HOUSING ASSISTANCE				
9	(a) General program operations	GPR	A	921,500	921,500
10	(b) Housing grants and loans	GPR	B	2,800,300	2,800,300
11	(c) Payments to designated agents	GPR	A	-0-	-0-
12	(d) Grants to local housing				
13	organizations	GPR	B	500,000	500,000
14	(dm) Transitional housing grants	GPR	A	375,000	375,000
15	(fm) Shelter for homeless and				
16	transitional housing	GPR	A	1,131,000	1,131,000
17	(g) Gifts and grants	PR	C	-0-	-0-
18	(gm) Funding for the homeless	PR	C	-0-	-0-
19	(h) Interest on real estate trust				
20	accounts	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(jf) Mobile home parks, dealers and				
2	salespersons	PR-S	A	132,600	132,600
3	(k) Sale of materials or services	PR-S	C	-0-	-0-
4	(kg) Housing program services	PR-S	C	6,696,100	6,696,100
5	(km) Weatherization assistance	PR-S	C	10,000,000	10,000,000
6	(m) Federal aid; state operations	PR-F	C	4,023,300	4,023,300
7	(n) Federal aid; local assistance	PR-F	C	1,777,000	1,777,000
8	(o) Federal aid; individuals and				
9	organizations	PR-F	C	72,269,300	72,269,300
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,727,800	5,727,800
	PROGRAM REVENUE			94,898,300	94,898,300
	FEDERAL			(78,069,600)	(78,069,600)
	OTHER			(-0-)	(-0-)
	SERVICE			(16,828,700)	(16,828,700)
	TOTAL-ALL SOURCES			100,626,100	100,626,100
10	(8) DIVISION OF GAMING				
11	(g) General program operations; racing	PR	A	2,240,100	2,254,500
12	(h) General program operations; Indian				
13	gaming	PR	A	930,400	874,300
14	(i) County fair association grants	PR	C	50,000	50,000
15	(j) General program operations;				
16	charitable and crane games	PR	A	292,100	308,100
	(8) PROGRAM TOTALS				
	PROGRAM REVENUE			3,512,600	3,486,900
	OTHER			(3,512,600)	(3,486,900)
	TOTAL-ALL SOURCES			3,512,600	3,486,900
17	(9) COLLEGE TUITION PREPAYMENT PROGRAM				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) Administrative expenses; initial				
2	funds	GPR	C	-0-	-0-
3	(q) Payment of tuition	SEG	S	-0-	-0-
4	(r) Payment of refunds	SEG	S	-0-	-0-
5	(s) Administrative expenses	SEG	A	691,200	691,200
(9) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			691,200	691,200
	OTHER			(691,200)	(691,200)
	TOTAL-ALL SOURCES			691,200	691,200
20.505 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			18,830,400	19,084,000
	PROGRAM REVENUE			341,555,300	340,063,100
	FEDERAL			(105,322,000)	(102,440,300)
	OTHER			(19,362,900)	(19,769,200)
	SERVICE			(216,870,400)	(217,853,600)
	SEGREGATED FUNDS			1,547,100	1,547,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,547,100)	(1,547,100)
	TOTAL-ALL SOURCES			361,932,800	360,694,200
6	20.507 Board of commissioners of public lands				
7	(1) TRUST LANDS AND INVESTMENTS				
8	(h) Trust lands and investments -				
9	general program operations	PR-S	A	1,170,300	813,400
10	(j) Payments to American Indian				
11	tribes or bands for raised sunken				
12	logs	PR	C	-0-	-0-
13	(k) Trust lands and investments -				
14	interagency and intra-agency				
15	assistance	PR-S	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(mg) Federal aid — flood control	PR-F	C	52,700	52,700
20.507 DEPARTMENT TOTALS					
	PROGRAM REVENUE			1,223,000	866,100
	FEDERAL			(52,700)	(52,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,170,300)	(813,400)
	TOTAL-ALL SOURCES			1,223,000	866,100
2	20.510 Elections board				
3	(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS				
4	(a) General program operations;				
5	general purpose revenue	GPR	B	909,800	741,900
6	(g) Recount fees	PR	C	-0-	-0-
7	(h) Materials and services	PR	A	25,400	25,400
8	(i) General program operations;				
9	program revenue	PR	A	27,100	27,200
10	(ka) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(q) Wisconsin election campaign fund	SEG	C	100,000	700,000
20.510 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			909,800	741,900
	PROGRAM REVENUE			52,500	52,600
	OTHER			(52,500)	(52,600)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			100,000	700,000
	OTHER			(100,000)	(700,000)
	TOTAL-ALL SOURCES			1,062,300	1,494,500
13	20.512 Employment relations, department of				
14	(1) EMPLOYMENT RELATIONS				
15	(a) General program operations	GPR	A	5,477,600	5,492,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(i) Services to nonstate governmental				
2	units	PR	A	149,900	150,400
3	(j) Gifts and donations	PR	C	-0-	-0-
4	(jm) Employe development and training				
5	services	PR	A	342,300	342,300
6	(ka) Publications	PR-S	A	141,400	141,400
7	(kb) Information technology				
8	development projects	PR-S	A	-0-	-0-
9	(km) Collective bargaining grievance				
10	arbitrations	PR-S	A	70,000	70,000
11	(m) Federal grants and contracts	PR-F	C	-0-	-0-
12	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,477,600	5,492,500
	PROGRAM REVENUE			703,600	704,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(492,200)	(492,700)
	SERVICE			(211,400)	(211,400)
	TOTAL-ALL SOURCES			6,181,200	6,196,600
13	(2) AFFIRMATIVE ACTION COUNCIL				
14	(a) General program operations	GPR	A	8,200	8,200
15	(j) Gifts and donations	PR	C	-0-	-0-
16	(m) Federal grants and contracts	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,200	8,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			8,200	8,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
20.512 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,485,800	5,500,700
PROGRAM REVENUE			703,600	704,100
FEDERAL			(-0-)	(-0-)
OTHER			(492,200)	(492,700)
SERVICE			(211,400)	(211,400)
TOTAL-ALL SOURCES			6,189,400	6,204,800
1 20.515 Employee trust funds, department of				
2 (1) EMPLOYE BENEFIT PLANS				
3 (a) Annuity supplements and				
4 payments	GPR	S	2,322,900	3,001,500
5 (am) Payment of judgment against the				
6 state	GPR	A	215,000,000	-0-
7 (b) Health insurance payments for				
8 certain retired state employees	GPR	S	-0-	-0-
9 (c) Contingencies	GPR	S	-0-	-0-
10 (ka) Information technology				
11 development projects	PR-S	A	-0-	-0-
12 (t) Automated operating system	SEG	C	527,200	394,200
13 (u) Employee-funded reimbursement				
14 account plan	SEG	C	-0-	-0-
15 (um) Benefit administration	SEG	B	5,000	5,000
16 (ut) Health insurance data collection				
17 and analysis contracts	SEG	A	269,800	149,400
18 (w) Administration	SEG	A	12,075,200	12,283,500
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			217,322,900	3,001,500
PROGRAM REVENUE			-0-	-0-
SERVICE			(-0-)	(-0-)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	SEGREGATED FUNDS			12,877,200	12,832,100
	OTHER			(12,877,200)	(12,832,100)
	TOTAL-ALL SOURCES			230,200,100	15,833,600
1	20.521 Ethics board				
2	(1) ETHICS AND LOBBYING REGULATION				
3	(a) General program operations;				
4	general purpose revenue	GPR	A	117,100	117,100
5	(g) General program operations;				
6	program revenue	PR	A	336,600	336,600
7	(h) Gifts and grants	PR	C	-0-	-0-
8	(i) Materials and services	PR	A	15,000	15,000
9	(ka) Information technology				
10	development projects	PR-S	A	-0-	-0-
	20.521 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			117,100	117,100
	PROGRAM REVENUE			351,600	351,600
	OTHER			(351,600)	(351,600)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			468,700	468,700
11	20.525 Office of the governor				
12	(1) EXECUTIVE ADMINISTRATION				
13	(a) General program operations	GPR	S	2,306,000	2,306,000
14	(b) Contingent fund	GPR	S	21,700	21,700
15	(c) Membership in national				
16	associations	GPR	S	101,000	103,000
17	(cm) National Governors Association				
18	conference	GPR	C	200,000	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(d) Disability board	GPR	S	-0-	-0-
2	(e) Wisconsin sesquicentennial				
3	commission; gen prog ops	GPR	B	-0-	-0-
4	(em) Wisconsin sesquicentennial				
5	commission; gen. prog. operations				
6	supplement	GPR	C	-0-	-0-
7	(f) Literacy improvement aids	GPR	A	28,000	28,000
8	(g) Gifts and grants; Wisconsin				
9	sesquicentennial commission	PR	C	-0-	-0-
10	(gm) Wisconsin sesquicentennial				
11	commission; vehicle registration				
12	plates	PR	C	-0-	-0-
13	(h) Wisconsin sesquicentennial				
14	commission; license revenue	PR	C	-0-	-0-
15	(i) Gifts and grants	PR	C	-0-	-0-
16	(k) Wisconsin sesquicentennial				
17	commission; supplementable gifts &				
18	grants	GPR-S	C	-0-	-0-
19	(ka) Information technology				
20	development projects	PR-S	A	-0-	-0-
21	(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,656,700	2,458,700
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,656,700	2,458,700
1	(2) EXECUTIVE RESIDENCE				
2	(a) General program operations	GPR	S	171,100	171,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			171,100	171,100
	TOTAL-ALL SOURCES			171,100	171,100
	20.525 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,827,800	2,629,800
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,827,800	2,629,800
3	20.536 Investment board				
4	(1) INVESTMENT OF FUNDS				
5	(k) General program operations	PR-S	A	11,930,000	12,317,300
6	(ka) General program operations;				
7	environmental improvement fund	PR-S	C	-0-	-0-
	20.536 DEPARTMENT TOTALS				
	PROGRAM REVENUE			11,930,000	12,317,300
	SERVICE			(11,930,000)	(12,317,300)
	TOTAL-ALL SOURCES			11,930,000	12,317,300
8	20.540 Office of the lieutenant governor				
9	(1) EXECUTIVE COORDINATION				
10	(a) General program operations	GPR	A	470,500	470,500
11	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
12	(k) Grants from state agencies	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ka) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(m) Federal aid	PR-F	C	-0-	-0-
20.540 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			470,500	470,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			470,500	470,500
4	20.547 Personnel commission				
5	(1) REVIEW OF PERSONNEL DECISIONS				
6	(a) General program operations	GPR	A	800,600	804,000
7	(h) Publications	PR	A	3,000	3,000
8	(ka) Information technology				
9	development projects	PR-S	A	-0-	-0-
10	(m) Federal aid	PR-F	C	-0-	-0-
20.547 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			800,600	804,000
	PROGRAM REVENUE			3,000	3,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,000)	(3,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			803,600	807,000
11	20.550 Public defender board				
12	(1) LEGAL ASSISTANCE				
13	(a) Program administration	GPR	A	1,265,800	1,278,400
14	(b) Appellate representation	GPR	A	3,643,200	3,673,100
15	(c) Trial representation	GPR	A	32,253,900	32,069,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(d) Private bar and investigator				
2	reimbursement	GPR	B	17,628,500	18,777,200
3	(e) Private bar and investigator				
4	payments; administration costs	GPR	A	504,700	504,700
5	(f) Transcript and record payments	GPR	A	1,399,600	1,399,600
6	(fb) Payments from clients;				
7	administrative costs	PR	A	122,500	122,500
8	(g) Gifts and grants	PR	C	-0-	-0-
9	(h) Contractual agreements	PR-S	A	-0-	-0-
10	(i) Tuition payments	PR	C	-0-	-0-
11	(j) Conferences and training	PR	A	117,800	117,800
12	(L) Private bar and inv.				
13	reimbursement; payments for legal				
14	representation	PR	C	1,055,900	1,024,700
15	(m) Federal aid	PR-F	C	-0-	-0-
20.550 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			56,695,700	57,702,200
	PROGRAM REVENUE			1,296,200	1,265,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,296,200)	(1,265,000)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			57,991,900	58,967,200
16	20.566 Revenue, department of				
17	(1) COLLECTION OF TAXES				
18	(a) General program operations	GPR	A	32,538,200	32,687,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(g) Administration of county sales and				
2	use taxes	PR	A	2,083,000	2,052,000
3	(ga) Cigarette tax stamps	PR	A	177,800	177,800
4	(gb) Business tax registration	PR	A	1,410,500	1,395,500
5	(gc) Audits of occasional sales of motor				
6	vehicles	PR	A	590,600	587,500
7	(gd) Administration of special district				
8	taxes	PR	A	-0-	-0-
9	(gg) Administration of local taxes	PR	A	184,600	192,200
10	(h) Debt collection	PR	A	155,600	164,300
11	(ha) Administration of liquor tax	PR	A	145,000	143,400
12	(hm) Collections under contracts	PR	S	352,700	352,700
13	(hp) Administration of endangered				
14	resources voluntary payments	PR	A	29,600	29,600
15	(hq) Delinquent tax collection fees	PR	C	9,968,500	9,970,100
16	(i) Gifts and grants	PR	C	-0-	-0-
17	(m) Federal funds; state operations	PR-F	C	-0-	-0-
18	(q) Recycling surcharge administration	SEG	A	309,000	309,000
19	(r) Administration of dry cleaner fees	SEG	A	51,600	55,500
20	(s) Petroleum inspection fee collection	SEG	A	114,400	114,400
21	(u) Motor fuel tax administration	SEG	A	1,034,400	1,027,200
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			32,538,200	32,687,600
	PROGRAM REVENUE			15,097,900	15,065,100
	FEDERAL			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	OTHER			(15,097,900)	(15,065,100)
	SEGREGATED FUNDS			1,509,400	1,506,100
	OTHER			(1,509,400)	(1,506,100)
	TOTAL-ALL SOURCES			49,145,500	49,258,800
1	(2) STATE AND LOCAL FINANCE				
2	(a) General program operations	GPR	A	9,933,700	9,864,100
3	(g) County assessment studies	PR	C	-0-	-0-
4	(gi) Municipal finance report				
5	compliance	PR	A	40,300	40,300
6	(h) Reassessments	PR	A	635,700	635,700
7	(hi) Wisconsin property assessment				
8	manual	PR	A	68,500	194,600
9	(i) Gifts and grants	PR	C	-0-	-0-
10	(m) Federal funds; state operations	PR-F	C	-0-	-0-
11	(q) Railroad and air carrier tax				
12	administration	SEG	A	76,100	173,700
13	(r) Lottery credit administration	SEG	A	119,800	119,800
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			9,933,700	9,864,100
	PROGRAM REVENUE			744,500	870,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(744,500)	(870,600)
	SEGREGATED FUNDS			195,900	293,500
	OTHER			(195,900)	(293,500)
	TOTAL-ALL SOURCES			10,874,100	11,028,200
14	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
15	(a) General program operations	GPR	A	13,052,300	14,064,500
16	(c) Expert professional services	GPR	A	8,000	8,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(g) Services	PR	A	56,800	56,800
2	(gm) Reciprocity agreement and				
3	publications	PR	A	216,900	200,900
4	(i) Gifts and grants	PR	C	-0-	-0-
5	(k) Internal services	PR-S	A	180,300	180,300
6	(ka) Information technology				
7	development projects	PR-S	A	-0-	-0-
8	(m) Federal funds; state operations	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			13,060,300	14,072,500
	PROGRAM REVENUE			454,000	438,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(273,700)	(257,700)
	SERVICE			(180,300)	(180,300)
	TOTAL-ALL SOURCES			13,514,300	14,510,500
9	(7) INVESTMENT AND LOCAL IMPACT FUND				
10	(e) Investment and local impact fund				
11	supplement	GPR	A	-0-	-0-
12	(g) Investment and local impact fund				
13	administrative expenses	PR	A	41,800	41,800
14	(n) Federal mining revenue	PR-F	C	-0-	-0-
15	(v) Investment and local impact fund	SEG	C	-0-	-0-
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			41,800	41,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(41,800)	(41,800)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			41,800	41,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(8) LOTTERY				
2	(q) General program operations	SEG	A	20,663,100	20,711,500
3	(r) Retailer compensation	SEG	S	28,567,600	32,386,800
4	(s) Prizes	SEG	S	-0-	-0-
5	(v) Vendor fees	SEG	S	11,829,800	12,075,500
	(8) PROGRAM TOTALS				
	SEGREGATED FUNDS			61,060,500	65,173,800
	OTHER			(61,060,500)	(65,173,800)
	TOTAL-ALL SOURCES			61,060,500	65,173,800
	20.566 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			55,532,200	56,624,200
	PROGRAM REVENUE			16,338,200	16,415,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(16,157,900)	(16,235,200)
	SERVICE			(180,300)	(180,300)
	SEGREGATED FUNDS			62,765,800	66,973,400
	OTHER			(62,765,800)	(66,973,400)
	TOTAL-ALL SOURCES			134,636,200	140,013,100
6	20.575 Secretary of state				
7	(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
8	(g) Program fees	PR	A	422,700	426,800
9	(ka) Agency collections	PR-S	A	4,000	4,000
	20.575 DEPARTMENT TOTALS				
	PROGRAM REVENUE			426,700	430,800
	OTHER			(422,700)	(426,800)
	SERVICE			(4,000)	(4,000)
	TOTAL-ALL SOURCES			426,700	430,800
10	20.585 Treasurer, state				
11	(1) CUSTODIAN OF STATE FUNDS				
12	(b) Insurance	GPR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(e) Unclaimed property; contingency				
2	appropriation	GPR	S	-0-	-0-
3	(g) Processing services	PR	A	150,100	150,900
4	(h) Training conferences	PR	C	-0-	-0-
5	(i) Gifts and grants	PR	C	5,000	10,000
6	(j) Unclaimed property; claims and				
7	administrative expenses	PR	C	660,400	869,300
8	(jt) Cash management services	PR	A	8,500	6,300
9	(ka) Information technology				
10	development projects	PR-S	A	-0-	-0-
11	(kb) General program operations	PR-S	A	410,300	420,800
12	(km) Credit card use charges	PR-S	C	-0-	-0-

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GENERAL PURPOSE REVENUES	-0-	-0-
PROGRAM REVENUE	1,234,300	1,457,300
OTHER	(824,000)	(1,036,500)
SERVICE	(410,300)	(420,800)
TOTAL-ALL SOURCES	1,234,300	1,457,300

**General Executive Functions
FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES	358,992,800	146,675,900
PROGRAM REVENUE	375,114,400	373,926,400
FEDERAL	(105,374,700)	(102,493,000)
OTHER	(38,963,000)	(39,632,600)
SERVICE	(230,776,700)	(231,800,800)
SEGREGATED FUNDS	77,290,100	82,052,600
FEDERAL	(-0-)	(-0-)
OTHER	(77,290,100)	(82,052,600)
SERVICE	(-0-)	(-0-)
LOCAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	811,397,300	602,654,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
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Judicial

1	20.625 Circuit courts			
2	(1) COURT OPERATIONS			
3	(a) Circuit courts	GPR	S	42,962,400 42,962,400
4	(as) Violent crime court costs	GPR	A	-0- -0-
5	(b) Permanent reserve judges	GPR	A	-0- -0-
6	(c) Court interpreter fees	GPR	A	182,500 188,800
7	(d) Circuit court support payments	GPR	B	16,489,600 16,489,600
8	(e) Guardian ad litum costs	GPR	A	4,738,500 4,738,500
9	(k) Drug court costs; local assistance	PR	C	160,000 160,000
10	(km) Court interpreter fees	PR	A	45,000 45,000
11	(m) Federal aid	PR-F	C	-0- -0-
	(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUES			64,373,000 64,379,300
	PROGRAM REVENUE			205,000 205,000
	FEDERAL			(-0-) (-0-)
	OTHER			(205,000) (205,000)
	TOTAL-ALL SOURCES			64,578,000 64,584,300
12	(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES			
13	(a) General program operations	GPR	S	-0- -0-
	(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUES			-0- -0-
	TOTAL-ALL SOURCES			-0- -0-
	20.625 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUES			64,373,000 64,379,300
	PROGRAM REVENUE			205,000 205,000
	FEDERAL			(-0-) (-0-)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	OTHER			(205,000)	(205,000)
	TOTAL-ALL SOURCES			64,578,000	64,584,300
1	20.660 Court of appeals				
2	(1) APPELLATE PROCEEDINGS				
3	(a) General program operations	GPR	S	6,058,500	6,058,500
4	(k) Automated information systems	PR	A	28,000	10,400
5	(m) Federal aid	PR-F	C	-0-	-0-
	20.660 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			6,058,500	6,058,500
	PROGRAM REVENUE			28,000	10,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(28,000)	(10,400)
	TOTAL-ALL SOURCES			6,086,500	6,068,900
6	20.665 Judicial commission				
7	(1) JUDICIAL CONDUCT				
8	(a) General program operations	GPR	A	199,300	199,700
9	(cm) Contractual agreements	GPR	B	18,200	18,200
10	(ka) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(mm) Federal aid	PR-F	C	-0-	-0-
	20.665 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			217,500	217,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			217,500	217,900
13	20.680 Supreme court				
14	(1) SUPREME COURT PROCEEDINGS				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) General program operations	GPR	S	3,310,000	3,310,000
2	(km) Automated information systems	PR	A	29,100	29,600
3	(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,310,000	3,310,000
	PROGRAM REVENUE			29,100	29,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(29,100)	(29,600)
	TOTAL-ALL SOURCES			3,339,100	3,339,600
4	(2) DIRECTOR OF STATE COURTS				
5	(a) General program operations	GPR	A	4,396,100	4,403,900
6	(b) Judicial planning and research	GPR	A	-0-	-0-
7	(g) Gifts and grants	PR	C	-0-	-0-
8	(h) Materials and services	PR	A	50,900	50,900
9	(i) Municipal judge training	PR	A	111,300	111,300
10	(j) Court information systems and				
11	interpreters	PR	A	5,749,600	5,999,600
12	(ka) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(kc) Central services	PR-S	A	159,200	170,200
15	(kd) Court operations information				
16	technology	PR-S	A	-0-	-0-
17	(ke) Interagency and intra-agency				
18	automation assistance	PR-S	C	-0-	-0-
19	(m) Federal aid	PR-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(qm) Mediation fund	SEG	C	643,900	643,900
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,396,100	4,403,900
	PROGRAM REVENUE			6,071,000	6,332,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(5,911,800)	(6,161,800)
	SERVICE			(159,200)	(170,200)
	SEGREGATED FUNDS			643,900	643,900
	OTHER			(643,900)	(643,900)
	TOTAL-ALL SOURCES			11,111,000	11,379,800
2	(3) BAR EXAMINERS AND RESPONSIBILITY				
3	(g) Board of bar examiners	PR	C	463,300	463,300
4	(h) Board of attorneys professional				
5	responsibility	PR	C	1,319,800	1,319,800
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			1,783,100	1,783,100
	OTHER			(1,783,100)	(1,783,100)
	TOTAL-ALL SOURCES			1,783,100	1,783,100
6	(4) LAW LIBRARY				
7	(a) General program operations	GPR	A	952,500	961,200
8	(g) Library collections and services	PR	A	84,600	84,600
9	(h) Gifts and grants	PR	C	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			952,500	961,200
	PROGRAM REVENUE			84,600	84,600
	OTHER			(84,600)	(84,600)
	TOTAL-ALL SOURCES			1,037,100	1,045,800
	20.680 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			8,658,600	8,675,100
	PROGRAM REVENUE			7,967,800	8,229,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(7,808,600)	(8,059,100)
	SERVICE			(159,200)	(170,200)
	SEGREGATED FUNDS			643,900	643,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
OTHER			(643,900)	(643,900)
TOTAL-ALL SOURCES			17,270,300	17,548,300

Judicial
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			79,307,600	79,330,800
PROGRAM REVENUE			8,200,800	8,444,700
FEDERAL			(-0-)	(-0-)
OTHER			(8,041,600)	(8,274,500)
SERVICE			(159,200)	(170,200)
SEGREGATED FUNDS			643,900	643,900
FEDERAL			(-0-)	(-0-)
OTHER			(643,900)	(643,900)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			88,152,300	88,419,400

Legislative

1	20.765 Legislature				
2	(1) ENACTMENT OF STATE LAWS				
3	(a) General program operations —				
4	assembly	GPR	S	19,158,300	19,158,300
5	(b) General program operations —				
6	senate	GPR	S	12,475,800	12,478,900
7	(d) Legislative documents; exhibit	GPR	S	7,132,100	7,309,100
8	(e) H. Rupert Theobald plaque	GPR	C	-0-	-0-
9	(ka) Information technology				
10	development projects	PR-S	A	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			38,766,200	38,946,300
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			38,766,200	38,946,300

11 (2) SPECIAL STUDY GROUPS

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(a) Retirement committees	GPR	A	162,300	162,300
2	(ab) Retirement actuarial studies	GPR	B	14,700	14,700
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			177,000	177,000
	TOTAL-ALL SOURCES			177,000	177,000
3	(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
4	(a) Revisor of statutes bureau	GPR	B	650,700	667,700
5	(b) Legislative reference bureau	GPR	B	3,174,600	3,169,200
6	(c) Legislative audit bureau	GPR	B	3,952,200	3,952,200
7	(d) Legislative fiscal bureau	GPR	B	2,287,600	2,298,000
8	(e) Joint Legislative council	GPR	B	2,591,100	2,602,500
9	(em) Integrated legislative information				
10	system staff	GPR	B	1,075,500	1,114,500
11	(f) Joint committee on legislative				
12	organization	GPR	B	-0-	-0-
13	(fa) Membership in national				
14	associations	GPR	S	149,200	155,100
15	(g) Gifts and grants to service agencies	PR	C	-0-	-0-
16	(ka) Audit bureau reimbursable audits	PR-S	A	1,312,900	1,331,300
17	(m) Federal aid	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			13,880,900	13,959,200
	PROGRAM REVENUE			1,312,900	1,331,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,312,900)	(1,331,300)
	TOTAL-ALL SOURCES			15,193,800	15,290,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
20.765 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			52,824,100	53,082,500
PROGRAM REVENUE			1,312,900	1,331,300
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,312,900)	(1,331,300)
TOTAL-ALL SOURCES			54,137,000	54,413,800

Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			52,824,100	53,082,500
PROGRAM REVENUE			1,312,900	1,331,300
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,312,900)	(1,331,300)
SEGREGATED FUNDS			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			54,137,000	54,413,800

General Appropriations

1	20.835 Shared revenue and tax relief				
2	(1) SHARED REVENUE PAYMENTS				
3	(b) Small municipalities shared				
4	revenue	GPR	S	10,000,000	10,000,000
5	(c) Expenditure restraint program				
6	account	GPR	S	48,000,000	48,000,000
7	(d) Shared revenue account	GPR	S	930,459,800	930,459,800
8	(f) County mandate relief account	GPR	S	20,159,000	20,159,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,008,618,800	1,008,618,800
	TOTAL-ALL SOURCES			1,008,618,800	1,008,618,800

9 (2) TAX RELIEF

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(b) Claim of right credit	GPR	S	-0-	-0-
2	(c) Homestead tax credit	GPR	S	94,100,000	93,500,000
3	(ci) Development zones investment				
4	credit	GPR	S	2,500	2,500
5	(cL) Development zones location credit	GPR	S	2,000	2,000
6	(cm) Development zones jobs credit	GPR	S	1,250,000	450,000
7	(cn) Development zones sales tax credit	GPR	S	350,000	125,000
8	(d) Farmers' drought property tax				
9	credit	GPR	S	-0-	-0-
10	(dm) Farmland preservation credit	GPR	S	22,000,000	22,000,000
11	(ep) Cigarette tax refunds	GPR	S	12,900,000	14,350,000
12	(f) Earned income tax credit	GPR	S	78,700,000	88,200,000
13	(k) Earned income tax credit;				
14	community service job participants	PR-S	C	-0-	-0-
15	(q) Farmland tax relief credit	SEG	S	12,000,000	11,800,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	209,304,500	218,629,500
PROGRAM REVENUE	-0-	-0-
SERVICE	(-0-)	(-0-)
SEGREGATED FUNDS	12,000,000	11,800,000
OTHER	(12,000,000)	(11,800,000)
TOTAL-ALL SOURCES	221,304,500	230,429,500

16 (3) STATE PROPERTY TAX CREDITS

17	(b) School levy tax credit	GPR	S	469,305,000	469,305,000
18	(q) Lottery credit	SEG	S	254,450,900	133,807,300

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	469,305,000	469,305,000
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STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
SEGREGATED FUNDS				254,450,900	133,807,300
OTHER				(254,450,900)	(133,807,300)
TOTAL-ALL SOURCES				723,755,900	603,112,300
1	(4) COUNTY AND LOCAL TAXES				
2	(g) County taxes	PR	C	-0-	-0-
3	(gb) Special district taxes	PR	C	-0-	-0-
4	(gd) Premier resort area tax	PR	C	-0-	-0-
5	(gf) City tax	PR	C	-0-	-0-
6	(gg) Local taxes	PR	C	-0-	-0-
(4) PROGRAM TOTALS					
PROGRAM REVENUE				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				-0-	-0-
7	(5) PAYMENTS IN LIEU OF TAXES				
8	(a) Payments for municipal services	GPR	A	16,828,800	16,828,800
(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				16,828,800	16,828,800
TOTAL-ALL SOURCES				16,828,800	16,828,800
20.835 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				1,704,057,100	1,713,382,100
PROGRAM REVENUE				-0-	-0-
OTHER				(-0-)	(-0-)
SERVICE				(-0-)	(-0-)
SEGREGATED FUNDS				266,450,900	145,607,300
OTHER				(266,450,900)	(145,607,300)
TOTAL-ALL SOURCES				1,970,508,000	1,858,989,400
9	20.855 Miscellaneous appropriations				
10	(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
11	(a) Obligation on operating notes	GPR	S	9,800,000	19,600,000
12	(b) Operating note expenses	GPR	S	110,000	110,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(c) Interest payments to program				
2	revenue accounts	GPR	S	-0-	-0-
3	(d) Interest payments to segregated				
4	funds	GPR	S	-0-	-0-
5	(e) Interest on prorated local				
6	government payments	GPR	S	-0-	-0-
7	(q) Redemption of operating notes	SEG	S	-0-	-0-
8	(r) Interest payments to general fund	SEG	S	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			9,910,000	19,710,000
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			9,910,000	19,710,000
9	(3) RELOCATION EXPENSES				
10	(a) Capitol offices relocation	GPR	S	2,295,800	2,417,600
11	(b) Capitol restoration and relocation				
12	planning	GPR	B	2,375,000	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,670,800	2,417,600
	TOTAL-ALL SOURCES			4,670,800	2,417,600
13	(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
14	(a) Interest on overpayment of taxes	GPR	S	500,000	500,000
15	(am) Great Lakes protection fund				
16	contribution	GPR	C	-0-	-0-
17	(b) Election campaign payments	GPR	S	295,000	285,000
18	(c) Minnesota income tax reciprocity	GPR	S	33,800,000	34,800,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ca) Minnesota income tax reciprocity				
2	bench mark	GPR	A	16,000	-0-
3	(e) Transfer to conservation fund; land				
4	acquisition reimbursement	GPR	S	22,100	116,900
5	(q) Terminal tax distribution	SEG	S	914,100	855,500
6	(r) Petroleum allowance	SEG	S	400,000	400,000
7	(s) Transfer to conservation fund;				
8	motorboat formula	SEG	S	8,828,800	9,610,400
9	(t) Transfer to conservation fund;				
10	snowmobile formula	SEG	S	3,368,200	3,706,400
11	(u) Transfer to conservation fund;				
12	all-terrain vehicle formula	SEG	S	474,700	554,900
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			34,633,100	35,701,900
	SEGREGATED FUNDS			13,985,800	15,127,200
	OTHER			(13,985,800)	(15,127,200)
	TOTAL-ALL SOURCES			48,618,900	50,829,100
13	(5) STATE HOUSING AUTHORITY RESERVE FUND				
14	(a) Enhancement of credit of authority				
15	debt	GPR	A	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
16	(6) MISCELLANEOUS RECEIPTS				
17	(g) Gifts and grants	PR	C	-0-	-0-
18	(h) Vehicle and aircraft receipts	PR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(i) Miscellaneous program revenue	PR	A	-0-	-0-
2	(j) Custody accounts	PR	C	-0-	-0-
3	(k) Aids to individuals and				
4	organizations	PR-S	C	-0-	-0-
5	(ka) Local assistance	PR-S	C	-0-	-0-
6	(m) Federal aid	PR-F	C	-0-	-0-
7	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(6) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
8	(7) DEBT COLLECTIONS				
9	(j) Delinquent support and				
10	maintenance payments	PR	C	-0-	-0-
	(7) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
11	(9) STATE CAPITOL RENOVATION AND RESTORATION				
12	(a) South wing renovation and				
13	restoration	GPR	C	-0-	-0-
	(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.855 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			49,213,900	57,829,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1997-98	1998-99
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			13,985,800	15,127,200
	OTHER			(13,985,800)	(15,127,200)
	TOTAL-ALL SOURCES			63,199,700	72,956,700
1	20.865 Program supplements				
2	(1) EMPLOYE COMPENSATION AND SUPPORT				
3	(a) Judgments and legal expenses	GPR	S	50,000	50,000
4	(c) Compensation and related				
5	adjustments	GPR	S	-0-	-0-
6	(ci) Nonrepresented university system				
7	faculty and academic pay				
8	adjustments	GPR	S	-0-	-0-
9	(cj) Pay adjustments for certain				
10	university employes	GPR	A	-0-	-0-
11	(d) Employer fringe benefit costs	GPR	S	-0-	-0-
12	(em) Financial services	GPR	A	117,200	172,200
13	(fm) Risk management	GPR	A	-0-	-0-
14	(fn) Physically handicapped				
15	supplements	GPR	A	6,900	6,900
16	(g) Judgments and legal expenses;				
17	program revenues	PR	S	-0-	-0-
18	(i) Compensation and related				
19	adjustments; program revenues	PR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(ic) Nonrepresented university system				
2	faculty and academic pay				
3	adjustments	PR	S	-0-	-0-
4	(j) Employer fringe benefit costs;				
5	program revenues	PR	S	-0-	-0-
6	(js) Financial services; program				
7	revenues	PR	S	-0-	-0-
8	(kr) Risk management; program				
9	revenues	PR-S	S	-0-	-0-
10	(Ln) Physically handicapped				
11	supplements; program revenues	PR	S	-0-	-0-
12	(q) Judgments and legal expenses;				
13	segregated revenues	SEG	S	-0-	-0-
14	(s) Compensation and related				
15	adjustments; segregated revenues	SEG	S	-0-	-0-
16	(si) Nonrepresented university system				
17	faculty and academic pay				
18	adjustments	SEG	S	-0-	-0-
19	(t) Employer fringe benefit costs;				
20	segregated revenues	SEG	S	-0-	-0-
21	(ts) Financial services; segregated				
22	revenues	SEG	S	-0-	-0-
23	(ur) Risk management; segregated				
24	revenues	SEG	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(vn) Physically handicapped				
2	supplements; segregated revenues	SEG	S	-0-	-0-
	(1) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			174,100	229,100
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			174,100	229,100
3	(2) STATE PROGRAMS AND FACILITIES				
4	(a) Space management and child care	GPR	A	1,197,500	1,219,600
5	(ag) State-owned office rent supplement	GPR	A	-0-	-0-
6	(d) State deposit fund	GPR	S	-0-	-0-
7	(e) Maintenance of capitol and				
8	executive residence	GPR	A	3,874,600	3,874,600
9	(eb) Executive residence furnishings				
10	replacement	GPR	C	25,000	25,000
11	(em) Groundwater survey and analysis	GPR	A	231,200	231,200
12	(g) Space management and child care;				
13	program revenues	PR	S	-0-	-0-
14	(gg) State-owned office rent				
15	supplement; program revenues	PR	S	-0-	-0-
16	(j) State deposit fund; program				
17	revenues	PR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(L) Data processing and				
2	telecommunications study; program				
3	revenues	PR-S	S	-0-	-0-
4	(q) Space management and child care;				
5	segregated revenues	SEG	S	-0-	-0-
6	(qg) State-owned office rent				
7	supplement; segregated revenues	SEG	S	-0-	-0-
8	(t) State deposit fund; segregated				
9	revenues	SEG	S	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,328,300	5,350,400
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,328,300	5,350,400
10	(3) TAXES AND SPECIAL CHARGES				
11	(a) Property taxes	GPR	S	-0-	-0-
12	(g) Property taxes; program revenues	PR	S	-0-	-0-
13	(i) Payments for municipal services;				
14	program revenues	PR	S	-0-	-0-
15	(q) Property taxes; segregated				
16	revenues	SEG	S	-0-	-0-
17	(s) Payments for municipal services;				
18	segregated revenues	SEG	S	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
2	(a) General purpose revenue funds				
3	general program supplementation	GPR	B	16,618,900	22,404,200
4	(c) Wisconsin sesquicentennial				
5	commission appropriation				
6	supplementation	GPR	C	-0-	-0-
7	(g) Program revenue funds general				
8	program supplementation	PR	S	-0-	160,300
9	(m) Federal funds general program				
10	supplementation	PR-F	C	15,000,000	2,000,000
11	(u) Segregated funds general program				
12	supplementation	SEG	S	1,208,000	1,384,400
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			16,618,900	22,404,200
	PROGRAM REVENUE			15,000,000	2,160,300
	FEDERAL			(15,000,000)	(2,000,000)
	OTHER			(-0-)	(160,300)
	SEGREGATED FUNDS			1,208,000	1,384,400
	OTHER			(1,208,000)	(1,384,400)
	TOTAL-ALL SOURCES			32,826,900	25,948,900
13	(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS				
14	(g) Supplementation of program				
15	revenue and program rev.-service				
16	appropriations	PR	S	-0-	-0-
	(8) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.865 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			22,121,300	27,983,700
PROGRAM REVENUE			15,000,000	2,160,300
FEDERAL			(15,000,000)	(2,000,000)
OTHER			(-0-)	(160,300)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			1,208,000	1,384,400
OTHER			(1,208,000)	(1,384,400)
TOTAL-ALL SOURCES			38,329,300	31,528,400
1 20.866 Public debt				
2 (1) BOND SECURITY AND REDEMPTION FUND				
3 (u) Principal repayment and interest	SEG	S	-0-	-0-
20.866 DEPARTMENT TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
4 20.867 Building commission				
5 (1) STATE OFFICE BUILDINGS				
6 (a) Principal repayment and interest;				
7 housing of state agencies	GPR	S	-0-	-0-
8 (b) Principal repayment and interest;				
9 capitol and executive residence	GPR	S	4,437,200	6,055,900
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,437,200	6,055,900
TOTAL-ALL SOURCES			4,437,200	6,055,900
10 (2) ALL STATE-OWNED FACILITIES				
11 (b) Asbestos removal	GPR	A	-0-	-0-
12 (c) Hazardous materials removal	GPR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(f) Facilities preventive maintenance	GPR	A	-0-	-0-
2	(ka) Information technology				
3	development projects	PR-S	A	-0-	-0-
4	(q) Building trust fund	SEG	C	-0-	-0-
5	(r) Planning and design	SEG	C	-0-	-0-
6	(u) Aids for buildings	SEG	C	-0-	-0-
7	(v) Building program funding				
8	contingency	SEG	C	-0-	-0-
9	(w) Building program funding	SEG	C	-0-	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
10	(3) STATE BUILDING PROGRAM				
11	(a) Principal repayment and interest	GPR	S	16,574,500	24,103,700
12	(b) Principal repayment and interest	GPR	S	-0-	-0-
13	(c) Lease rental payments	GPR	S	-0-	-0-
14	(d) Interest rebates on obligation				
15	proceeds; general fund	GPR	S	-0-	-0-
16	(e) Principal repayment, interest and				
17	rebates; parking ramp	GPR	S	-0-	-0-
18	(g) Principal repayment, interest and				
19	rebates; program revenues	PR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1	(h) Principal repayment, interest and				
2	rebates	PR	S	-0-	-0-
3	(i) Principal repayment, interest and				
4	rebates; capital equipment	PR	S	-0-	-0-
5	(k) Interest rebates on obligation				
6	proceeds; program revenues	PR-S	C	-0-	-0-
7	(q) Principal repayment and interest;				
8	segregated revenues	SEG	S	-0-	-0-
9	(r) Interest rebates on obligation				
10	proceeds; conservation fund	SEG	S	-0-	-0-
11	(s) Interest rebates on obligation				
12	proceeds; transportation fund	SEG	S	-0-	-0-
13	(t) Interest rebates on obligation				
14	proceeds; veterans trust fund	SEG	S	-0-	-0-
15	(w) Bonding services	SEG	S	1,024,200	1,024,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			16,574,500	24,103,700
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			17,598,700	25,127,900
16	(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
17	(q) Funding in lieu of borrowing	SEG	C	-0-	-0-
18	(r) Interest on veterans obligations	SEG	C	-0-	-0-
	(4) PROGRAM TOTALS				
	SEGREGATED FUNDS			-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-

20.867 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			21,011,700	30,159,600
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			1,024,200	1,024,200
OTHER			(1,024,200)	(1,024,200)
TOTAL-ALL SOURCES			22,035,900	31,183,800

1 **20.870 Information technology development projects**

2 (1) INFORMATION TECHNOLOGY INVESTMENT FUND

3 (q) Special projects; fee revenue	SEG	A	-0-	-0-
4 (r) Special projects; agency revenues	SEG	A	-0-	-0-
5 (s) Special projects; gifts and grants	SEG	A	-0-	-0-

(1) PROGRAM TOTALS

SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-

6 (2) GENERAL FUND

7 (a) Information technology

8 development projects	GPR	A	914,800	914,800
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(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			914,800	914,800
TOTAL-ALL SOURCES			914,800	914,800

20.870 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			914,800	914,800
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			914,800	914,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
1 20.875 Budget stabilization fund				
2 (1) TRANSFERS TO FUND				
3 (a) General fund transfer	GPR	A	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
4 (2) TRANSFERS FROM FUND				
5 (q) Budget stabilization fund transfer	SEG	A	-0-	-0-
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
General Appropriations				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			1,797,318,800	1,830,269,700
PROGRAM REVENUE			15,000,000	2,160,300
FEDERAL			(15,000,000)	(2,000,000)
OTHER			(-0-)	(160,300)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			282,668,900	163,143,100
FEDERAL			(-0-)	(-0-)
OTHER			(282,668,900)	(163,143,100)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			2,094,987,700	1,995,573,100
STATE TOTAL			18,530,961,100	18,571,387,500
GENERAL PURPOSE REVENUES			9,772,219,200	9,842,562,400
PROGRAM REVENUE			6,155,961,700	6,222,957,300
FEDERAL			(3,876,700,400)	(3,872,577,300)
OTHER			(1,780,703,900)	(1,809,384,300)
SERVICE			(498,557,400)	(540,995,700)
SEGREGATED FUNDS			2,602,780,200	2,505,867,800
FEDERAL			(446,942,200)	(409,779,300)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1997-98	1998-99
OTHER			(1,964,634,000)	(1,892,359,800)
SERVICE			(125,254,300)	(142,991,500)
LOCAL			(65,949,700)	(60,737,200)

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SECTION 110. 20.115 (1) (j) of the statutes is amended to read:

20.115 (1) (j) *Weights and measures inspection.* The amounts in the schedule for weights and measures inspection, testing and enforcement under ch. 98. All moneys received under ss. 93.06 (1p), 97.30 (3) (am), 98.04 (2), 98.05 (5), 98.16 and, 98.18 and 98.245 (7) shall be credited to this appropriation.

SECTION 170m. 20.115 (1) (q) of the statutes is renumbered 20.115 (1) (c) and amended to read:

20.115 (1) (c) *Automobile repair regulation.* ~~From the transportation fund, the~~ The amounts in the schedule for the enforcement of ch. Ag 132, Wis. adm. code.

SECTION 170p. 20.115 (2) (d) of the statutes is created to read:

20.115 (2) (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of department facilities 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 this acquisition, construction, development, enlargement or improvement.

SECTION 170r. 20.115 (2) (ha) of the statutes is amended to read:

20.115 (2) (ha) *Inspection, testing and enforcement.* All moneys received under ss. 93.06 (1f) and (1g), 95.55, 95.60 (5), 95.68, 95.69, 95.71 and 95.715, to be used for animal health inspection and testing and for enforcement of animal health laws.

1 **SECTION 111.** 20.115 (3) (jm) of the statutes is created to read:

2 20.115 (3) (jm) *Stray voltage program; rural electric cooperatives.* The amounts
3 in the schedule for the administration of s. 93.41. All moneys received under s. 93.41
4 (3) shall be credited to this appropriation account.

5 **SECTION 112.** 20.115 (4) (cd) of the statutes is created to read:

6 20.115 (4) (cd) *Federal dairy policy reform.* Biennially, the amounts in the
7 schedule to provide assistance to organizations to reform federal dairy pricing
8 policies under s. 93.06 (12).

9 **SECTION 173b.** 20.115 (4) (cd) of the statutes, as created by 1997 Wisconsin Act
10 (this act), is repealed.

11 **SECTION 113.** 20.115 (4) (d) of the statutes is created to read:

12 20.115 (4) (d) *Farmer tuition assistance grants.* Biennially, the amounts in the
13 schedule for farmer tuition assistance grants under s. 93.51.

14 **SECTION 114.** 20.115 (4) (g) of the statutes is amended to read:

15 20.115 (4) (g) *Pari-mutuel racing supplemental aid.* All moneys received
16 transferred from s. ~~20.197 (1)~~ the appropriation account under s. 20.505 (8) (g) 1., to
17 provide state aids to counties and agricultural societies, associations or boards and
18 to incorporated dairy or livestock associations.

19 **SECTION 115.** 20.115 (4) (h) of the statutes is amended to read:

20 20.115 (4) (h) *Pari-mutuel racing supplemental aid to Wisconsin livestock*
21 *breeders association.* All moneys transferred from the appropriation account under
22 s. ~~20.197 (1)~~ 20.505 (8) (g) 1r. to provide aid to the Wisconsin livestock breeders
23 association for the conduct of junior livestock shows and other livestock educational
24 programs under s. 93.31.

25 **SECTION 176e.** 20.115 (4) (i) of the statutes is created to read:

1 20.115 (4) (i) *Agricultural investment aids; gifts and grants.* All moneys
2 received from gifts and grants for agricultural research and development grants
3 under s. 93.46 (2) and sustainable agriculture grants under s. 93.47 to carry out the
4 purposes for which made.

5 **SECTION 176g.** 20.115 (4) (q) of the statutes is created to read:

6 20.115 (4) (q) *Sustainable agriculture grants.* From the agrichemical
7 management fund, the amounts in the schedule for sustainable agriculture grants
8 under s. 93.47.

9 **SECTION 116.** 20.115 (7) (dm) of the statutes is repealed.

10 **SECTION 117.** 20.115 (7) (e) of the statutes is amended to read:

11 20.115 (7) (e) *Agricultural chemical cleanup program; general fund.* ~~As a~~
12 ~~continuing~~ appropriation Biennially, the amounts in the schedule for
13 reimbursement of corrective action costs under s. 94.73.

14 **SECTION 118.** 20.115 (7) (h) of the statutes is amended to read:

15 20.115 (7) (h) *Fertilizer research assessments.* All moneys collected under s. ss.
16 94.64 (4) (am) (a) 2. and 94.65 (6) (a) 3. to be used as provided in s. 94.64 (8m) for
17 fertilizer research. ~~From this paragraph,~~ The department may use up to 3.5% of the
18 gross amount collected shall be transferred to the appropriation under sub. (1) (a) as
19 reimbursement for administrative expenses incurred by the department in
20 connection with the moneys collected to collect moneys under s. ss. 94.64 (4) (am) (a)
21 2. and 94.65 (6) (a) 3. Moneys under this paragraph may not be ~~utilized~~ used for any
22 other research or to influence either state or federal legislation.

23 **SECTION 119.** 20.115 (7) (w) of the statutes is repealed.

24 **SECTION 181g.** 20.115 (7) (wm) of the statutes is created to read:

1 20.115 (7) (wm) *Agricultural chemical cleanup reimbursement*. From the
2 agricultural chemical cleanup fund, as a continuing appropriation, the amounts in
3 the schedule for reimbursement of corrective action costs under s. 94.73.

4 **SECTION 120.** 20.115 (8) (hm) of the statutes is created to read:

5 20.115 (8) (hm) *Restitution*. All moneys received by the department as
6 court-ordered restitution to victims or payments for other persons represented by
7 the department for the purpose of making the restitution or payments and for the
8 department's costs in administering the restitution or payments, as authorized by
9 court order.

10 **SECTION 121.** 20.115 (8) (j) of the statutes is renumbered 20.115 (3) (j).

11 **SECTION 122.** 20.115 (8) (k) of the statutes is amended to read:

12 20.115 (8) (k) *Computer system equipment, staff and services*. The amounts in
13 the schedule for the costs of computer system equipment, staff and services. All
14 moneys transferred for this purpose from pars. (ga), (gm), (h), (ha), (i), ~~(j)~~, (kp), (ks),
15 (m) and (pz) and subs. (1) (g), (gb), (gh), (gm), (hm), (j), (m), (r) and (s), (2) (g), (ha),
16 (j), (k) and (m), (3) (g), (h), (i), ~~(j)~~, (ja), (L) and (m), and (7) (g), (ga), (gm), (k) and (m)
17 ~~and (9) (m)~~ shall be credited to this appropriation account.

18 **SECTION 123.** 20.115 (9) of the statutes is repealed.

19 **SECTION 124.** 20.143 (1) (b) of the statutes is amended to read:

20 20.143 (1) (b) (title) *Economic development promotion, plans and studies*. The
21 amounts in the schedule for economic development promotion under ch. 560 and for
22 economic development plans and studies under ss. 560.01, 560.03, 560.07, 560.08,
23 560.09 and 560.905.

24 **SECTION 186c.** 20.143 (1) (br) of the statutes is created to read:

1 20.143 (1) (br) *Brownfields loans*. The amounts in the schedule for loans under
2 s. 560.13.

3 **SECTION 125.** 20.143 (1) (c) of the statutes is amended to read:

4 20.143 (1) (c) (title) *Wisconsin development fund~~s~~; grants ~~and~~, loans ~~and~~,*
5 *reimbursements and assistance*. Biennially, the amounts in the schedule for grants
6 and loans under ss. 560.62, ~~560.625~~, 560.63 and 560.66; for loans grants under s.
7 560.16; for reimbursements under s. 560.167; for providing assistance under s.
8 560.06; and for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), and 1995
9 Wisconsin Act 119, section 2 (1), and 1997 Wisconsin Act ... (this act), section 9110
10 (6g). Of the amounts in the schedule, \$50,000 shall be allocated in each of fiscal years
11 1997-98, 1998-99 and 1999-2000 for providing the assistance under s. 560.06.
12 Notwithstanding s. 560.62 (4), of the amounts in the schedule, \$125,000 shall be
13 allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998-99,
14 for grants and loans under s. 560.62 (1) (a).

15 **SECTION 126.** 20.143 (1) (f) of the statutes is created to read:

16 20.143 (1) (f) *Physician and health care provider loan assistance programs,*
17 *repayments and contract*. As a continuing appropriation, the amounts in the
18 schedule for loan repayments under ss. 560.183 and 560.184 and for contracting
19 under ss. 560.183 (8) and 560.184 (7).

20 **SECTION 127.** 20.143 (1) (fc) of the statutes is repealed.

21 **SECTION 128.** 20.143 (1) (fd) of the statutes is repealed.

22 **SECTION 129.** 20.143 (1) (fe) of the statutes is repealed.

23 **SECTION 130.** 20.143 (1) (fm) of the statutes is amended to read:

24 20.143 (1) (fm) *Minority business projects; grants and loans*. Biennially, the
25 amounts in the schedule for grants under ss. 560.033, 560.038, 560.039 ~~and~~, 560.82

1 and 560.837, grants and loans under s. 560.83 and the grant under 1993 Wisconsin
2 Act 110, section 3.

3 **SECTION 131.** 20.143 (1) (gc) of the statutes is created to read:

4 20.143 (1) (gc) *Business development assistance center.* All moneys received
5 under s. 560.42 (3) (a) for providing materials and services under subch. III of ch. 560.

6 **SECTION 132.** 20.143 (1) (gm) of the statutes is created to read:

7 20.143 (1) (gm) *Wisconsin development fund, administration of grants and*
8 *loans.* All moneys received from origination fees under s. 560.68 (3) for
9 administering the programs under subch. V of ch. 560 and for the costs of
10 underwriting grants and loans awarded under subch. V of ch. 560.

11 **SECTION 196c.** 20.143 (1) (hm) of the statutes is created to read:

12 20.143 (1) (hm) *Brownfields loans; repayments.* All moneys received in
13 repayment of loans under s. 560.13 to be used for loans and grants under s. 560.13.

14 **SECTION 133.** 20.143 (1) (ie) of the statutes, as affected by 1995 Wisconsin Act
15 27, section 512bc, is amended to read:

16 20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received
17 in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.16, 1995
18 stats., s. 560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin
19 Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m) and 1989
20 Wisconsin Act 336, section 3015 (3gx), to be used for grants and loans under subch.
21 V of ch. 560 except s. 560.65, for ~~loans~~ grants under s. 560.16 and for reimbursements
22 under s. 560.167.

23 **SECTION 134.** 20.143 (1) (if) of the statutes is created to read:

1 20.143 (1) (if) *Mining economic development grants and loans; repayments.* All
2 moneys received in repayment of grants or loans under s. 560.135 to be used for
3 grants and loans under s. 560.135.

4 **SECTION 135.** 20.143 (1) (ij) of the statutes is renumbered 20.505 (1) (iu).

5 **SECTION 199n.** 20.143 (1) (im) of the statutes is amended to read:

6 20.143 (1) (im) *Minority business projects; repayments.* All moneys received in
7 repayment of grants or loans under s. 560.83 to be used for grants and loans under
8 ss. 560.82 and, 560.83 and 560.837 and the grant under 1993 Wisconsin Act 110,
9 section 3.

10 **SECTION 136.** 20.143 (1) (L) of the statutes is amended to read:

11 20.143 (1) (L) *Recycling market development; repayments.* All moneys received
12 in repayment of loans made awarded by the recycling market development board
13 under s. 287.46 (1) and received under s. 287.46 (3) in repayment of loans made by
14 recipients of financial assistance ~~from~~ awarded by the recycling market development
15 board under s. 287.46 (1), to be used to provide financial assistance under s. 287.46
16 ~~(1) subch. III of ch. 287.~~

17 **SECTION 200d.** 20.143 (1) (L) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is amended to read:

19 20.143 (1) (L) *Recycling market development; repayments.* All moneys received
20 in repayment of loans awarded by the ~~recycling market development board~~ under s.
21 287.46 (1), 1995 stats., and s. 560.031 and received under s. 287.46 (3), 1995 stats.,
22 and s. 560.031 in repayment of loans made by recipients of financial assistance
23 awarded by the ~~recycling market development board~~ under s. 287.46 (1), 1995 stats.,
24 and s. 560.031 to be used to provide financial assistance under ~~subch. III of ch. 287~~
25 s. 560.031.

1 **SECTION 137.** 20.143 (1) (q) of the statutes is created to read:

2 20.143 (1) (q) *Brownfields grant program.* From the recycling fund, as a
3 continuing appropriation, the amounts in the schedule for grants under s. 560.13.

4 **SECTION 138.** 20.143 (1) (qa) of the statutes is created to read:

5 20.143 (1) (qa) *Business development assistance center; activities and staff.*
6 From the petroleum inspection fund, the amounts in the schedule for activities of and
7 staff for the business development assistance center under subch. III of ch. 560.

8 **SECTION 139.** 20.143 (1) (r) of the statutes is created to read:

9 20.143 (1) (r) *Mining economic development grants and loans.* From the
10 investment and local impact fund, as a continuing appropriation, the amounts in the
11 schedule for mining and economic development grants and loans under s. 560.135.

12 **SECTION 140.** 20.143 (1) (st) of the statutes is amended to read:

13 20.143 (1) (st) *Recycling market development board; operations.* From the
14 recycling fund, the amounts in the schedule for ~~staff~~, permanent property, supplies
15 ~~and~~, services and department of commerce staff support for the recycling market
16 development board.

17 **SECTION 204d.** 20.143 (1) (st) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is repealed.

19 **SECTION 204m.** 20.143 (1) (t) of the statutes is created to read:

20 20.143 (1) (t) *Forestry education grant program.* From the conservation fund,
21 as a continuing appropriation, the amounts in the schedule for forestry education
22 grants under s. 560.18.

23 **SECTION 141.** 20.143 (1) (tm) of the statutes is amended to read:

24 20.143 (1) (tm) (title) *Recycling market development board; contracts and*
25 *assistance.* Biennially, from the recycling fund, the amounts in the schedule for

1 recycling market development board contracts under s. 287.42 (3) and financial
2 assistance under ~~s. 287.46 subch. III of ch. 287.~~

3 **SECTION 205d.** 20.143 (1) (tm) of the statutes, as affected by 1997 Wisconsin
4 Act (this act), is repealed.

5 **SECTION 142.** 20.143 (3) (j) of the statutes is amended to read:

6 20.143 (3) (j) *Safety and building operations.* The amounts in the schedule for
7 the purposes of subchs. I, II, III, IV and VI of ch. 101 ~~and~~, chs. 145 and 168 and ss.
8 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145
9 and ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82
10 (4) ~~and~~, 101.973 (7) and 236.12 (7) shall be credited to this appropriation.

11 **SECTION 143.** 20.145 (1) (g) of the statutes is amended to read:

12 20.145 (1) (g) *General program operations.* The amounts in the schedule for
13 general program operations ~~and for funding the activities of the office of health care~~
14 ~~information under s. 153.05 (8).~~ Ninety percent of all moneys received under ss.
15 601.31, 601.32, 601.45 and 601.47 shall be credited to this appropriation.

16 **SECTION 144.** 20.145 (1) (k) of the statutes is created to read:

17 20.145 (1) (k) *Administrative and support services.* The amounts in the
18 schedule for administrative and support services and products. All moneys received
19 by the office of the commissioner of insurance from the office of the commissioner of
20 insurance as payment for administrative and support services and products shall be
21 credited to this appropriation account.

22 **SECTION 145.** 20.145 (7) (title) of the statutes is repealed.

23 **SECTION 146.** 20.145 (7) (a) of the statutes is renumbered 20.435 (5) (ah) and
24 amended to read:

1 20.435 (5) (ah) (title) *Premium Health insurance risk-sharing plan; premium*
2 *and deductible reduction subsidy.* Biennially, the amounts in the schedule for the
3 purpose of subsidizing premium reductions under s. ~~619.165~~ 149.165 and deductible
4 reductions under s. ~~619.14~~ 149.14 (5) (a).

5 **SECTION 147.** 20.145 (7) (b) of the statutes is repealed.

6 **SECTION 213h.** 20.145 (7) (g) of the statutes is repealed.

7 **SECTION 148.** 20.145 (7) (u) of the statutes is renumbered 20.435 (1) (u) and
8 amended to read:

9 20.435 (1) (u) (title) *Administration Health insurance risk-sharing plan;*
10 *administration.* The amounts in the schedule from the health insurance
11 risk-sharing plan fund for the administration of ~~subch. II~~ of ch. ~~619~~ 149.

12 **SECTION 149.** 20.145 (8) (title) of the statutes is repealed.

13 **SECTION 150.** 20.145 (8) (hg) of the statutes is renumbered 20.435 (1) (hg) and
14 amended to read:

15 20.435 (1) (hg) (title) *General program operations; office-of health care*
16 *information.* The amounts in the schedule to fund the activities of the ~~office of health~~
17 ~~care information~~ department of health and family services and the board on health
18 care information under ch. 153. The assessments paid under s. 153.60 shall be
19 credited to this appropriation account.

20 **SECTION 151.** 20.145 (8) (hi) of the statutes is renumbered 20.435 (1) (hi), and
21 20.435 (1) (hi) (title), as renumbered, is amended to read:

22 20.435 (1) (hi) (title) *Compilations and special reports; office-of health care*
23 *information.*

24 **SECTION 152.** 20.145 (8) (hj) of the statutes is repealed.

25 **SECTION 153.** 20.145 (8) (kx) of the statutes is repealed.

1 **SECTION 154.** 20.145 (8) (mr) of the statutes is repealed.

2 **SECTION 155.** 20.155 (1) (q) of the statutes is created to read:

3 20.155 (1) (q) *Universal telecommunications service.* Biennially, from the
4 universal service fund, the amounts in the schedule for the promotion of universal
5 telecommunications service for the purposes specified in s. 196.218 (5) (a) 1. to 4.

6 **SECTION 222m.** 20.155 (2) (x) of the statutes is renumbered 20.155 (2) (m) and
7 amended to read:

8 20.155 (2) (m) *Railroad regulation; federal funds.* ~~From the transportation~~
9 ~~fund, all~~ All moneys received from the federal government for the regulation of
10 railroads, for such purposes.

11 **SECTION 156.** 20.165 (1) (g) of the statutes is amended to read:

12 20.165 (1) (g) *General program operations.* The amounts in the schedule for
13 the licensing, rule making and regulatory functions of the department, except for
14 preparing, administering and grading examinations. Ninety percent of all moneys
15 received under chs. 440 to 480, except ~~s. ss. 440.03 (13) and~~ 440.05 (1) (b), less \$10
16 of each renewal fee received under s. 452.12 (5), and all moneys transferred from the
17 appropriation under par. (i) and all moneys received under s. 440.055 (2), shall be
18 credited to this appropriation.

19 **SECTION 157.** 20.165 (1) (gm) of the statutes, as created by 1995 Wisconsin Act
20 461, is repealed and recreated to read:

21 20.165 (1) (gm) *Applicant investigation reimbursement.* All moneys received
22 from applicants for credentials under s. 440.03 (13), for the purpose of conducting
23 investigations under s. 440.03 (13).

24 **SECTION 224p.** 20.190 (1) (d) of the statutes is created to read:

1 20.190 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse
2 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
3 the acquisition, construction, development, enlargement or improvement of park
4 facilities and to make the payments determined by the building commission under
5 s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in
6 financing this acquisition, construction, development, enlargement or improvement.

7 **SECTION 158.** 20.190 (1) (m) of the statutes is created to read:

8 20.190 (1) (m) *Federal funds.* All moneys received from the federal government
9 for the state fair park board as authorized under s. 16.54 to be used for the purposes
10 for which received.

11 **SECTION 159.** 20.197 (intro.) of the statutes is repealed.

12 **SECTION 160.** 20.197 (1) (title) of the statutes is renumbered 20.505 (8) (title)
13 and amended to read:

14 20.505 (8) (title) ~~GAMING OPERATIONS~~ DIVISION OF GAMING.

15 **SECTION 161.** 20.197 (1) (g) of the statutes is renumbered 20.505 (8) (g), and
16 20.505 (8) (g) (intro.), as renumbered, is amended to read:

17 20.505 (8) (g) *General program operations; racing.* (intro.) The amounts in the
18 schedule for general program operations under ch. 562. All moneys received by the
19 ~~gaming board~~ department of administration under ss. 562.02 (2) (f), 562.04 (1) (b) 4.
20 and (2) (d), 562.05 (2), 562.065 (3) (d) and (4) and 562.09 (2) (e), less the amounts
21 appropriated under s. 20.455 (2) (g), shall be credited to this appropriation account.
22 The unencumbered balance in this appropriation on June 30 of each fiscal year which
23 exceeds 10% of that fiscal year's expenditures under this appropriation, but not more
24 than the total amount received during that fiscal year under s. 562.065 (3) (d) and
25 (4), shall be transferred as follows:

1 **SECTION 162.** 20.197 (1) (h) of the statutes is renumbered 20.505 (8) (h), and
2 20.505 (8) (h) (title), as renumbered, is amended to read:

3 20.505 (8) (h) (title) *General program operations; Indian gaming regulation.*

4 **SECTION 163.** 20.197 (1) (j) of the statutes is renumbered 20.505 (8) (j) and
5 amended to read:

6 20.505 (8) (j) *General program operations; charitable and crane games.* The
7 amounts in the schedule for general program operations under chs. 563 and 564. All
8 moneys received by the gaming board department of administration under ch. 563,
9 except s. 563.80, and under s. 564.02 (2) shall be credited to this appropriation
10 account.

11 **SECTION 164.** 20.197 (1) (q) of the statutes is repealed.

12 **SECTION 165.** 20.197 (3) (title) of the statutes is repealed.

13 **SECTION 166.** 20.197 (3) (i) of the statutes is renumbered 20.505 (8) (i).

14 **SECTION 233m.** 20.215 (1) (fm) of the statutes is created to read:

15 20.215 (1) (fm) *Transfer to arts board endowment fund.* The amounts in the
16 schedule to be transferred to the arts board endowment fund as provided in s. 44.53
17 (1) (j).

18 **SECTION 233r.** 20.215 (1) (k) of the statutes is amended to read:

19 20.215 (1) (k) *Funds received from other state agencies.* All moneys received
20 from other state agencies, less moneys transferred to s. 20.215 (1) (ka), for the fine
21 arts in state buildings program under s. 44.57. The arts board may transfer moneys
22 from this appropriation to the proper fund as specified in s. 44.57 (5) (e).

23 **SECTION 233rm.** 20.215 (1) (r) of the statutes is created to read:

24 20.215 (1) (r) *Loans for the arts.* As a continuing appropriation, from the arts
25 board endowment fund, the amounts in the schedule for loans under s. 44.53 (2) (d).

1 **SECTION 167.** 20.225 (1) (b) of the statutes is amended to read:

2 20.225 (1) (b) *Energy costs.* The amounts in the schedule to pay for utilities and
3 for fuel, heat and air conditioning, and to pay costs incurred under ~~s. ss. 16.858 and~~
4 16.895, by or on behalf of the board, and to repay to the energy efficiency fund loans
5 made to the board under s. 16.847 (6).

6 **SECTION 168.** 20.225 (1) (e) of the statutes is repealed.

7 **SECTION 235m.** 20.225 (1) (kb) of the statutes is created to read:

8 20.225 (1) (kb) *Emergency weather warning system operation.* From the
9 moneys received by the department of administration for the provision of state
10 telecommunications and data processing services and sale of telecommunications
11 and data processing inventory items primarily to state agencies, the amounts in the
12 schedule for the operation of the emergency weather warning system under s. 39.11
13 (21).

14 **SECTION 169.** 20.235 (title) of the statutes is amended to read:

15 **20.235 (title) Department of education; higher Higher educational aids**
16 **board.**

17 **SECTION 237e.** 20.235 (1) (fy) of the statutes is amended to read:

18 20.235 (1) (fy) *Academic excellence higher education scholarships.* Biennially,
19 ~~the amounts in the schedule~~ A sum sufficient for payments to institutions of higher
20 education under s. 39.41.

21 **SECTION 170.** 20.235 (1) (g) of the statutes is amended to read:

22 20.235 (1) (g) *Student loans.* The amounts in the schedule for additional loans
23 under s. 39.32, for repurchase of loans assigned, sold or conveyed and for repayment
24 of advances by the investment board. All moneys received from the principal repaid
25 on student loans made under s. 49.42, 1963 stats., and s. 39.32 other than principal

1 repaid on loans assigned, sold or conveyed, and all moneys received as an advance
2 from the investment board, under s. 25.17 (3) (bf), 1977 stats., shall be credited to this
3 appropriation. Moneys credited to the ~~department of education~~ higher educational
4 aids board as a result of investments shall be considered under this appropriation
5 as repayments. The amount of advances to the ~~department of education~~ higher
6 educational aids board charged against the authorization under s. 25.17 (3) (bf), 1977
7 stats., shall be decreased by the amount of any repayments to the investment board
8 under this appropriation. Advances repaid to the investment board shall be
9 reappropriated to the ~~department of education~~ higher educational aids board for the
10 purpose of providing additional loans subject to s. 25.17 (3) (bf) 2., 1977 stats.
11 Principal repayments on loans assigned, sold or conveyed shall be repaid under this
12 appropriation. The state auditor may annually audit the portfolio of student loans
13 and notes thereon in the possession of the ~~department of education~~ higher
14 educational aids board and report his or her determination of the current condition
15 of the student notes receivable portfolio to the investment board, the joint committee
16 on finance, the ~~department of education~~ higher educational aids board and the
17 department of administration.

18 **SECTION 171.** 20.235 (2) (aa) of the statutes is created to read:

19 20.235 (2) (aa) *General program operations.* The amounts in the schedule for
20 general program operations.

21 **SECTION 239m.** 20.235 (2) (ba) of the statutes is repealed.

22 **SECTION 172.** 20.235 (2) (bd) of the statutes is amended to read:

23 20.235 (2) (bd) *Purchase of defective student loans.* A sum sufficient for the
24 repurchase of student loans made under s. 39.32 that have been sold by the

1 ~~department of education~~ higher educational aids board or the building commission
2 and subsequently found to be defective.

3 **SECTION 173.** 20.235 (2) (n) of the statutes is created to read:

4 20.235 (2) (n) *Federal aid; state operations.* All moneys received from the
5 federal government as authorized by the governor under s. 16.54 to carry out the
6 purpose for which made. The executive secretary of the board may transfer not more
7 than \$150,000 from this appropriation for purposes of carrying out the functions
8 under s. 39.33.

9 **SECTION 174.** 20.235 (3) (title) of the statutes is created to read:

10 20.235 (3) (title) EDUCATIONAL APPROVAL BOARD.

11 **SECTION 242m.** 20.245 (intro.) of the statutes is amended to read:

12 **20.245 Historical society.** (intro.) There is appropriated to the historical
13 society for the following ~~program~~ programs:

14 **SECTION 175.** 20.245 (2) (c) of the statutes is amended to read:

15 20.245 (2) (c) *Energy costs.* The amounts in the schedule to be used at the
16 historic sites operated by the society at Eagle, Greenbush, Cassville, Mineral Point,
17 Madeline Island and Prairie du Chien to pay for utilities and for fuel, heat and air
18 conditioning, to pay costs incurred by or on behalf of the historical society under s.
19 ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the
20 society under s. 16.847 (6).

21 **SECTION 243m.** 20.245 (3) (u) of the statutes is renumbered 20.245 (3) (dm) and
22 amended to read:

23 20.245 (3) (dm) (title) *Historic preservation; transportation fund.* ~~From the~~
24 ~~transportation fund~~, as As a continuing appropriation, the amounts in the schedule
25 for performing the duties of the historical society under s. 44.02 (27).

1 **SECTION 176.** 20.245 (4) (c) of the statutes is amended to read:

2 20.245 (4) (c) *Energy costs.* The amounts in the schedule to be used at the
3 historical society building located at 816 State Street in the city of Madison to pay
4 for utilities and for fuel, heat and air conditioning, to pay costs incurred by or on
5 behalf of the society under ~~s. ss. 16.858 and~~ 16.895, and to repay to the energy
6 efficiency fund loans made to the society under s. 16.847 (6).

7 **SECTION 244e.** 20.245 (4) (j) of the statutes is created to read:

8 20.245 (4) (j) *Maritime project grants.* All moneys received under s. 170.12 (9m)
9 (b) 2. for maritime projects under s. 44.085.

10 **SECTION 244g.** 20.245 (4) (k) of the statutes is repealed and recreated to read:

11 20.245 (4) (k) *General program operations — service funds.* All moneys
12 received by the historical society from the historical society and from other state
13 agencies to carry out the purposes for which received.

14 **SECTION 244m.** 20.245 (4) (s) of the statutes is created to read:

15 20.245 (4) (s) *Transfer to historical society endowment fund.* From the
16 historical legacy trust fund, a sum sufficient to make the transfers required under
17 s. 44.025 (2) (b).

18 **SECTION 244n.** 20.245 (4) (t) of the statutes is created to read:

19 20.245 (4) (t) *Historical legacy program.* From the historical society
20 endowment fund, a sum sufficient equal to the earnings credited to the fund under
21 s. 25.14 (3), for the historical legacy program under s. 44.025.

22 **SECTION 244r.** 20.245 (4) (y) of the statutes is created to read:

23 20.245 (4) (y) *Northern Great Lakes Center.* From the conservation fund, the
24 amounts in the schedule for interpretative programming at the Northern Great
25 Lakes Center.

1 **SECTION 177.** 20.245 (5) (c) of the statutes is amended to read:

2 20.245 (5) (c) *Energy costs.* The amounts in the schedule to be used at the
3 historical society museum to pay for utilities and for fuel, heat and air conditioning,
4 to pay costs incurred by or on behalf of the historical society under s. ss. 16.858 and
5 16.895, and to repay to the energy efficiency fund loans made to the society under s.
6 16.847 (6).

7 **SECTION 178.** 20.255 (title) and (intro.) of the statutes are amended to read:

8 **20.255** (title) **~~Education~~ Public instruction, department of.** (intro.)
9 There is appropriated to the department of education public instruction for the
10 following programs:

11 **SECTION 179.** 20.255 (1) (a) of the statutes is amended to read:

12 20.255 (1) (a) *General program operations.* The amounts in the schedule for
13 the improvement of curriculum, instruction and educational resources for local
14 educational agencies, and the improvement of library services ~~and the~~
15 ~~administration of higher educational aids.~~ The amounts include the matching of
16 federal funds available under applicable federal acts or programs. At least \$5,000 of
17 the amounts in the schedule in each fiscal year shall be allocated for support of the
18 governor's council on business and education partnerships.

19 **SECTION 180.** 20.255 (1) (c) of the statutes is amended to read:

20 20.255 (1) (c) *Energy costs.* The amounts in the schedule to be used at the
21 schools for the deaf and visually handicapped to pay for utilities and for fuel, heat
22 and air conditioning, to pay costs incurred by or on behalf of the department under
23 s. ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the
24 department under s. 16.847 (6).

25 **SECTION 181.** 20.255 (1) (dw) of the statutes is amended to read:

1 20.255 (1) (dw) *Pupil assessment*. The amounts in the schedule for the costs
2 of the examinations developed and administered under s. 118.30.

3 **SECTION 182.** 20.255 (1) (gb) of the statutes is created to read:

4 20.255 (1) (gb) *Residential schools; nonresident fees*. All moneys received from
5 fees charged nonresident pupils under s. 115.52 (3) for services provided at the
6 residential schools under s. 115.52.

7 **SECTION 183.** 20.255 (1) (u) of the statutes is renumbered 20.235 (2) (qb).

8 **SECTION 254t.** 20.255 (2) (cv) of the statutes is created to read:

9 20.255 (2) (cv) *Achievement guarantee contracts; supplement*. The amounts in
10 the schedule for aid to school districts under s. 118.43. No funds may be encumbered
11 from this appropriation after June 30, 2001.

12 **SECTION 184.** 20.255 (2) (cw) of the statutes is amended to read:

13 20.255 (2) (cw) *Aid for transportation to institutions of higher education*. The
14 amounts in the schedule for the payment of state aid for the transportation of pupils
15 attending an institution of higher education under s. 118.37 118.55 (7g).

16 **SECTION 185.** 20.255 (2) (ec) of the statutes is amended to read:

17 20.255 (2) (ec) *Aid to Milwaukee public schools*. The amounts in the schedule
18 to correct the academic deficiencies of educationally and economically
19 disadvantaged pupils and to achieve a more effective and responsive educational
20 program in the school district operating under ch. 119. In the 1993-94 fiscal year and
21 in each fiscal year thereafter, the amount in the schedule shall be distributed
22 according to the spending plan under s. 119.80. The department of ~~education~~ public
23 instruction may not distribute any funds in the appropriation under this paragraph
24 in the 1993-94 fiscal year or in any fiscal year thereafter until the spending plan for
25 that fiscal year has been approved under s. 119.80.

1 **SECTION 257m.** 20.255 (2) (ee) of the statutes is renumbered 20.285 (1) (ee) and
2 amended to read:

3 20.285 (1) (ee) *Environmental education grants.* The amounts in the schedule
4 for environmental education grants under s. ~~115.375~~ 36.54 (2).

5 **SECTION 186.** 20.255 (2) (fm) of the statutes is created to read:

6 20.255 (2) (fm) *Charter schools.* A sum sufficient to make the payments to
7 charter schools under s. 118.40 (2r) (e).

8 **SECTION 263g.** 20.255 (2) (r) of the statutes is renumbered 20.255 (2) (em) and
9 amended to read:

10 20.255 (2) (em) *Driver education; local assistance.* ~~From the transportation~~
11 ~~fund, the~~ The amounts in the schedule to be distributed to school districts which
12 operate driver education courses in accordance with s. 121.41 (1). The distribution
13 shall be made to school districts upon such reports in such form and containing such
14 information as the ~~department of education~~ state superintendent of public
15 instruction requires.

16 **SECTION 263m.** 20.255 (2) (ra) of the statutes is renumbered 20.285 (1) (r) and
17 amended to read:

18 20.285 (1) (r) *Environmental education; environmental assessments.* From the
19 environmental fund, as a continuing appropriation, an amount equal to 50% of the
20 environmental assessments under s. 299.93 (1) for environmental education grants
21 under s. ~~115.375~~ 36.54 (2).

22 **SECTION 187.** 20.255 (2) (s) of the statutes is amended to read:

23 20.255 (2) (s) *School library aids.* ~~All moneys received as~~ From the common
24 school fund income, the amounts in the schedule to be distributed as provided in ss.
25 24.78 and 43.70.

1 **SECTION 264c.** 20.255 (2) (s) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is repealed and recreated to read:

3 20.255 (2) (s) *School library aids.* All moneys received as the common school
4 fund income to be distributed as provided in ss. 24.78 and 43.70.

5 **SECTION 188.** 20.255 (2) (t) of the statutes is repealed.

6 **SECTION 265m.** 20.255 (2) (u) of the statutes is renumbered 20.255 (2) (br) and
7 amended to read:

8 20.255 (2) (br) *Aid for handicapped education transportation.* ~~From the~~
9 ~~transportation fund, the~~ The amounts in the schedule for the payment of
10 handicapped education transportation aid under s. 115.88 (2). If the amount
11 appropriated under this paragraph is insufficient to pay the full amount of aid under
12 s. 115.88 (2), the balance shall be paid from the appropriation under par. (b). No
13 moneys may be encumbered from the appropriation under this paragraph after June
14 30, 1993.

15 **SECTION 265n.** 20.255 (3) (ef) of the statutes is created to read:

16 20.255 (3) (ef) *School-to-work programs for children at risk.* The amounts in
17 the schedule for grants to nonprofit organizations under s. 118.153 (3m).

18 **SECTION 265r.** 20.255 (3) (eg) of the statutes is created to read:

19 20.255 (3) (eg) *Milwaukee Public Museum.* The amounts in the schedule for
20 payments to the Milwaukee Public Museum under s. 115.28 (40).

21 **SECTION 189.** 20.255 (4) (title) of the statutes is repealed.

22 **SECTION 190.** 20.255 (4) (g) of the statutes is renumbered 20.235 (3) (g) and
23 amended to read:

24 20.235 (3) (g) *Proprietary school programs.* The amounts in the schedule for
25 the examination and approval of proprietary school programs. All moneys received

1 from the issuance of solicitor's permits under s. ~~38.51~~ 39.51 (8) and fees under s. ~~38.51~~
2 39.51 (10) shall be credited to this appropriation.

3 **SECTION 191.** 20.255 (4) (m) of the statutes is renumbered 20.235 (3) (m).

4 **SECTION 192.** 20.265 of the statutes is repealed.

5 **SECTION 193.** 20.275 of the statutes is created to read:

6 **20.275 Technology for educational achievement in Wisconsin board.**

7 There is appropriated to the technology for educational achievement in Wisconsin
8 board for the following program:

9 (1) EDUCATIONAL TECHNOLOGY. (a) *General program operations.* The amounts
10 in the schedule for general program operations.

11 (d) *Pioneering partners grants.* The amounts in the schedule for distance
12 education and educational technology grants under 1997 Wisconsin Act ... (this act),
13 section 9101 (10) (dm) 1. No moneys may be encumbered from this appropriation
14 after June 30, 1998.

15 (er) *Principal, interest and rebates; general purpose revenue — public library*
16 *boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
17 and interest costs incurred in financing subsidized educational technology
18 infrastructure loans to public library boards under s. 44.72 (4) and to make full
19 payment of the amounts determined by the building commission under s. 13.488 (1)
20 (m), to the extent that these costs and payments are not paid under par. (hb).

21 (es) *Principal, interest and rebates; general purpose revenue — school districts.*
22 A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
23 interest costs incurred in financing subsidized educational technology
24 infrastructure loans to school districts under s. 44.72 (4) and to make full payment

1 of the amounts determined by the building commission under s. 13.488 (1) (m), to the
2 extent that these costs and payments are not paid under par. (h).

3 (et) *Educational technology training and technical assistance grants.*

4 Biennially, the amounts in the schedule for grants to cooperative educational service
5 agencies and consortia under s. 44.72 (1).

6 (f) *Educational technology block grants.* The amounts in the schedule to make
7 payments to school districts under s. 44.72 (2) (b) 2.

8 (fs) *Supplemental educational technology block grants.* The amounts in the
9 schedule to make payments to school districts under s. 44.72 (2) (b) 3. No moneys
10 may be encumbered from this appropriation after June 30, 1998.

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

13 (h) *Principal, interest and rebates; program revenue — school districts.* All
14 moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for the payment
15 of principal and interest costs incurred in financing subsidized educational
16 technology infrastructure loans to school districts under s. 44.72 (4) and to make full
17 payment of the amounts determined by the building commission under s. 13.488 (1)
18 (m).

19 (hb) *Principal, interest and rebates; program revenue — public library boards.*
20 All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for the
21 payment of principal and interest costs incurred in financing subsidized
22 educational technology infrastructure loans to public library boards under s. 44.72
23 (4) and to make full payment of the amounts determined by the building
24 commission under s. 13.488 (1) (m).

1 (L) *Equipment purchases and leases.* All moneys received from school districts,
2 cooperative educational service agencies and public educational institutions for the
3 purchase or lease of educational technology equipment under s. 44.71 (2) (h), for the
4 purpose of purchasing such equipment.

5 (m) *Federal aid.* All federal moneys received as authorized under s. 16.54 to
6 be administered and expended in accordance with the provisions of the federal grant
7 or program under which the moneys were received.

8 (s) *Educational telecommunications access support; school districts and*
9 *technical college districts.* Biennially, from the universal service fund, the amounts
10 in the schedule to make payments to telecommunications providers under contracts
11 with the department of administration under s. 16.974 (7) (a) to the extent that the
12 amounts due are not paid from the appropriation under s. 20.505 (1) (is) and, prior
13 to July 1, 2002, to make grants to school districts under s. 196.218 (4r) (g).

14 (t) *Educational telecommunications access support; private colleges and public*
15 *library boards.* Biennially, from the universal service fund, the amounts in the
16 schedule to make payments to telecommunications providers under contracts with
17 the department of administration under s. 16.974 (7) (b) to the extent that the
18 amounts due are not paid from the appropriation under s. 20.505 (1) (is).

19 (u) *Educational technology aid.* From the common school fund income, the
20 amounts in the schedule to make payments to school districts under s. 44.72 (2) (a).
21 No moneys may be encumbered from this appropriation after June 30, 1999.

22 **SECTION 194.** 20.285 (1) (c) of the statutes is amended to read:

23 20.285 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and
24 for fuel, heat and air conditioning, and to pay costs incurred under s. ss. 16.858 and
25 16.895, including all operating costs recommended by the department of

1 administration that result from the installation of pollution abatement equipment
2 in state-owned or operated heating, cooling or power plants, by or on behalf of the
3 board of regents, and to repay to the energy efficiency fund loans made to the board
4 under s. 16.847 (6).

5 **SECTION 195.** 20.285 (1) (cm) of the statutes is created to read:

6 20.285 (1) (cm) *Educational technology.* The amounts in the schedule for
7 educational technology projects under s. 36.25 (38).

8 **SECTION 272m.** 20.285 (1) (db) of the statutes is amended to read:

9 20.285 (1) (db) *Self-amortizing facilities principal and interest.* A sum
10 sufficient to reimburse s. 20.866 (1) (u) for any amounts advanced to meet principal
11 and interest costs on self-amortizing university facilities whenever the combined
12 balances of all accounts of activities, of any campus, included in par. (h) and sub. (6)
13 (g) are insufficient, as determined by the department of administration, to make
14 transfers to pars. (kd) and (ke) as required by par. (h) and sub. (6) (g). Amounts
15 advanced under the authority of this paragraph shall be repaid to the general fund
16 in instalments to be determined jointly by the department of administration and the
17 campus concerned. Annually, For projects authorized by the building commission
18 before July 1, 1998, annually an amount equal to 80% of the principal and interest
19 costs for maintenance of university of Wisconsin-Madison intercollegiate athletic
20 facilities shall be paid from the appropriation under this paragraph. For projects
21 authorized by the building commission on or after July 1, 1998, annually an amount
22 equal to 70% of the principal and interest costs for maintenance of University of
23 Wisconsin-Madison intercollegiate athletic facilities shall be paid from the
24 appropriation under this paragraph.

25 **SECTION 196.** 20.285 (1) (h) of the statutes is amended to read:

1 20.285 (1) (h) *Auxiliary enterprises*. Except as provided under par. (gm) and
2 subs. (5) (i) and (6) (g), all moneys received by the university of Wisconsin system for
3 or on account of any housing facility, commons, dining halls, cafeteria, student union,
4 athletic activities, stationery stand or bookstore, parking facilities or car fleet, or
5 such other auxiliary enterprise activities as the board designates and including such
6 fee revenues as allocated by the board and including such moneys received under
7 leases entered into previously with nonprofit building corporations as the board
8 designates to be receipts under this paragraph, to be used for the operation,
9 maintenance and capital expenditures of activities specified in this paragraph,
10 including the transfer of funds to pars. (kd) and (ke) and to nonprofit building
11 corporations to be used by the corporations for the retirement of existing
12 indebtedness and such other payments as may be required under existing loan
13 agreements, and for optional rental payments in addition to the mandatory rental
14 payments under the leases and subleases in connection with the providing of
15 facilities for such activities. A separate account shall be maintained for each campus,
16 the center system and extension. Subject to s. 36.46 (2) (b), upon the request of the
17 extension or any institution or center within the system, the board of regents may
18 transfer surplus moneys appropriated under this paragraph to the appropriation
19 account under par. (kp).

20 **SECTION 197.** 20.285 (1) (hm) of the statutes is amended to read:

21 20.285 (1) (hm) *Extension outreach*. All moneys collected under s. 94.64 (4) ~~(ar)~~
22 (a) 3. to be used for university of Wisconsin-extension outreach services.

23 **SECTION 198.** 20.285 (1) (im) of the statutes is amended to read:

24 20.285 (1) (im) *Academic student fees*. Except as provided in sub. (2) (i) 1., the
25 amounts in the schedule for degree credit instruction, other than for credit outreach

1 instruction sponsored by the University of Wisconsin-Extension, for funding the cost
2 of any salary increase granted under s. 36.09 (1) (j) 2. or 3. to correct a salary inequity
3 or to recognize competitive factors and for funding financial aid under s. 36.11 (6m).
4 Except as provided under pars. (ip), (Lm) and (Ls), all moneys received from
5 academic student fees shall be credited to this appropriation.

6 **SECTION 199.** 20.285 (1) (ip) of the statutes is created to read:

7 20.285 (1) (ip) *Extension student fees.* The amounts in the schedule for credit
8 outreach instruction sponsored by the University of Wisconsin-Extension. Except
9 as provided under pars. (Lm) and (Ls), all moneys received from academic student
10 fees at the University of Wisconsin-Extension shall be credited to this appropriation
11 account.

12 **SECTION 276m.** 20.285 (1) (kd) of the statutes is amended to read:

13 20.285 (1) (kd) *Principal repayment, interest and rebates.* From the revenues
14 credited under par. (h) and sub. (6) (g), a sum sufficient to reimburse s. 20.866 (1) (u)
15 for the payment of principal and interest costs incurred in financing the acquisition,
16 construction, development, enlargement or improvement of self-amortizing
17 university facilities and to make the payments determined by the building
18 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
19 obligations incurred in financing such facilities. Annually, For projects authorized
20 by the building commission before July 1, 1998, annually an amount equal to 20%
21 of the principal and interest costs for maintenance of university of
22 Wisconsin-Madison intercollegiate athletic facilities shall be paid from the
23 appropriation under this paragraph. For projects authorized by the building
24 commission on or after July 1, 1998, annually an amount equal to 30% of the
25 principal and interest costs for maintenance of University of Wisconsin-Madison

1 intercollegiate athletic facilities shall be paid from the appropriation under this
2 paragraph.

3 **SECTION 200.** 20.285 (1) (kp) of the statutes is created to read:

4 20.285 (1) (kp) *Student - related activities.* All moneys transferred from par.
5 (h) for the one-time, fixed-duration costs of any student-related activity, as those
6 terms are defined by the board under s. 36.46 (2) (a) 1.

7 **SECTION 277g.** 20.285 (1) (q) of the statutes is created to read:

8 20.285 (1) (q) *Telecommunications services.* From the universal service fund,
9 the amounts in the schedule to provide telecommunications services as specified in
10 s. 196.218 (5) (a) 6.

11 **SECTION 277m.** 20.285 (1) (rc) of the statutes is created to read:

12 20.285 (1) (rc) *Environmental education; forestry.* From the conservation fund,
13 the amounts in the schedule for environmental education grants related to forestry
14 under s. 36.54 (2).

15 **SECTION 277n.** 20.285 (1) (tm) of the statutes is created to read:

16 20.285 (1) (tm) *Solid waste research and experiments.* From the recycling fund,
17 the amounts in the schedule for research into alternative methods of solid waste
18 management and for administering solid waste experiment centers.

19 **SECTION 277r.** 20.285 (1) (x) of the statutes is renumbered 20.285 (1) (cg) and
20 amended to read:

21 20.285 (1) (cg) *Driver education teachers.* ~~All moneys received from the~~
22 ~~transportation fund~~ As a continuing appropriation, the amounts in the schedule for
23 the purpose of providing driver education teacher training.

24 **SECTION 201.** 20.285 (2) (a) 1. of the statutes is amended to read:

1 20.285 (2) (a) 1. Any moneys in program revenue appropriations to the board
2 of regents for operation may be temporarily transferred to or from any other program
3 revenue appropriation, but any moneys so transferred shall be repaid to the
4 appropriation from which taken before the close of the fiscal year in which the
5 transfer was made. This subdivision does not apply to moneys transferred from the
6 appropriation account under par. (h) to the appropriation account under par. (kp).

7 **SECTION 278g.** 20.285 (2) (d) of the statutes is amended to read:

8 20.285 (2) (d) *Fee and tuition remissions.* The aggregate amount of nonresident
9 remissions of tuition and fees for any fiscal year for the institutions formerly
10 governed under ch. 36, 1971 stats., may not exceed the aggregate amount so remitted
11 for those institutions in the 1970-71 fiscal year as adjusted for proportional
12 increases in tuition charges since 1976-77, and for the institutions formerly
13 governed under ch. 37, 1971 stats., the aggregate amount shall not exceed the
14 aggregate amount so remitted for those institutions in the 1972-73 fiscal year as
15 adjusted for proportional increases in tuition charges since 1976-77. The limits
16 under this paragraph do not apply to fee remissions granted under s. 36.27 (3) (g).
17 This paragraph does not restrict the granting of remissions when required under the
18 terms of a contract or gift, or when such remissions are reimbursed as an indirect
19 cost.

20 **SECTION 202.** 20.285 (2) (i) 1. of the statutes is renumbered 20.285 (2) (i) 1.
21 (intro.) and amended to read:

22 20.285 (2) (i) 1. (intro.) Notwithstanding s. 20.001 (3) (a), the amount of the
23 appropriation under sub. (1) (im) ~~for the 1987-88 fiscal year and any fiscal year~~
24 ~~thereafter~~ consists of the amount in the schedule, together with an all of the
25 following:

1 a. For the 1997-98 fiscal year and any fiscal year thereafter, an amount equal
2 to not more than the amount by which the expenditure estimate under s. 16.50 (1)
3 for ~~that~~ the appropriation under sub. (1) (im) exceeded actual expenditures from that
4 appropriation for the previous fiscal year, to the extent that sufficient revenues are
5 available in the appropriation account under sub. (1) (im) to finance this
6 appropriation.

7 **SECTION 203.** 20.285 (2) (i) 1. b. of the statutes is created to read:

8 20.285 (2) (i) 1. b. For the first fiscal year of a fiscal biennium, an amount equal
9 to 4% of the amount in the schedule for the appropriation under sub. (1) (im), to the
10 extent that sufficient revenues are available in the appropriation account under sub.
11 (1) (im) to finance this appropriation. This subdivision 1. b. does not apply after June
12 30, 1998.

13 **SECTION 204.** 20.285 (2) (i) 1. c. of the statutes is created to read:

14 20.285 (2) (i) 1. c. For the 2nd fiscal year of a fiscal biennium, an amount equal
15 to 8% of the amount in the schedule for the appropriation under sub. (1) (im), to the
16 extent that sufficient revenues are available in the appropriation account under sub.
17 (1) (im) to finance this appropriation. This subdivision 1. c. does not apply after June
18 30, 1999.

19 **SECTION 205.** 20.292 (1) (eg) of the statutes is created to read:

20 20.292 (1) (eg) *Faculty development grants*. The amounts in the schedule for
21 faculty development grants under s. 38.33. No moneys may be encumbered from this
22 appropriation after June 30, 1999.

23 **SECTION 284g.** 20.292 (1) (r) of the statutes is renumbered 20.292 (1) (fp) and
24 amended to read:

1 20.292 (1) (fp) *Emergency medical technician — basic training; state*
2 *operations. From the transportation fund, the The amounts in the schedule for*
3 *technical assistance and administrative support for emergency medical technician*
4 *— basic training under s. 146.55 (5).*

5 **SECTION 284m.** 20.292 (1) (u) of the statutes is renumbered 20.292 (1) (fc) and
6 amended to read:

7 20.292 (1) (fc) *Driver education, local assistance. From the transportation*
8 *fund, the The amounts in the schedule, to be distributed to technical college districts*
9 *for operating driver training programs under ss. 38.28 (2) (c) and (g) and 121.41 (1).*

10 **SECTION 284r.** 20.292 (1) (v) of the statutes is renumbered 20.292 (1) (fg) and
11 amended to read:

12 20.292 (1) (fg) *Chauffeur training grants. From the transportation fund, as As*
13 *a continuing appropriation, the amounts in the schedule for advanced chauffeur*
14 *training grants under s. 38.29.*

15 **SECTION 206.** 20.315 (1) (a) of the statutes is repealed.

16 **SECTION 207.** 20.315 (1) (q) of the statutes is amended to read:

17 20.315 (1) (q) *General program operations — conservation fund. From the*
18 *conservation fund, the amounts in the schedule for general program operations,*
19 *including the cost of the actual and necessary expenses incurred by the members of*
20 *the commission and members of the advisory committees in the performance of their*
21 *duties under s. 14.82 (1).*

22 **SECTION 208.** 20.320 (intro.) of the statutes is amended to read:

23 **20.320 (title) ~~Clean water fund~~ Environmental improvement program.**
24 (intro.) There is appropriated for the clean water fund environmental improvement
25 program:

1 **SECTION 209.** 20.320 (1) (title) of the statutes is amended to read:

2 20.320 (1) (title) CLEAN WATER FUND PROGRAM OPERATIONS.

3 **SECTION 210.** 20.320 (1) (a) of the statutes is amended to read:

4 20.320 (1) (a) (title) *Environmental aids — clean water fund program*. The
5 amounts in the schedule to be paid into the environmental improvement fund for the
6 clean water fund program under s. 281.58.

7 **SECTION 211.** 20.320 (1) (c) of the statutes is amended to read:

8 20.320 (1) (c) (title) *Principal repayment and interest — clean water fund*
9 *program*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
10 and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the clean
11 water environmental improvement fund for the purposes specified in s. 25.43 (3) of
12 the clean water fund program under s. 281.58.

13 **SECTION 212.** 20.320 (1) (q) of the statutes is amended to read:

14 20.320 (1) (q) (title) *Clean water fund program revenue obligation funding*. As
15 a continuing appropriation, all proceeds from revenue obligations issued under
16 subch. II or IV of ch. 18, as authorized under s. 281.59 (4) and deposited in the fund
17 in the state treasury created under s. 18.57 (1), providing for reserves and for
18 expenses of issuance and management of the revenue obligations, and the remainder
19 to be transferred to the clean water environmental improvement fund for the
20 purposes specified in s. 25.43 (3) of the clean water fund program under s. 281.58.
21 Estimated disbursements under this paragraph shall not be included in the schedule
22 under s. 20.005.

23 **SECTION 213.** 20.320 (1) (r) of the statutes is amended to read:

24 20.320 (1) (r) (title) *Clean water fund program repayment of revenue*
25 *obligations*. From the clean water environmental improvement fund, a sum

1 sufficient to repay the fund in the state treasury created under s. 18.57 (1) the
2 amount needed to retire revenue obligations issued under subch. II or IV of ch. 18,
3 as authorized under s. 281.59 (4).

4 **SECTION 214.** 20.320 (1) (s) of the statutes is amended to read:

5 20.320 (1) (s) (title) *Clean water fund program financial assistance.* From the
6 clean water environmental improvement fund, a sum sufficient for the purposes of
7 ~~ss. 25.43, providing clean water fund program financial assistance under s. 281.58~~
8 ~~and 281.59, other than general program operations specified under s. 20.370 (2) (mt)~~
9 ~~or (mx) or 20.505 (1) (v) or (x) and other than administration of ss. 25.43, 281.58 and~~
10 ~~281.59.~~

11 **SECTION 215.** 20.320 (1) (sm) of the statutes is created to read:

12 20.320 (1) (sm) *Land recycling loan program financial assistance.* From the
13 clean water fund program federal revolving loan fund account in the environmental
14 improvement fund, a sum sufficient, not to exceed a total of \$20,000,000, to provide
15 land recycling loan program financial assistance under s. 281.60.

16 **SECTION 216.** 20.320 (1) (t) of the statutes is amended to read:

17 20.320 (1) (t) (title) *Principal repayment and interest — clean water fund*
18 *program bonds.* From the clean water environmental improvement fund, the
19 amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal
20 and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the clean
21 water environmental improvement fund for the purposes specified in s. ~~25.43 (3) of~~
22 ~~the clean water fund program under s. 281.58.~~ Fifty percent of all moneys received
23 from municipalities as payment of interest on loans or portions of loans under ~~ss.~~
24 ~~144.241 and 144.2415~~ s. 281.58 the revenues of which have not been pledged to
25 secure revenue obligations shall be credited to this appropriation account.

1 **SECTION 217.** 20.320 (1) (u) of the statutes is amended to read:

2 20.320 (1) (u) (title) *Principal repayment and interest — clean water fund*
3 *program revenue obligation repayment.* From the fund in the state treasury created
4 under s. 18.57 (1), all moneys received by the fund and not transferred under s.
5 281.59 (4) (c) to the ~~clean water~~ environmental improvement fund, for the purpose
6 of the retirement of revenue obligations, providing for reserves and for operations
7 relating to the management and retirement of revenue obligations issued under
8 subch. II or IV of ch. 18, as authorized under s. 281.59 (4). All moneys received are
9 irrevocably appropriated in accordance with subch. II of ch. 18 and further
10 established in resolutions authorizing the issuance of the revenue obligations and
11 setting forth the distribution of funds to be received thereafter.

12 **SECTION 218.** 20.320 (1) (x) of the statutes is created to read:

13 20.320 (1) (x) *Clean water fund program financial assistance; federal.* From
14 the clean water fund program federal revolving loan fund account in the
15 environmental improvement fund, all moneys received from the federal government
16 to provide financial assistance under the clean water fund program under s. 281.58,
17 as authorized by the governor under s. 16.54, for financial assistance under the clean
18 water fund program under s. 281.58.

19 **SECTION 219.** 20.320 (2) of the statutes is created to read:

20 20.320 (2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS. (c) *Principal*
21 *repayment and interest — safe drinking water loan program.* A sum sufficient to
22 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
23 in financing the safe drinking water loan program under s. 20.866 (2) (td).

24 (s) *Safe drinking water loan programs financial assistance.* From the
25 environmental improvement fund, a sum sufficient for financial assistance under

1 the safe drinking water loan program under s. 281.61, for other drinking water
2 quality activities under s. 281.62 and to transfer funds to the Wisconsin drinking
3 water reserve fund under s. 234.933, as authorized under s. 281.625 (4).

4 (x) *Safe drinking water loan programs financial assistance; federal.* From the
5 safe drinking water loan program federal revolving loan fund account in the
6 environmental improvement fund, all moneys received from the federal government
7 to provide financial assistance under the safe drinking water loan program under s.
8 281.61, for other drinking water quality activities under s. 281.62 and for drinking
9 water loan guarantees under s. 234.86, as authorized by the governor under s. 16.54,
10 for financial assistance under the safe drinking water loan program under s. 281.61,
11 other drinking water quality activities under s. 281.62 and to transfer funds to the
12 Wisconsin drinking water reserve fund under s. 234.933, as authorized under s.
13 281.625 (4).

14 **SECTION 220.** 20.360 (1) (a) of the statutes is repealed.

15 **SECTION 221.** 20.370 (1) (title) of the statutes is repealed and recreated to read:
16 20.370 (1) (title) LAND.

17 **SECTION 222.** 20.370 (1) (fs) of the statutes is amended to read:

18 20.370 (1) (fs) *Endangered resources — voluntary payments; sales, leases and*
19 *fees.* As a continuing appropriation, from moneys received as amounts designated
20 under s. 71.10 (5) (b), the net amounts certified under s. 71.10 (5) (h) 4., all moneys
21 received from the sale or lease of resources derived from the land in the state natural
22 areas system and all moneys received from fees collected under ss. 23.27 (3) (b),
23 29.092 (11) (g) and (h) and 341.14 (6r) (b) 5., for the purposes of the endangered
24 resources program, as defined under s. 71.10 (5) (a) 2. Three-percent of the moneys
25 certified under s. 71.10 (5) (h) 4. in each fiscal year, but not to exceed \$100,000, shall

1 be allocated for wildlife damage control and payment of claims for damage associated
2 with endangered or threatened species.

3 **SECTION 223.** 20.370 (1) (gg) of the statutes is renumbered 20.370 (7) (gg).

4 **SECTION 224.** 20.370 (1) (gh) of the statutes is renumbered 20.370 (7) (gh) and
5 amended to read:

6 20.370 (7) (gh) *State trails — gifts and grants.* All From the conservation fund,
7 all moneys received from gifts, grants or bequests for the development of state trails
8 under s. 23.175 to be expended for the purposes for which made and received.

9 **SECTION 225.** 20.370 (1) (hq) of the statutes is renumbered 20.370 (7) (fw) and
10 amended to read:

11 20.370 (7) (fw) *Resource acquisition and development — Mississippi and St.*
12 *Croix rivers management.* As From the conservation fund, as a continuing
13 appropriation, the amounts in the schedule for river management activities for
14 habitat and recreational projects on the Mississippi and lower St. Croix rivers and
15 for environmental and resource management studies on the Mississippi and lower
16 St. Croix rivers.

17 **SECTION 226.** 20.370 (1) (hr) (title) of the statutes is amended to read:

18 20.370 (1) (hr) (title) *~~Resource acquisition and development — pheasant~~*
19 *Pheasant restoration.*

20 **SECTION 227.** 20.370 (1) (hs) of the statutes is renumbered 20.370 (7) (fv) and
21 amended to read:

22 20.370 (7) (fv) *Resource acquisition and development — fish and wildlife*
23 *projects.* As From the conservation fund, as a continuing appropriation, the amounts
24 in the schedule for fish and wildlife habitat projects for the payment of conservation
25 corps enrollee compensation and for the payment of other costs incurred with these

1 projects if those costs are not paid by project sponsors. Conservation corps enrollee
2 compensation includes the costs of salaries, benefits, incentive payments and
3 vouchers.

4 **SECTION 228.** 20.370 (1) (ht) (title) of the statutes is amended to read:

5 20.370 (1) (ht) (title) *Resource acquisition and development — wild Wild turkey*
6 *restoration.*

7 **SECTION 229.** 20.370 (1) (is) of the statutes is renumbered 20.370 (3) (is).

8 **SECTION 230.** 20.370 (1) (jr) of the statutes is amended to read:

9 20.370 (1) (jr) *Rental property and equipment — maintenance and replacement.*

10 All moneys received by the department from the rental of real property and
11 equipment that are owned by the department and are utilized for resource land and
12 wildlife management, to be used for the maintenance and replacement of this real
13 property and equipment.

14 **SECTION 231.** 20.370 (1) (kb) of the statutes is renumbered 20.370 (7) (fa) and
15 amended to read:

16 20.370 (7) (fa) *Resource maintenance and development — state funds.* As a
17 continuing appropriation ~~from the general fund~~, the amounts in the schedule for the
18 maintenance and development of state parks under ch. 27; of recreation areas, other
19 than game or fish refuges, in state forests under ch. 28; of lands owned, managed,
20 supervised or controlled by the department in the lower Wisconsin state riverway as
21 defined in s. 30.40 (15); and of other recreational lands owned by the department, and
22 for the maintenance of the ice age trail. Of the amounts appropriated under this
23 paragraph, \$50,000 may be expended only to match at the ratio of 1 to 1 funds
24 received under par. (gg) from a county, city, village, town or organization after August
25 9, 1989, that are given specifically for the purchase of equipment and materials for

1 maintenance of the ice age trail. At least \$150,000 in each fiscal year shall be
2 expended from this appropriation for maintaining and developing historic sites at
3 least \$10,000 of which shall be expended in each fiscal year for maintaining and
4 developing Heritage Hill state park.

5 **SECTION 232.** 20.370 (1) (kp) of the statutes is renumbered 20.370 (7) (ft) and
6 amended to read:

7 20.370 (7) (ft) *Resource acquisition and development — boating access.* As
8 From the conservation fund, as a continuing appropriation, the amounts in the
9 schedule for state recreational boating projects which provide public access to inland
10 waters, as defined in s. 29.01 (9), which are lakes in the region identified under s.
11 25.29 (7) (a).

12 **SECTION 233.** 20.370 (1) (kq) (title) of the statutes is amended to read:

13 20.370 (1) (kq) (title) *Resource acquisition and development — taxes Taxes and*
14 *assessments; conservation fund.*

15 **SECTION 234.** 20.370 (1) (kr) of the statutes is renumbered 20.370 (7) (fu) and
16 amended to read:

17 20.370 (7) (fu) *Resource acquisition and development — nonmotorized boating*
18 *improvements.* ~~All~~ From the conservation fund, all moneys received from
19 contributions collected under s. 30.525 for the development or enhancement of
20 programs or services which provide benefits relating directly to nonmotorized
21 boating activities including, but not limited to, land acquisition and the development
22 of public access sites and camping sites with access to water.

23 **SECTION 235.** 20.370 (1) (ks) of the statutes is renumbered 20.370 (7) (fs) and
24 amended to read:

1 20.370 (7) (fs) *Resource acquisition and development — state funds. As From*
2 *the conservation fund, as* a continuing appropriation, the amounts in the schedule
3 for land acquisition, development and improvement under s. 23.09 (2).

4 **SECTION 236.** 20.370 (1) (kt) (title) of the statutes is renumbered 20.370 (1) (hu)
5 (title) and amended to read:

6 20.370 (1) (hu) (title) ~~*Resource acquisition and development — wetlands*~~
7 *Wetlands habitat improvement.*

8 **SECTION 237.** 20.370 (1) (kt) of the statutes is renumbered 20.370 (1) (hu).

9 **SECTION 238.** 20.370 (1) (ku) (title) of the statutes is renumbered 20.370 (4) (ku)
10 (title) and amended to read:

11 20.370 (4) (ku) (title) ~~*Resource acquisition and development — Great Lakes*~~
12 *trout and salmon.*

13 **SECTION 239.** 20.370 (1) (ku) of the statutes is renumbered 20.370 (4) (ku).

14 **SECTION 240.** 20.370 (1) (kv) (title) of the statutes is renumbered 20.370 (4) (kv)
15 (title) and amended to read:

16 20.370 (4) (kv) (title) ~~*Resource acquisition and development — trout*~~ *Trout*
17 *habitat improvement.*

18 **SECTION 241.** 20.370 (1) (kv) of the statutes is renumbered 20.370 (4) (kv).

19 **SECTION 242.** 20.370 (1) (ky) of the statutes is renumbered 20.370 (7) (fy) and
20 amended to read:

21 20.370 (7) (fy) *Resource acquisition and development — federal funds. All From*
22 *the conservation fund, all* moneys received from the federal government for land
23 acquisition and development and improvement of land and facilities.

24 **SECTION 243.** 20.370 (1) (kz) of the statutes is renumbered 20.370 (7) (fr) and
25 amended to read:

1 20.370 (7) (fr) *Resource acquisition and development — boating access to*
2 *southeastern lakes. As From the conservation fund, as a continuing appropriation,*
3 *the amounts in the schedule for state recreational boating projects that provide*
4 *public access to lakes.*

5 **SECTION 322m.** 20.370 (1) (Ls) of the statutes is amended to read:

6 20.370 (1) (Ls) *Control of wild animals.* As a continuing appropriation, the
7 amounts in the schedule from moneys received under s. 29.092 (14) (c) for removal
8 activities by the department under s. 29.59. No moneys may be expended under this
9 appropriation without the approval of the joint committee on finance under s. 29.598
10 (6).

11 **SECTION 244.** 20.370 (1) (Lu) of the statutes is renumbered 20.370 (9) (hu).

12 **SECTION 245.** 20.370 (1) (mg) of the statutes is amended to read:

13 20.370 (1) (mg) *General program operations — endangered resources.* All From
14 the general fund, all moneys received from gifts and contributions under the
15 Wisconsin natural areas heritage program and all moneys received from the sale of
16 state-owned lands withdrawn from the state natural areas system for the purposes
17 of natural heritage land acquisition activities, natural area land acquisition
18 activities and administration of the natural areas inventory program.

19 **SECTION 326m.** 20.370 (1) (mr) of the statutes is renumbered 20.370 (7) (mc)
20 and amended to read:

21 20.370 (7) (mc) (title) *General program operations Resource maintenance and*
22 *development — state park, forest and riverway roads.* As a continuing appropriation
23 ~~from the transportation fund~~, the amounts in the schedule for state park and forest
24 roads and roads in the lower Wisconsin state riverway as defined in s. 30.40 (15)
25 under s. 84.28 and for the maintenance of roads in state parks under ch. 27 and

1 recreation areas in state forests under ch. 28 which are not eligible for funding under
2 s. 84.28. The department may expend up to \$400,000 from this appropriation in each
3 fiscal year for state park and forest roads and roads in the lower Wisconsin state
4 riverway as defined in s. 30.40 (15) under s. 84.28 and shall expend the balance from
5 the appropriation for the maintenance of roads which are not eligible for funding
6 under s. 84.28.

7 **SECTION 246.** 20.370 (1) (mt) (title) of the statutes is renumbered 20.370 (3)
8 (mt) (title) and amended to read:

9 20.370 (3) (mt) (title) *General program operations, nonpoint source —*
10 *environmental fund.*

11 **SECTION 247.** 20.370 (1) (mt) of the statutes is renumbered 20.370 (3) (mt).

12 **SECTION 248.** 20.370 (1) (mu) of the statutes is amended to read:

13 20.370 (1) (mu) *General program operations — state funds.* The amounts in
14 the schedule for general program operations that do not relate to the management
15 and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
16 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29.

17 **SECTION 249.** 20.370 (1) (my) of the statutes is amended to read:

18 20.370 (1) (my) *General program operations — federal funds.* All moneys
19 received as federal aid for land and wildlife management, as authorized by the
20 governor under s. 16.54 for the purposes for which received.

21 **SECTION 250.** 20.370 (2) (title) of the statutes is repealed and recreated to read:

22 20.370 (2) (title) AIR AND WASTE.

23 **SECTION 251.** 20.370 (2) (af) of the statutes is renumbered 20.370 (4) (af) and
24 amended to read:

1 20.370 (4) (af) *Water resources — remedial action.* As a continuing
2 appropriation from the general fund, the amounts in the schedule for remedial action
3 in the Great Lakes and their tributaries under s. 281.83.

4 **SECTION 252.** 20.370 (2) (ah) of the statutes is renumbered 20.370 (4) (ah) and
5 amended to read:

6 20.370 (4) (ah) *Water resources — Great Lakes protection fund.* ~~All~~ From the
7 general fund, all moneys received from the Great Lakes protection fund for Great
8 Lakes protection activities under s. 281.85.

9 **SECTION 253.** 20.370 (2) (aq) of the statutes is renumbered 20.370 (4) (aq) and
10 amended to read:

11 20.370 (4) (aq) *Water resources management — lake and river management.*
12 ~~From the conservation fund, the~~ The amounts in the schedule for lake and river
13 management activities.

14 **SECTION 254.** 20.370 (2) (ar) of the statutes is renumbered 20.370 (4) (ar).

15 **SECTION 255.** 20.370 (2) (bg) of the statutes is amended to read:

16 20.370 (2) (bg) *Air management — stationary sources.* The amounts in the
17 schedule for purposes related to stationary sources of air contaminants as specified
18 in s. 285.69 (2) (c) and to transfer the amounts appropriated under s. 20.143 (1) (kc)
19 to the appropriation account under s. 20.143 (1) (kc). All moneys received from fees
20 imposed under s. 285.69 (2) (a), except moneys appropriated under ~~sub.~~ subs. (3) (bg),
21 (8) (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69 (7)
22 shall be credited to this appropriation.

23 **SECTION 256.** 20.370 (2) (bj) of the statutes is renumbered 20.370 (4) (bj) and
24 amended to read:

1 20.370 (4) (bj) *Storm water management — fees.* ~~The~~ From the general fund,
2 the amounts in the schedule for the administration of the storm water discharge
3 permit program under s. 283.33. All moneys received under s. 283.33 (9) shall be
4 credited to this appropriation account.

5 **SECTION 257.** 20.370 (2) (bL) of the statutes is renumbered 20.370 (4) (bL) and
6 amended to read:

7 20.370 (4) (bL) *Wastewater management — fees.* ~~All~~ From the general fund, all
8 moneys received under s. 281.17 (3) for the certification of operators of water
9 systems, wastewater treatment plants and septage servicing vehicles and under s.
10 281.48 (4s) (a) and (b) for wastewater management activities.

11 **SECTION 258.** 20.370 (2) (ci) of the statutes is amended to read:

12 20.370 (2) (ci) *Air management — permit review and enforcement.* The
13 amounts in the schedule for any purpose specified under s. 285.69 (1) or (5), except
14 for purposes described in par. ~~(ei)~~ (bi), and for other activities to reduce air pollution,
15 as provided in s. 285.69 (6). All moneys received from fees imposed under s. 285.69
16 (1) and (5), except moneys appropriated under par. ~~(ei)~~ (bi), shall be credited to this
17 appropriation.

18 **SECTION 259.** 20.370 (2) (cj) of the statutes is repealed.

19 **SECTION 341m.** 20.370 (2) (cq) of the statutes is renumbered 20.370 (2) (cf) and
20 amended to read:

21 20.370 (2) (cf) *Air management — motor vehicle emission inspection and*
22 *maintenance program, state funds.* ~~From the transportation fund, the~~ The amounts
23 in the schedule for the administration of the motor vehicle emission inspection and
24 maintenance program under s. 285.30.

25 **SECTION 260.** 20.370 (2) (dg) of the statutes is amended to read:

1 20.370 (2) (dg) *Solid waste management — solid and hazardous waste disposal*
2 *administration*. All moneys received from fees under ss. 289.43 (7) (e) 1. and 2.,
3 289.61, 291.05 (7) and 291.33, except for moneys appropriated under sub. (9) (mj),
4 for the purpose of administering ss. 289.43, 289.47, 289.53, 289.95, 291.23, 291.25,
5 291.29, 291.31 and 291.87 and subch. III of ch. 289.

6 **SECTION 261.** 20.370 (2) (dh) of the statutes is amended to read:

7 20.370 (2) (dh) *Solid waste management — remediated property*. All moneys
8 received under ss. 292.11 (7) (d) 2., 292.13 (3), 292.15 (5) and, 292.21 (1) (c) 1. d.,
9 292.35 (13) and 292.55 (2) for the department's activities related to the issuance of
10 determinations under s. 292.13 (2), remedial action cost recovery under s. 292.35 and
11 remediation of property under s. ss. 292.11 (7) (d), 292.15 (2) and (4) and 292.55 (1).

12 **SECTION 262.** 20.370 (2) (ei) of the statutes is renumbered 20.370 (2) (bi).

13 **SECTION 346m.** 20.370 (2) (eq) of the statutes is created to read:

14 20.370 (2) (eq) *Solid waste management — dry cleaner environmental response*.
15 From the dry cleaner environmental response fund, the amounts in the schedule for
16 review of remedial action under ss. 292.65 and 292.66.

17 **SECTION 346r.** 20.370 (2) (fg) of the statutes is created to read:

18 20.370 (2) (fg) *Remediation professional certification*. All moneys received
19 under s. 292.85 to be used for activities related to certified remediation professionals
20 under s. 292.85.

21 **SECTION 263.** 20.370 (2) (fj) of the statutes is renumbered 20.370 (3) (fj).

22 **SECTION 264.** 20.370 (2) (fr) of the statutes is renumbered 20.370 (4) (au).

23 **SECTION 265.** 20.370 (2) (fs) of the statutes is renumbered 20.370 (4) (av) and
24 amended to read:

1 20.370 (4) (av) *Cooperative remedial action; interest on contributions.* From the
2 environmental fund, a sum sufficient equal to the amounts earned by the investment
3 fund on revenue received by the department of natural resources under par. ~~(fr)~~ (au),
4 as determined quarterly by the department of administration, to conduct cooperative
5 remedial action.

6 **SECTION 266.** 20.370 (2) (ma) of the statutes is amended to read:

7 20.370 (2) (ma) *General program operations — state funds.* The amounts in the
8 schedule ~~for the management and protection of the state's water resources,~~ for the
9 management and regulation of solid waste disposal and for related technical
10 services.

11 **SECTION 267.** 20.370 (2) (mk) of the statutes is amended to read:

12 20.370 (2) (mk) *General program operations — service funds.* All moneys
13 received by the department from the department and from other state agencies for
14 purposes relating to its ~~environmental quality~~ air and waste functions.

15 **SECTION 268.** 20.370 (2) (mq) of the statutes is amended to read:

16 20.370 (2) (mq) *General program operations — environmental fund.* From the
17 environmental fund, the amounts in the schedule for administration of
18 environmental activities under chs. 160, ~~281 to 285 and 289 to 299,~~ except s. 281.48.

19 **SECTION 269.** 20.370 (2) (mr) of the statutes is renumbered 20.370 (4) (mr).

20 **SECTION 270.** 20.370 (2) (mt) of the statutes is renumbered 20.370 (4) (mt) and
21 amended to read:

22 20.370 (4) (mt) (title) *General program operations — ~~clean water fund program~~*
23 *environmental improvement programs; state funds.* From the ~~clean water~~
24 environmental improvement fund, the amounts in the schedule for general program
25 operations under s. 281.58 ~~or, 281.59, 281.60, 281.61 or 281.62.~~

1 **SECTION 271.** 20.370 (2) (mu) of the statutes is amended to read:

2 20.370 **(2)** (mu) *Petroleum inspection fund supplement to environmental fund;*
3 *environmental repair and well compensation.* From the petroleum inspection fund,
4 the amounts in the schedule, including \$80,000 in each fiscal year as a well
5 compensation fee, to be transferred to the environmental fund for environmental
6 repair management.

7 **SECTION 272.** 20.370 (2) (mw) of the statutes is renumbered 20.370 (4) (mw) and
8 amended to read:

9 20.370 **(4)** (mw) *Petroleum inspection fund supplement to environmental fund;*
10 *groundwater management.* From the petroleum inspection fund, the amounts in the
11 schedule to be transferred to the environmental fund for groundwater
12 environmental management.

13 **SECTION 273.** 20.370 (2) (mx) of the statutes is renumbered 20.370 (4) (mx) and
14 amended to read:

15 20.370 **(4)** (mx) *General program operations — clean water fund program;*
16 *federal funds.* As a continuing appropriation, from the clean water fund program
17 federal revolving loan fund account in the ~~clean water~~ environmental improvement
18 fund, the amounts in the schedule for general program operations of the clean water
19 fund program under s. 281.58 or 281.59.

20 **SECTION 274.** 20.370 (3) (title) of the statutes is amended to read:

21 20.370 **(3)** (title) ENFORCEMENT AND SCIENCE.

22 **SECTION 358m.** 20.370 (3) (ay) of the statutes is renumbered 20.370 (3) (ad) and
23 amended to read:

1 20.370 (3) (ad) (title) *Law enforcement — car kill deer; ~~transportation general~~*
2 *fund*. From the ~~transportation general~~ fund, the amounts in the schedule to pay 50%
3 of the costs of the removal and disposal of car kill deer from highways.

4 **SECTION 275.** 20.370 (3) (bg) of the statutes is created to read:

5 20.370 (3) (bg) *Enforcement — stationary sources*. From the general fund, from
6 the moneys received from fees imposed, under s. 285.69 (2) (a), the amounts in the
7 schedule for enforcement operations related to stationary sources of air
8 contaminants.

9 **SECTION 276.** 20.370 (3) (bh) of the statutes is renumbered 20.370 (4) (bh).

10 **SECTION 277.** 20.370 (3) (bi) of the statutes is renumbered 20.370 (4) (bi) and
11 amended to read:

12 20.370 (4) (bi) *Water regulation and zoning — fees*. ~~All~~ From the general fund,
13 all moneys received under ss. 23.32 (3), 30.28, 31.39 and 281.22 for activities relating
14 to permits and approvals issued under chs. 30 and 31, water quality standards under
15 subch. II of ch. 281 and for wetland mapping under s. 23.32.

16 **SECTION 278.** 20.370 (3) (br) of the statutes is renumbered 20.370 (4) (br).

17 **SECTION 279.** 20.370 (3) (mr) of the statutes is created to read:

18 20.370 (3) (mr) *Recycling; enforcement and research*. From the recycling fund,
19 the amounts in the schedule for research and enforcement under subch. II of ch. 287,
20 other than under ss. 287.21, 287.23 and 287.25.

21 **SECTION 280.** 20.370 (3) (ms) of the statutes is created to read:

22 20.370 (3) (ms) *General program operations — pollution prevention*. From the
23 petroleum inspection fund, the amounts in the schedule for science services related
24 to pollution prevention.

25 **SECTION 364m.** 20.370 (3) (mv) of the statutes is created to read:

1 20.370 (3) (mv) *Aquatic and terrestrial resources inventory*. The amounts in the
2 schedule for developing the system under s. 23.09 (2) (km).

3 **SECTION 281.** 20.370 (4) (title) of the statutes is created to read:

4 20.370 (4) (title) *WATER*.

5 **SECTION 282.** 20.370 (4) (ag) of the statutes is created to read:

6 20.370 (4) (ag) *Water resources — pollution credits*. From the general fund, all
7 moneys received under s. 283.84 (1) (c) for activities to reduce water pollution in pilot
8 project areas.

9 **SECTION 283.** 20.370 (4) (as) of the statutes is created to read:

10 20.370 (4) (as) *Water resources — trading water pollution credits*. As a
11 continuing appropriation, from the environmental fund, the amounts in the schedule
12 for water pollution credit trading pilot projects under s. 283.84.

13 **SECTION 284.** 20.370 (4) (ma) of the statutes is created to read:

14 20.370 (4) (ma) *General program operations — state funds*. From the general
15 fund, the amounts in the schedule for the management and protection of the state's
16 water resources and the state's fishery resources.

17 **SECTION 285.** 20.370 (4) (mi) of the statutes is created to read:

18 20.370 (4) (mi) *General program operations — private and public sources*.
19 From the general fund, all moneys not otherwise appropriated that are received from
20 private or public sources, other than state agencies and the federal government, for
21 facilities, materials or services provided by the department relating to the
22 management of the state's water resources and the state's fishery resources to pay
23 for expenses associated with those facilities, materials or services.

24 **SECTION 286.** 20.370 (4) (mk) of the statutes is created to read:

1 20.370 (4) (mk) *General program operations — service funds.* All moneys
2 received by the department from the department and from other state agencies for
3 purposes relating to the department's function relating to the state's water resources
4 and the state's fishery resources.

5 **SECTION 287.** 20.370 (4) (mm) of the statutes is created to read:

6 20.370 (4) (mm) *General program operations — federal funds.* From the
7 general fund, all moneys received as federal aid for the state's water resources and
8 the state's fishery resources, as authorized by the governor under s. 16.54, for the
9 purposes for which received.

10 **SECTION 288.** 20.370 (4) (mq) of the statutes is created to read:

11 20.370 (4) (mq) *General program operations — environmental fund.* From the
12 environmental fund, the amounts in the schedule for administration of
13 environmental activities under chs. 160, 281 and 283, except s. 281.48.

14 **SECTION 289.** 20.370 (4) (mu) of the statutes is created to read:

15 20.370 (4) (mu) *General program operations — state funds.* The amounts in
16 the schedule for general program operations that relate to the management and
17 protection of the state's fishery resources under ss. 23.09 to 23.11, 30.203 and 30.277
18 and ch. 29.

19 **SECTION 290.** 20.370 (4) (my) of the statutes is created to read:

20 20.370 (4) (my) *General program operations — environmental fund; federal*
21 *funds.* From the environmental fund, all moneys received as federal aid for the
22 state's water resources, as authorized by the governor under s. 16.54, for the
23 purposes for which received.

24 **SECTION 291.** 20.370 (4) (mz) of the statutes is created to read:

1 20.370 (4) (mz) *General program operations — federal funds.* Except as
2 provided in sub. (9) (my), all moneys received as federal aid for the state's water
3 resources and the state's fishery resources, as authorized by the governor under s.
4 16.54, for the purposes for which received.

5 **SECTION 292.** 20.370 (4) (nz) of the statutes is created to read:

6 20.370 (4) (nz) *General program operations — safe drinking water loan*
7 *programs; federal funds.* As a continuing appropriation, from the safe drinking
8 water loan program federal revolving loan fund account in the environmental
9 improvement fund, the amounts in the schedule for general program operations of
10 the safe drinking water loan program under s. 281.59 or 281.61 and other drinking
11 water quality activities under s. 281.62.

12 **SECTION 293.** 20.370 (5) (av) of the statutes is created to read:

13 20.370 (5) (av) *Resource aids — private forest grants.* Biennially, the amounts
14 in the schedule for private forest grants under s. 26.38.

15 **SECTION 294.** 20.370 (5) (by) of the statutes is created to read:

16 20.370 (5) (by) *Resource aids — fire suppression grants.* The amounts in the
17 schedule for grants for fire suppression clothing, supplies, equipment and vehicles
18 under s. 26.145. No moneys may be encumbered under this paragraph after June 30,
19 1999.

20 **SECTION 378m.** 20.370 (5) (cq) of the statutes is amended to read:

21 20.370 (5) (cq) (title) *Recreation aids — recreational boating projects; Portage*
22 *levee system; Milwaukee river study; Black Point Estate; Illinois Fox River study and*
23 *dredging.* As a continuing appropriation, the amounts in the schedule for
24 recreational boating aids under s. 30.92, for the grant for Black Point Estate under
25 s. 23.0962, for the Illinois Fox River study and dredging under s. 31.307 for the

1 Portage levee system under s. 31.309 and for the engineering and environmental
2 study under s. 31.307.

3 **SECTION 378r.** 20.370 (5) (ct) of the statutes is amended to read:

4 20.370 (5) (ct) *Recreation aids — all-terrain vehicle project aids; gas tax*
5 *payment.* As a continuing appropriation, an amount equal to the estimated
6 all-terrain vehicle gas tax payment to provide aid to towns, villages, cities, counties
7 and federal agencies for nonstate all-terrain vehicle projects.

8 **SECTION 378s.** 20.370 (5) (cu) of the statutes is amended to read:

9 20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a
10 continuing appropriation, the amounts in the schedule from moneys received from
11 all-terrain vehicle fees under s. 23.33 (2) to provide aid to towns, villages, cities,
12 counties and federal agencies for nonstate all-terrain vehicle projects.

13 **SECTION 295.** 20.370 (5) (cw) of the statutes is repealed.

14 **SECTION 296.** 20.370 (5) (eq) of the statutes is amended to read:

15 20.370 (5) (eq) *Enforcement aids — boating enforcement.* From the moneys
16 received under s. 30.52 (3), the amounts in the schedule for the payment of state aids
17 under s. 30.79, after first deducting the amounts appropriated under ~~subs.~~ sub. (3)
18 (ar) and ~~(8) (dr)~~.

19 **SECTION 297.** 20.370 (5) (et) of the statutes is created to read:

20 20.370 (5) (et) *Enforcement aids — boating.* From the moneys transferred to
21 the conservation fund from the appropriation account under s. 20.855 (4) (s), the
22 amounts in the schedule for the payment of state aids under s. 30.79.

23 **SECTION 381g.** 20.370 (5) (fa) of the statutes is repealed.

24 **SECTION 381r.** 20.370 (5) (fq) of the statutes is amended to read:

1 20.370 (5) (fq) *Wildlife damage claims and abatement*. All moneys received
2 under ss. 29.092 (14) and 29.1075 (3) and not appropriated under sub. (1) (Ls) to
3 provide state aid under the wildlife damage claim and abatement program under s.
4 29.598 (5) (e) ~~and the wildlife damage claim program under s. 29.598 (7) (d) and for~~
5 ~~county administration costs under s. 29.598 (2) (d).~~ No moneys may be expended
6 under this appropriation without the approval of the joint committee on finance
7 under s. 29.598 (6).

8 **SECTION 298.** 20.370 (5) (ga) of the statutes is repealed.

9 **SECTION 299.** 20.370 (5) (gb) of the statutes is renumbered 20.370 (9) (gb) and
10 amended to read:

11 20.370 (9) (gb) *Education programs — program fees*. ~~From Biennially, from~~ the
12 general fund, the amounts in the schedule for department educational activities at
13 the MacKenzie environmental center. All moneys received from fees collected under
14 s. ~~23.405~~ 23.425 (2) for the use of the center shall be credited to this appropriation.

15 **SECTION 300.** 20.370 (5) (gq) of the statutes is repealed.

16 **SECTION 301.** 20.370 (5) (gr) of the statutes is repealed.

17 **SECTION 302.** 20.370 (5) (gx) of the statutes is repealed.

18 **SECTION 303.** 20.370 (5) (hL) (title) of the statutes is renumbered 20.370 (9) (jL)
19 (title) and amended to read:

20 20.370 (9) (jL) (title) ~~Water resources~~ — *Fox river management; fees*.

21 **SECTION 304.** 20.370 (5) (hL) of the statutes is renumbered 20.370 (9) (jL).

22 **SECTION 305.** 20.370 (5) (hu) (title) of the statutes is renumbered 20.370 (9) (ju)
23 (title) and amended to read:

24 20.370 (9) (ju) (title) ~~Water resources~~ — *Fox river management*.

25 **SECTION 306.** 20.370 (5) (hu) of the statutes is renumbered 20.370 (9) (ju).

1 **SECTION 307.** 20.370 (5) (hx) of the statutes is repealed.

2 **SECTION 308.** 20.370 (5) (mk) of the statutes is repealed.

3 **SECTION 309.** 20.370 (5) (mu) of the statutes is repealed.

4 **SECTION 310.** 20.370 (5) (mv) of the statutes is repealed.

5 **SECTION 311.** 20.370 (5) (mw) of the statutes is renumbered 20.370 (9) (mw).

6 **SECTION 312.** 20.370 (5) (my) of the statutes is repealed.

7 **SECTION 313.** 20.370 (6) (aa) of the statutes is amended to read:

8 20.370 (6) (aa) *Environmental aids; nonpoint source.* Biennially, the amounts
9 in the schedule for grants and assistance under the nonpoint source water pollution
10 abatement program under s. 281.65 and for transfers to the appropriation account
11 under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t). The department may not
12 expend more than 50% of the funds appropriated under this paragraph in each fiscal
13 year for local assistance. The department shall allocate \$300,000 in each fiscal year
14 from this appropriation for grants under s. 281.65 (8) (cm).

15 **SECTION 314.** 20.370 (6) (ag) of the statutes is created to read:

16 20.370 (6) (ag) *Environmental aids — nonpoint repayments.* All moneys
17 received as repayments of cash surpluses and cash advances from recipients of
18 grants under the nonpoint source water pollution abatement program under s.
19 281.65, for grants and assistance under the nonpoint source water pollution
20 abatement program under s. 281.65.

21 **SECTION 315.** 20.370 (6) (at) (title) of the statutes is renumbered 20.370 (4) (at)
22 (title) and amended to read:

23 20.370 (4) (at) (title) *~~Environmental aids~~ Watershed — nonpoint source*
24 *contracts.*

25 **SECTION 316.** 20.370 (6) (at) of the statutes is renumbered 20.370 (4) (at).

1 **SECTION 400g.** 20.370 (6) (au) of the statutes is created to read:

2 20.370 (6) (au) *Environmental aids — watershed activities and grants.* From
3 the conservation fund, the amounts in the schedule for the activities and grants
4 authorized to benefit local watershed groups under s. 281.70. No moneys may be
5 encumbered under this paragraph after June 30, 2001.

6 **SECTION 400p.** 20.370 (6) (bq) 8. of the statutes is amended to read:

7 20.370 (6) (bq) 8. In fiscal year 1998-99, ~~\$200,749,200~~ \$207,749,200 plus the
8 amount of any refunds under s. 287.23 in prior fiscal years, less the amount
9 encumbered under subsds. 1. to 7.

10 **SECTION 400r.** 20.370 (6) (bu) of the statutes is created to read:

11 20.370 (6) (bu) *Environmental aids — responsible unit recycling grants.* From
12 the recycling fund, a sum sufficient for municipal and county grants under s. 287.235
13 but not to exceed \$19,000,000 in the year 2000.

14 **SECTION 317.** 20.370 (6) (cq) of the statutes is repealed.

15 **SECTION 401m.** 20.370 (6) (eq) of the statutes is created to read:

16 20.370 (6) (eq) *Environmental aids — dry cleaner environmental response.*
17 From the dry cleaner environmental response fund, the amounts in the schedule for
18 financial assistance under ss. 292.65 and 292.66.

19 **SECTION 318.** 20.370 (6) (ma) of the statutes is repealed.

20 **SECTION 319.** 20.370 (6) (mk) of the statutes is repealed.

21 **SECTION 320.** 20.370 (6) (mm) of the statutes is repealed.

22 **SECTION 321.** 20.370 (6) (mq) of the statutes is repealed.

23 **SECTION 322.** 20.370 (6) (mr) of the statutes is repealed.

24 **SECTION 323.** 20.370 (6) (ms) of the statutes is renumbered 20.370 (9) (is) and
25 amended to read:

1 20.370 (9) (is) (title) *Aids Statewide recycling administration — recycling*
2 *grants*. From the recycling fund, the amounts in the schedule for the administration
3 of ~~municipal and county grants under s. 287.23 and waste reduction and recycling~~
4 ~~demonstration grants under s. 287.25~~ recycling activities under ch. 287.

5 **SECTION 324.** 20.370 (6) (mu) of the statutes is renumbered 20.370 (9) (mt) and
6 amended to read:

7 20.370 (9) (mt) (title) *Aids administration — ~~clean water fund program~~*
8 *environmental improvement programs; state funds*. From the ~~clean water~~
9 environmental improvement fund, the amounts in the schedule for the
10 administration of ~~s. ss. 281.58, 280.60, 281.61 and 281.62~~.

11 **SECTION 325.** 20.370 (6) (mx) of the statutes is renumbered 20.370 (9) (mx) and
12 amended to read:

13 20.370 (9) (mx) *Aids administration — clean water fund program; federal*
14 *funds*. From the clean water fund program federal revolving loan fund account in
15 the ~~clean water~~ environmental improvement fund, all moneys received from the
16 federal government to administer the clean water fund program, as authorized by
17 the governor under s. 16.54, for the administration of the clean water fund program
18 under s. 281.58 or 281.59.

19 **SECTION 326.** 20.370 (7) (title) of the statutes is amended to read:

20 20.370 (7) (title) DEBT SERVICE AND DEVELOPMENT.

21 **SECTION 327.** 20.370 (7) (aa) of the statutes, as affected by 1995 Wisconsin Act
22 225, is amended to read:

23 20.370 (7) (aa) *Resource acquisition and development — principal repayment*
24 *and interest*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
25 principal and interest costs incurred in financing the placement of structures and fill

1 under s. 30.203, in financing the acquisition, construction, development,
2 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
3 (tr), in financing state aids for land acquisition and development of local parks under
4 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
5 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
6 age trail development under s. 20.866 (2) (tw) and in funding the stewardship
7 program under s. 20.866 (2) (tz), other than payment of principal and interest costs
8 for the purpose specified in par. (au), but not including payments made under sub.
9 (7) (ac).

10 **SECTION 328.** 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin Act
11 (this act), is repealed and recreated to read:

12 20.370 (7) (aa) *Resource acquisition and development — principal repayment*
13 *and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
14 principal and interest costs incurred in financing the placement of structures and fill
15 under s. 30.203, in financing the acquisition, construction, development,
16 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
17 (tr), in financing state aids for land acquisition and development of local parks under
18 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
19 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
20 age trail development under s. 20.866 (2) (tw) and in funding the stewardship
21 program under s. 20.866 (2) (tz), but not including payments made under sub. (7) (ac).

22 **SECTION 329.** 20.370 (7) (au) of the statutes is created to read:

23 20.370 (7) (au) *State forest acquisition and development — principal repayment*
24 *and interest.* From the conservation fund, the amounts in the schedule to reimburse
25 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing

1 land acquisition and development for state forests from the appropriation under s.
2 20.866 (2) (tz).

3 **SECTION 330.** 20.370 (7) (au) of the statutes, as created by 1997 Wisconsin Act
4 (this act), is repealed.

5 **SECTION 414m.** 20.370 (7) (er) of the statutes is created to read:

6 20.370 (7) (er) *Administrative facilities — principal repayment and interest;*
7 *environmental fund.* From the environmental fund, a sum sufficient to reimburse
8 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
9 the acquisition, construction, development, enlargement or improvement of
10 administrative office, laboratory, equipment storage or maintenance facilities under
11 s. 20.866 (2) (tk) and to make the payments determined by the building commission
12 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred
13 in financing this acquisition, construction, development, enlargement or
14 improvement.

15 **SECTION 331.** 20.370 (7) (jr) of the statutes is created to read:

16 20.370 (7) (jr) *Rental property and equipment — maintenance and replacement.*

17 From the conservation fund all moneys received by the department from the rental
18 of real property and equipment that are owned by the department, except moneys
19 appropriated under sub. (1) (jr), to be used for the maintenance and replacement of
20 this real property and equipment.

21 **SECTION 332.** 20.370 (7) (mi) of the statutes is created to read:

22 20.370 (7) (mi) *General program operations — private and public sources.* All
23 moneys not otherwise appropriated that are received from private or public sources,
24 other than state agencies and the federal government, for facilities, materials or

1 services provided by the department relating to resource acquisition or development
2 to pay for expenses associated with those facilities, materials or services.

3 **SECTION 333.** 20.370 (8) (title) of the statutes is repealed and recreated to read:

4 20.370 (8) (title) ADMINISTRATION AND TECHNOLOGY.

5 **SECTION 334.** 20.370 (8) (ba) of the statutes is renumbered 20.370 (7) (ha) and
6 amended to read:

7 20.370 (7) (ha) (title) *Facilities —general fund acquisition, development and*
8 *maintenance*. As a continuing appropriation, ~~from the general fund~~, the amounts in
9 the schedule for the acquisition, development and construction costs of new
10 structures and buildings and for the maintenance costs of existing structures and
11 buildings under the control of the department.

12 **SECTION 335.** 20.370 (8) (br) of the statutes is renumbered 20.370 (7) (hq) and
13 amended to read:

14 20.370 (7) (hq) (title) *Facilities acquisition, development and maintenance —*
15 *conservation fund*. As ~~From the conservation fund~~, as a continuing appropriation,
16 the amounts in the schedule for the acquisition, development and construction costs
17 of new structures and buildings and for the maintenance costs of existing structures
18 and buildings under the control of the department.

19 **SECTION 336.** 20.370 (8) (cq) of the statutes is repealed.

20 **SECTION 337.** 20.370 (8) (dq) of the statutes is repealed.

21 **SECTION 338.** 20.370 (8) (dr) of the statutes is repealed.

22 **SECTION 339.** 20.370 (8) (ds) of the statutes is repealed.

23 **SECTION 340.** 20.370 (8) (es) of the statutes is repealed.

24 **SECTION 341.** 20.370 (8) (ez) of the statutes is repealed.

25 **SECTION 342.** 20.370 (8) (iq) of the statutes is renumbered 20.370 (9) (iq).

1 **SECTION 343.** 20.370 (8) (is) of the statutes is repealed.

2 **SECTION 344.** 20.370 (8) (ix) of the statutes is renumbered 20.370 (9) (ms) and
3 amended to read:

4 20.370 (9) (ms) (title) *General program operations — ~~pollution prevention~~*
5 *cooperative environmental assistance*. From the petroleum inspection fund, the
6 amounts in the schedule for ~~pollution prevention~~ cooperative environmental
7 assistance.

8 **SECTION 345.** 20.370 (8) (Lu) of the statutes is repealed.

9 **SECTION 346.** 20.370 (8) (mg) of the statutes is amended to read:

10 20.370 (8) (mg) *General program operations — stationary sources*. From the
11 general fund, from the moneys received from fees imposed under s. 285.69 (2) (a), the
12 amounts in the schedule for the administration of the operation permit program
13 under ch. 285 and s. 299.15.

14 **SECTION 347.** 20.370 (8) (mi) of the statutes is amended to read:

15 20.370 (8) (mi) *General program operations — private and public sources*.
16 From the general fund, all moneys received from public or private sources, other than
17 state agencies and the federal government, for facilities, materials or services
18 provided by the department related to administration and technology, to pay for costs
19 and expenses associated with those facilities, materials or services.

20 **SECTION 348.** 20.370 (8) (mn) of the statutes is repealed.

21 **SECTION 349.** 20.370 (8) (mr) of the statutes is amended to read:

22 20.370 (8) (mr) (title) *General program operations — ~~clean water~~*
23 *environmental improvement fund*. From the ~~clean water~~ environmental
24 improvement fund, the amounts in the schedule for the general administration and
25 field administration of the department.

1 **SECTION 350.** 20.370 (9) (title) of the statutes is repealed and recreated to read:

2 20.370 (9) (title) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS.

3 **SECTION 351.** 20.370 (9) (eg) of the statutes is created to read:

4 20.370 (9) (eg) *Gifts and grants; environmental management systems.* From
5 the general fund, all moneys received from gifts, grants or bequests for the
6 department's activities related to environmental management systems to be used for
7 the purposes for which made.

8 **SECTION 352.** 20.370 (9) (ht) of the statutes is created to read:

9 20.370 (9) (ht) *Approval fees to Lac du Flambeau band.* A sum sufficient that
10 is equal to the amount calculated under s. 29.139 (4) (b), for the purpose of making
11 payments to the Lac du Flambeau band of the Lake Superior Chippewa under s.
12 29.139 (4) (a).

13 **SECTION 353.** 20.370 (9) (ma) of the statutes is created to read:

14 20.370 (9) (ma) *General program operations — state funds.* From the general
15 fund, the amounts in the schedule for communications, customer services and aids
16 administration.

17 **SECTION 354.** 20.370 (9) (mg) of the statutes is repealed.

18 **SECTION 355.** 20.370 (9) (mh) of the statutes is created to read:

19 20.370 (9) (mh) *General program operations — stationary sources.* From the
20 general fund, from the moneys received from fees imposed under s. 285.69 (2) (a), the
21 amounts in the schedule for customer service, communications and aids
22 administration for the operation permit program under ch. 285 and s. 299.15.

23 **SECTION 356.** 20.370 (9) (mi) of the statutes is created to read:

24 20.370 (9) (mi) *General program operations — private and public sources.*
25 From the general fund, all moneys received from public or private sources, other than

1 state agencies and the federal government, for facilities, materials or services
2 provided by the department related to customer service and external relations, to
3 pay for costs and expenses associated with those facilities, materials or services.

4 **SECTION 357.** 20.370 (9) (mj) of the statutes is created to read:

5 20.370 (9) (mj) *General program operations — solid and hazardous waste.*

6 From the general fund, from the moneys received from fees under ss. 289.43 (7) (e)
7 1. and 2., 289.61, 291.05 (7) and 291.33, the amounts in the schedule for customer
8 assistance and external relations relating to ss. 289.43, 289.47, 289.53, 289.95,
9 291.23, 291.25, 291.31 and 291.87 and subch. III of ch. 289.

10 **SECTION 358.** 20.370 (9) (mk) of the statutes is created to read:

11 20.370 (9) (mk) *General program operations — service funds.* From the general
12 fund, all moneys received by the department from the department and from other
13 state agencies for facilities, materials or services provided by the department
14 relating to communications, customer services, licensing and aids administration.

15 **SECTION 359.** 20.370 (9) (mm) of the statutes is created to read:

16 20.370 (9) (mm) *General program operations — federal funds.* From the
17 general fund, all moneys received as federal aid for communications, customer
18 services and aids administration, as authorized by the governor under s. 16.54, for
19 the purposes for which received.

20 **SECTION 360.** 20.370 (9) (mq) of the statutes is renumbered 20.370 (8) (zq).

21 **SECTION 361.** 20.370 (9) (mq) of the statutes is created to read:

22 20.370 (9) (mq) *General program operations — mobile sources.* From the
23 petroleum inspection fund, the amounts in the schedule for customer services,
24 communications and aids administration for the mobile source air pollution program
25 under ch. 285.

1 **SECTION 362.** 20.370 (9) (mr) of the statutes is renumbered 20.370 (8) (mt) and
2 amended to read:

3 20.370 (8) (mt) *Equipment pool operations.* All moneys received by the
4 department from the department from car, truck, airplane, heavy equipment and,
5 information technology or radio pools for operation, maintenance, replacement and
6 purchase of vehicles and, equipment and information technology. No expenditures
7 for information technology may be made from this appropriation except in
8 accordance with a plan submitted and approved under 1997 Wisconsin Act (this
9 act), section 9137 (7m).

10 **SECTION 363.** 20.370 (9) (mu) of the statutes is created to read:

11 20.370 (9) (mu) *General program operations — state funds.* The amounts in
12 the schedule for communications, customer services, licensing, registration and aids
13 administration.

14 **SECTION 364.** 20.370 (9) (mv) of the statutes is created to read:

15 20.370 (9) (mv) *General program operations — environmental fund.* From the
16 environmental fund, the amounts in the schedule for communications, customer
17 services and aids administration.

18 **SECTION 365.** 20.370 (9) (my) of the statutes is created to read:

19 20.370 (9) (my) *General program operations — federal funds.* All moneys
20 received as federal aid for the restoration and repair of the Fox river navigational
21 system, for expenses of the Fox river management commission, for the
22 Fox-Winnebago regional management commission and for communications,
23 customer services and aids administration, as authorized by the governor under s.
24 16.54, for the purposes for which received.

25 **SECTION 366.** 20.370 (9) (mz) of the statutes is created to read:

1 20.370 (9) (mz) *Indirect cost reimbursements*. All moneys received from the
2 federal government as reimbursement of indirect costs of grants and contracts
3 relating to communications, customer services and aids administration for the
4 purposes authorized in s. 16.54 (9) (b).

5 **SECTION 452m.** 20.370 (9) (nq) of the statutes is created to read:

6 20.370 (9) (nq) *Aids administration — dry cleaner environmental response*.
7 From the dry cleaner environmental response fund, the amounts in the schedule to
8 administer ss. 292.65 and 292.66.

9 **SECTION 367.** 20.370 (9) (ny) of the statutes is created to read:

10 20.370 (9) (ny) *Aids administration — safe drinking water loan programs;*
11 *federal funds*. From the safe drinking water loan program federal revolving loan
12 fund account in the environmental improvement fund, all moneys received from the
13 federal government to administer the safe drinking water loan program, as
14 authorized by the governor under s. 16.54, for the administration of the safe drinking
15 water loan program under s. 281.59 or 281.61, the drinking water loan guarantee
16 program under ss. 234.86 and 281.625 and other drinking water quality activities
17 under s. 281.62.

18 **SECTION 368.** 20.370 (9) (yx) of the statutes is renumbered 20.9045 (1) and
19 amended to read:

20 20.9045 (1) PROGRAM BALANCES. At the close of each fiscal year the
21 unencumbered balances of appropriations financed by unassigned revenues of the
22 conservation fund under ~~subs. (1), (3), (5), (6) and (8)~~ s. 20.370 shall revert to the
23 respective accounts under ~~sub. (1)~~ s. 20.370 in the ratio that revenues were allotted
24 from such accounts and, together with the anticipated respective unassigned
25 revenues by programs in the succeeding year, shall constitute the source of moneys

1 available for appropriation to the programs under ~~such subsections s. 20.370~~ in the
2 succeeding year.

3 **SECTION 369.** 20.370 (9) (yy) of the statutes is renumbered 20.9045 (2) and
4 amended to read:

5 20.9045 (2) REVENUES AND APPROPRIATIONS. All moneys received pursuant to the
6 operation of programs under ~~subs. (1), (3), (5) and (6) s. 20.370~~ shall be credited to
7 the program which generated them. Revenues which are assigned by law to a
8 particular purpose shall be credited to and may be expended for that purpose.
9 Unassigned revenue shall be credited to the general purpose segregated revenue of
10 the proper program, but the expenditure from such revenue shall be limited to the
11 appropriation of general purpose segregated revenue appearing in the schedule.
12 Whenever the estimated unassigned revenues and available unassigned revenue
13 appropriation balances are insufficient to cover the appropriations of general
14 purpose segregated revenue under each program, the department shall so inform the
15 department of administration and shall indicate the amounts which should be
16 deducted from respective unassigned revenue appropriations to bring the
17 appropriated amounts into agreement with the money available, and the
18 department of administration shall adjust its records accordingly. Actual
19 unassigned revenues in excess of estimated unassigned revenues appropriated may
20 not be spent unless released by the joint committee on finance.

21 **SECTION 370.** 20.380 (1) (b) of the statutes is amended to read:

22 20.380 (1) (b) *Tourism marketing.* The amounts in the schedule for tourism
23 marketing service expenses ~~and~~ the execution of the functions under ss. 41.11 (4)
24 and 41.17 and the grant under 1997 Wisconsin Act ... (this act), section 9148 (2m).
25 Of the amounts under this paragraph, not more than 50% shall be used to match

1 funds allocated under s. 41.17 by private or public organizations for the joint effort
2 marketing of tourism with the state. The department shall expend at least \$125,000
3 in each fiscal year from this appropriation to conduct or contract for marketing
4 activities related to sporting activities and events. Of the amounts in the schedule,
5 \$25,000 shall be allocated in each fiscal year for state sponsorship of, and advertising
6 during, media broadcasts of the Milwaukee symphony.

7 **SECTION 458h.** 20.380 (1) (bm) of the statutes is amended to read:

8 20.380 (1) (bm) (title) *Heritage tourism pilot program.* Biennially, the amounts
9 in the schedule to establish and operate the heritage tourism pilot program under
10 s. 41.19.

11 **SECTION 371.** 20.380 (1) (h) of the statutes is created to read:

12 20.380 (1) (h) *Tourism promotion; sale of surplus property receipts.* Fifty
13 percent of all moneys received under s. 41.23 for the purpose of administering the
14 program established under s. 41.23 and for tourism promotion.

15 **SECTION 372.** 20.380 (3) (title) of the statutes is repealed.

16 **SECTION 373.** 20.380 (3) (a) of the statutes is repealed.

17 **SECTION 374.** 20.380 (3) (j) of the statutes is renumbered 20.380 (1) (j) and
18 amended to read:

19 20.380 (1) (j) (title) ~~*Administrative services*~~ *Tourism promotion* — *private and*
20 *public sources.* All moneys not otherwise appropriated that are received from private
21 or public sources, other than state agencies and the federal government, for facilities,
22 materials or services provided by the department relating to ~~administrative services~~
23 tourism promotion to pay for expenses associated with those facilities, materials or
24 services.

25 **SECTION 375.** 20.380 (3) (k) of the statutes is repealed.

1 **SECTION 376.** 20.380 (3) (q) of the statutes is renumbered 20.380 (1) (q).

2 **SECTION 377.** 20.380 (3) (y) of the statutes is repealed.

3 **SECTION 378.** 20.380 (4) of the statutes is repealed.

4 **SECTION 379.** 20.395 (1) (bv) of the statutes is amended to read:

5 20.395 (1) (bv) (title) *Transit and demand management aids, local funds.* All
6 moneys received from any local unit of government or other source for urban mass
7 transit purposes under s. 85.20 ~~or~~, for rural public transportation purposes under s.
8 85.23 or for demand management and ride-sharing purposes under s. 85.24 that are
9 not funded from other appropriations under this subsection, for such purposes.

10 **SECTION 380.** 20.395 (1) (bx) of the statutes is amended to read:

11 20.395 (1) (bx) (title) *Transit and demand management aids, federal funds.* All
12 moneys received from the federal government for urban mass transit purposes under
13 s. 85.20 ~~or~~, for rural public transportation purposes under s. 85.23 or for demand
14 management and ride-sharing purposes under s. 85.24 that are not funded from
15 other appropriations under this subsection, for such purposes.

16 **SECTION 469g.** 20.395 (1) (dq) of the statutes is repealed.

17 **SECTION 469h.** 20.395 (1) (dr) of the statutes is repealed.

18 **SECTION 469j.** 20.395 (1) (ds) of the statutes is repealed.

19 **SECTION 469k.** 20.395 (1) (dt) of the statutes is repealed.

20 **SECTION 469m.** 20.395 (1) (du) of the statutes is repealed.

21 **SECTION 469s.** 20.395 (1) (fr) of the statutes is created to read:

22 20.395 (1) (fr) *Snow removal aids, state funds.* As a continuing appropriation,
23 the amounts in the schedule to make snow removal aid payments under s. 86.312.

24 **SECTION 381.** 20.395 (1) (gr) of the statutes is created to read:

1 20.395 (1) (gr) *Transportation aids to professional baseball park districts, state*
2 *funds.* The amounts in the schedule for transportation aids to professional baseball
3 park districts under s. 85.60.

4 **SECTION 470m.** 20.395 (1) (gr) of the statutes, as created by 1997 Wisconsin Act
5 (this act), is repealed.

6 **SECTION 470p.** 20.395 (1) (hq) of the statutes is created to read:

7 20.395 (1) (hq) *Tier A transit operating aids, state funds.* The amounts in the
8 schedule for mass transit aids under s. 85.20 (4m) (ag) 1.

9 **SECTION 470r.** 20.395 (1) (hr) of the statutes is created to read:

10 20.395 (1) (hr) *Tier B transit operating aids, state funds.* The amounts in the
11 schedule for mass transit aids under s. 85.20 (4m) (ag) 2.

12 **SECTION 470s.** 20.395 (1) (hs) of the statutes is created to read:

13 20.395 (1) (hs) *Tier C transit operating aids, state funds.* The amounts in the
14 schedule for mass transit aids under s. 85.20 (4m) (ag) 3.

15 **SECTION 382.** 20.395 (2) (bq) of the statutes is amended to read:

16 20.395 (2) (bq) *Rail service assistance, state funds.* As a continuing
17 appropriation, the amounts in the schedule for rail property and rail property
18 improvements acquisition, ~~for s. 85.08, for freight railroad planning and technical~~
19 ~~assistance under s. 85.08 (4), for administrative activities related to railroad~~
20 ~~crossings under chs. 84 to 86 and for administration of railroad programs under ch.~~
21 85.

22 **SECTION 472m.** 20.395 (2) (br) of the statutes is renumbered 20.395 (2) (cr) and
23 amended to read:

1 20.395 (2) (cr) *Rail passenger service, state funds.* Biennially As a continuing
2 appropriation, the amounts in the schedule for purposes of rail passenger service
3 assistance and promotion under s. 85.06.

4 **SECTION 383.** 20.395 (2) (bv) of the statutes is amended to read:

5 20.395 (2) (bv) *Rail service assistance, local funds.* All moneys received from
6 any local unit of government or other sources for the purposes of freight railroad
7 assistance under s. 85.08, except for moneys received under par. (bw), for abandoned
8 rail property and rail property improvements acquisition under s. 85.09, for
9 technical assistance under s. 85.08 (4), for grants and loans under s. 85.08 (4m) (e)
10 and (d), for loans under s. 85.08 (4m) (e) for administrative activities related to
11 railroad crossings under chs. 84 to 86 and for administration of railroad programs
12 under ch. 85, for such purposes.

13 **SECTION 384.** 20.395 (2) (bx) of the statutes is amended to read:

14 20.395 (2) (bx) *Rail service assistance, federal funds.* All moneys received from
15 the federal government for the purposes of abandoned rail property and rail property
16 improvements acquisition under s. 85.09, for technical freight railroad assistance
17 under s. 85.08 (4), ~~for grants and loans under s. 85.08 (4m) (e) and (d), for loans under~~
18 ~~s. 85.08 (4m) (e), for administrative activities related to railroad crossings under chs.~~
19 84 to 86 and for administration of railroad programs under ch. 85, for such purposes.

20 **SECTION 385.** 20.395 (2) (cv) of the statutes is created to read:

21 20.395 (2) (cv) *Rail passenger service, local funds.* All moneys received from
22 any local unit of government or other sources for purposes of rail passenger service
23 assistance and promotion under s. 85.06, for such purposes.

24 **SECTION 386.** 20.395 (2) (cx) of the statutes is created to read:

1 20.395 (2) (cx) *Rail passenger service, federal funds.* All moneys received from
2 the federal government for purposes of rail passenger service assistance and
3 promotion under s. 85.06, for such purposes.

4 **SECTION 477m.** 20.395 (2) (fr) of the statutes is amended to read:

5 20.395 (2) (fr) *Local roads improvement program, state funds.* As a continuing
6 appropriation, the amounts in the schedule for the local roads improvement program
7 under s. 86.31, and for the payment required under 1997 Wisconsin Act (this act),
8 section 9149 (4z).

9 **SECTION 387.** 20.395 (2) (gr) of the statutes is amended to read:

10 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
11 *state funds.* The As a continuing appropriation, the amounts in the schedule to pay
12 the costs for railroad crossing protection improvements under s. 195.28 (2).

13 **SECTION 388.** 20.395 (2) (mq) of the statutes is repealed.

14 **SECTION 389.** 20.395 (2) (mv) of the statutes is repealed.

15 **SECTION 390.** 20.395 (2) (mx) of the statutes is repealed.

16 **SECTION 391.** 20.395 (2) (nv) of the statutes is created to read:

17 20.395 (2) (nv) *Transportation enhancement activities, local funds.* All moneys
18 received from any local unit of government for purposes of transportation
19 enhancement activities under s. 85.026, for such purposes.

20 **SECTION 392.** 20.395 (2) (nx) of the statutes is created to read:

21 20.395 (2) (nx) *Transportation enhancement activities, federal funds.* All
22 moneys received from the federal government for purposes of transportation
23 enhancement activities under s. 85.026, for such purposes.

24 **SECTION 393.** 20.395 (2) (ph) of the statutes is created to read:

1 20.395 (2) (ph) *Transportation infrastructure loans, gifts and grants.* From the
2 transportation infrastructure loan fund, all moneys received from gifts, grants and
3 bequests under s. 25.405 (2) (e), to be expended for the purposes for which made and
4 received.

5 **SECTION 394.** 20.395 (2) (pq) of the statutes is created to read:

6 20.395 (2) (pq) *Transportation infrastructure loans, state funds.* From the
7 transportation infrastructure loan fund, as a continuing appropriation, the amounts
8 in the schedule for the purpose of making transportation infrastructure loans and
9 providing other assistance under s. 85.52, for the costs of issuance and management
10 of revenue obligations issued under s. 85.52 and for providing related reserve funds.

11 **SECTION 395.** 20.395 (2) (pu) of the statutes is created to read:

12 20.395 (2) (pu) *Transportation infrastructure loans, service funds.* From the
13 transportation infrastructure loan fund, all moneys transferred under s. 85.52 (3)
14 (cm) to make loans and to provide other assistance under s. 85.52, for such purposes.

15 **SECTION 396.** 20.395 (2) (pv) of the statutes is created to read:

16 20.395 (2) (pv) *Transportation infrastructure loans, local funds.* From the
17 transportation infrastructure loan fund, all moneys received from any local unit of
18 government for purposes of making loans and providing other assistance under s.
19 85.52 (3), for retiring revenue obligations issued under s. 85.52, for providing related
20 reserve funds and for administering the loan program under s. 85.52. All moneys
21 received are irrevocably appropriated in accordance with subch. II of ch. 18 and
22 further established in resolutions authorizing the issuance of the revenue
23 obligations and setting forth the distribution of funds received thereunder.

24 **SECTION 397.** 20.395 (2) (px) of the statutes is created to read:

1 20.395 (2) (px) *Transportation infrastructure loans, federal funds.* From the
2 transportation infrastructure loan fund, all moneys received from the federal
3 government to make transportation infrastructure loans and to provide other
4 assistance under s. 85.52 and for the administration of s. 85.52, for such purposes.

5 **SECTION 398.** 20.395 (3) (bq) of the statutes is amended to read:

6 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
7 appropriation, the amounts in the schedule for major development of state trunk and
8 connecting highways and, ~~before October 1, 1997,~~ for the disadvantaged business
9 demonstration and training program under s. 84.076.

10 **SECTION 490g.** 20.395 (3) (bv) of the statutes is amended to read:

11 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
12 from any local unit of government or other source for major development of state
13 trunk and connecting highways, including the railroad and utility alteration and
14 relocation loan program under s. 84.065, and, ~~before October 1, 1997,~~ the
15 disadvantaged business demonstration and training program under s. 84.076, for
16 such purposes.

17 **SECTION 490m.** 20.395 (3) (bx) of the statutes is amended to read:

18 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
19 from the federal government for major development of state trunk and connecting
20 highways and, ~~before October 1, 1997,~~ the disadvantaged business demonstration
21 and training program under s. 84.076, for such purposes.

22 **SECTION 399.** 20.395 (3) (cq) of the statutes is amended to read:

23 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
24 appropriation, the amounts in the schedule for improvement of existing state trunk
25 and connecting highways; for improvement of bridges on state trunk or connecting

1 highways and other bridges for which improvement is a state responsibility, for
2 necessary approach work for such bridges and for replacement of such bridges with
3 at-grade crossing improvements; for the construction and rehabilitation of the
4 national system of interstate and defense highways and bridges and related
5 appurtenances; for special maintenance activities under s. 84.04 on roadside
6 improvements; for bridges under s. 84.10; for payment to a local unit of government
7 for a jurisdictional transfer under s. 84.02 (8); and, ~~before October 1, 1997,~~ for the
8 disadvantaged business demonstration and training program under s. 84.076.

9 **SECTION 491c.** 20.395 (3) (cv) of the statutes is amended to read:

10 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
11 from any local unit of government or other source for the specific information sign
12 program under s. 86.195; for improvement of existing state trunk and connecting
13 highways; for improvement of bridges on state trunk or connecting highways and
14 other bridges for which improvement is a state responsibility, for necessary approach
15 work for such bridges and for replacement of such bridges with at-grade crossing
16 improvements; for the construction and rehabilitation of the national system of
17 interstate and defense highways and bridges and related appurtenances; for special
18 maintenance activities under s. 84.04 on roadside improvements; for the railroad
19 and utility alteration and relocation loan program under s. 84.065 and, ~~before~~
20 ~~October 1, 1997,~~ for the disadvantaged business demonstration and training
21 program under s. 84.076, for such purposes.

22 **SECTION 491g.** 20.395 (3) (cx) of the statutes is amended to read:

23 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
24 received from the federal government for improvement of existing state trunk and
25 connecting highways; for improvement of bridges on state trunk or connecting

1 highways and other bridges for which improvement is a state responsibility, for
2 necessary approach work for such bridges and for replacement of such bridges with
3 at-grade crossing improvements; for the construction and rehabilitation of the
4 national system of interstate and defense highways and bridges and related
5 appurtenances; for special maintenance activities under s. 84.04 on roadside
6 improvements and, ~~before October 1, 1997,~~ for the disadvantaged business
7 demonstration and training program under s. 84.076, for such purposes.

8 **SECTION 491n.** 20.395 (3) (eq) of the statutes is amended to read:

9 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*
10 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of
11 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and
12 bridges that are not on the state trunk highway system under s. 84.10; for highway
13 operations such as permit issuance, pavement marking, highway signing, traffic
14 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27
15 and ch. 349; and, ~~before October 1, 1997,~~ for the disadvantaged business
16 demonstration and training program under s. 84.076. This paragraph does not apply
17 to special maintenance activities under s. 84.04 on roadside improvements.

18 **SECTION 491r.** 20.395 (3) (ev) of the statutes is amended to read:

19 20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*
20 *funds.* All moneys received from any local unit of government or other sources for
21 the maintenance and repair of roadside improvements under s. 84.04, state trunk
22 highways under s. 84.07 and bridges that are not on the state trunk highway system
23 under s. 84.10; for signing under s. 86.195; for highway operations such as permit
24 issuance, pavement marking, highway signing, traffic signalization and highway
25 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, ~~before~~

1 ~~October 1, 1997~~, for the disadvantaged business demonstration and training
2 program under s. 84.076; for such purposes. This paragraph does not apply to special
3 maintenance activities under s. 84.04 on roadside improvements.

4 **SECTION 491w.** 20.395 (3) (ex) of the statutes is amended to read:

5 20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*
6 *funds.* All moneys received from the federal government for the maintenance and
7 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07
8 and bridges that are not on the state trunk highway system under s. 84.10; for
9 highway operations such as permit issuance, pavement marking, highway signing,
10 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25
11 to 348.27 and ch. 349; and, ~~before October 1, 1997~~, for the disadvantaged business
12 demonstration and training program under s. 84.076; for such purposes. This
13 paragraph does not apply to special maintenance activities under s. 84.04 on
14 roadside improvements.

15 **SECTION 400.** 20.395 (3) (iq) of the statutes is amended to read:

16 20.395 (3) (iq) *Administration and planning, state funds.* The amounts in the
17 schedule for the administration and planning of departmental programs ~~by the~~
18 ~~division of highways and transportation services~~ under subs. (1) to (3).

19 **SECTION 401.** 20.395 (3) (iv) of the statutes is amended to read:

20 20.395 (3) (iv) *Administration and planning, local funds.* All moneys received
21 from any local unit of government or other source for the administration and
22 planning of departmental programs ~~by the division of highways and transportation~~
23 ~~services~~ under subs. (1) to (3).

24 **SECTION 402.** 20.395 (3) (ix) of the statutes is amended to read:

1 20.395 (3) (ix) *Administration and planning, federal funds.* All moneys
2 received from the federal government for the administration and planning of
3 departmental programs ~~by the division of highways and transportation services~~
4 under subs. (1) to (3).

5 **SECTION 494m.** 20.395 (3) (jq) of the statutes is created to read:

6 20.395 (3) (jq) *Replacement of damaged signs, state funds.* All moneys received
7 under s. 86.19 (7) for the replacement of damaged or deteriorated signs, for such
8 purposes.

9 **SECTION 403.** 20.395 (4) (aq) of the statutes is amended to read:

10 20.395 (4) (aq) *Departmental management and operations, state funds.* The
11 amounts in the schedule for departmental planning and administrative activities
12 and the administration and management of departmental programs except those
13 programs under subs. (2) (bq), (cq), and (dq) ~~and (mq)~~ and (3) (iq), including those
14 activities in s. 85.07 and including not less than \$220,000 in each fiscal year to
15 reimburse the department of justice for legal services provided the department
16 under s. 165.25 (4) (a) and including activities related to the demand management
17 and ride-sharing program under s. 85.24 that are not funded from the
18 appropriations appropriation under subs. ~~(1) and (2)~~ sub. (1) (bs), (bv) or (bx), the
19 minority civil engineer scholarship and loan repayment incentive grant program
20 under s. 85.107, the Type 1 motorcycle, moped and motor bicycle safety program
21 under s. 85.30 and the grant under 1993 Wisconsin Act 16, section 9154 (1g) and to
22 match federal funds for mass transit planning.

23 **SECTION 495m.** 20.395 (4) (ar) of the statutes is amended to read:

24 20.395 (4) (ar) *Minor construction projects, state funds.* As a continuing
25 appropriation, the amounts in the schedule for minor construction projects approved

1 under s. 13.48 (10) or 16.855 (16) (b). The total construction cost of any project funded
2 under this paragraph may not exceed \$250,000 the amount specified in s. 13.48 (3).

3 **SECTION 495r.** 20.395 (4) (at) of the statutes is amended to read:

4 20.395 (4) (at) *Capital building projects, service funds.* All moneys received
5 from the fund created under s. 18.57 (1) as reimbursement for the temporary
6 financing under sub. (9) (th) of projects for transportation administrative facilities
7 under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01 (30) that
8 are financed under s. 84.59, for the purpose of financing such projects.

9 **SECTION 404.** 20.395 (4) (av) of the statutes is amended to read:

10 20.395 (4) (av) *Departmental management and operations, local funds.* All
11 moneys received from any local unit of government or other source for departmental
12 planning and administrative activities, for the administration and management of
13 departmental programs except those programs under subs. (2) (bv), and (dv) and
14 (~~mv~~) and (3) (iv), and for activities related to the demand management and
15 ride-sharing program under s. 85.24 that are not funded from the appropriations
16 appropriation under subs. (1) and (2) sub. (1) (bs), (bv) or (bx), for such purposes.

17 **SECTION 405.** 20.395 (4) (ax) of the statutes is amended to read:

18 (6) (a)

19 20.395 (4) (ax) *Departmental management and operations, federal funds.* All
20 moneys received from the federal government for the administration and
21 management of departmental programs except those programs under subs. (2) (bx),
22 and (dx) and (~~mx~~) and (3) (ix), and for departmental planning and administrative
23 activities including all moneys received as federal aid as authorized by the governor
24 under s. 16.54 to promote highway safety and continue the local traffic safety
25 representatives program and for purposes of s. 85.07 and for activities related to the

1 demand management and ride-sharing program under s. 85.24 that are not funded
2 from the ~~appropriations~~ appropriation under subs. (1) and (2) sub. (1) (bs), (bv) or
3 (bx), for such purposes.

4 **SECTION 497m.** 20.395 (4) (ew) of the statutes is created to read:

5 20.395 (4) (ew) *Operating budget supplements, state funds.* All moneys
6 received under s. 85.15 (2), for the purpose of supplementing the costs of
7 departmental management and operations.

8 **SECTION 498d.** 20.395 (5) (ci) of the statutes is created to read:

9 20.395 (5) (ci) *Breath screening instruments, state funds.* From the general
10 fund, all moneys transferred from s. 20.435 (6) (hx) for the purchase and
11 maintenance of breath screening instruments. Notwithstanding s. 20.001 (3) (a), the
12 unencumbered balance in this appropriation account on June 30 of each year shall
13 be transferred to the appropriation account under s. 20.435 (6) (hx).

14 **SECTION 406.** 20.395 (5) (dg) of the statutes is created to read:

15 20.395 (5) (dg) *Escort, security and traffic enforcement services, state funds.*
16 From the general fund, all moneys received under s. 348.26 (2) for motor carrier
17 escort services and under s. 85.51 (1) for security and traffic enforcement services,
18 for those purposes.

19 **SECTION 407.** 20.395 (5) (dh) of the statutes is created to read:

20 20.395 (5) (dh) *Traffic academy tuition payments, state funds.* From the
21 general fund, all moneys received as payment for tuition charges under s. 110.065
22 to sponsor training under s. 110.065.

23 **SECTION 500d.** 20.395 (5) (di) of the statutes is created to read:

24 20.395 (5) (di) *Chemical testing training and services, state funds.* From the
25 general fund, the amounts in the schedule for the chemical testing training and

1 services provided by the state traffic patrol. All moneys transferred from the
2 appropriation account under s. 20.435 (6) (hx) shall be credited to this appropriation
3 account.

4 **SECTION 500r.** 20.395 (9) (th) of the statutes is amended to read:

5 20.395 (9) (th) *Temporary funding of projects financed by revenue bonds.* A sum
6 sufficient to provide initial, temporary funding for any project to be financed under
7 s. 84.59 which is a major highway project enumerated under s. 84.013 (3) or a project
8 under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01 (30). The
9 department shall keep a separate account of expenditures under this paragraph for
10 each such project. As soon as moneys become available from the proceeds of the
11 obligation issued under s. 84.59 to finance that project, an amount equal to the
12 amounts expended under this paragraph shall be paid from those proceeds into the
13 transportation fund and credited to the appropriation account under sub. (3) (br) or
14 (4) (at).

15 **SECTION 501m.** 20.410 (1) (ab) of the statutes is amended to read:

16 20.410 (1) (ab) (title) *Intergovernmental corrections Corrections contracts and*
17 *agreements.* The amounts in the schedule for payments made in accordance with
18 contracts entered into ~~with other states party to the interstate corrections compact~~
19 ~~under s. 302.25, including payments in accordance with contracts entered into under~~
20 ~~s. ss. 301.21, 302.25 and for payments for placements in accordance with contracts~~
21 ~~under s. 302.27, contracts entered into with the federal government under 18 USC~~
22 ~~5003 and intra-agency agreements relating to the placement of prisoners.~~

23 **SECTION 408.** 20.410 (1) (ai) of the statutes is repealed.

24 **SECTION 409.** 20.410 (1) (b) of the statutes is amended to read:

1 20.410 (1) (b) (title) ~~Field supervision~~ *Services for community corrections*. The
2 amounts in the schedule to provide services related to probation and parole, the
3 intensive sanctions program under s. 301.048, the community residential
4 confinement program under s. 301.046, programs of intensive supervision of adult
5 offenders and minimum security correctional institutions established under s.
6 301.13. No payments may be made under this paragraph for payments in accordance
7 with other states party to the interstate corrections compact under s. 302.25.

8 **SECTION 410.** 20.410 (1) (d) of the statutes is amended to read:

9 20.410 (1) (d) *Purchased services for offenders*. The amounts in the schedule
10 for the purchase of goods, care and services, including community-based residential
11 care, authorized under s. 301.08 (1) (b) 1., for inmates, probationers, and parolees
12 ~~and other offenders, except as provided in par. (dd)~~. In addition, funds from this
13 appropriation shall be used to reimburse programs under s. 38.04 (12).

14 **SECTION 411.** 20.410 (1) (dd) of the statutes is repealed.

15 **SECTION 412.** 20.410 (1) (f) of the statutes is amended to read:

16 20.410 (1) (f) *Energy costs*. The amounts in the schedule to be used at state
17 correctional institutions to pay for utilities and for fuel, heat and air conditioning,
18 to pay costs incurred by or on behalf of the department under s. ss. 16.858 and 16.895,
19 and to repay to the energy efficiency fund loans made to the department under s.
20 16.847 (6).

21 **SECTION 413.** 20.410 (1) (ge) of the statutes is amended to read:

22 20.410 (1) (ge) *Administrative and minimum supervision*. The amounts in the
23 schedule for the supervision of probationers and parolees under minimum or
24 administrative supervision and for the department's costs associated with contracts
25 under s. 301.08 (1) (c) 2. All moneys received from vendors under ~~contracts under~~

1 s. 301.08 (1) (c) ~~2. 4.~~ and from fees charged under s. 304.073 (2) shall be credited to
2 this appropriation account.

3 **SECTION 414.** 20.410 (1) (gf) of the statutes is amended to read:

4 20.410 (1) (gf) *Probation and parole.* The amounts in the schedule for probation
5 and parole. All moneys received from fees charged under s. 304.074 (2) shall be
6 credited to this appropriation account.

7 **SECTION 513e.** 20.410 (1) (gi) of the statutes is amended to read:

8 20.410 (1) (gi) *General operations.* The amounts in the schedule to operate
9 institutions and provide field services and administrative services. All moneys
10 received under s. 303.01 (8) that are attributable to moneys collected from earnings
11 of inmates and residents under s. 303.01 (2) (em) and all moneys received under ss.
12 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation
13 account.

14 **SECTION 513m.** 20.410 (1) (hm) of the statutes is created to read:

15 20.410 (1) (hm) *Private business employment of inmates and residents.* The
16 amounts in the schedule for the establishment and operation of the program under
17 s. 303.01 (2) (em). All moneys received under contracts entered into by the
18 department of corrections under s. 303.01 (2) (em) shall be credited to this
19 appropriation account. No expenditure may be made from this appropriation for the
20 construction of buildings or purchase of equipment for the program under s. 303.01
21 (2) (em), except upon approval of the joint committee on finance after a determination
22 that the moneys are needed.

23 **SECTION 513r.** 20.410 (1) (km) of the statutes is amended to read:

24 20.410 (1) (km) *Prison industries.* The amounts in the schedule for the
25 establishment and operation of prison industries, but not including the program

1 under s. 303.01 (2) (em). All moneys received from prison industries sales shall be
2 credited to this appropriation. All moneys credited to this appropriation shall be
3 expended first for the purpose under par. (ko). No expenditure may be made from this
4 appropriation for the construction of buildings or purchase of equipment for new
5 prison industries, except upon approval of the joint committee on finance after a
6 determination that the moneys are needed and that no other appropriation is
7 available for that purpose.

8 **SECTION 415.** 20.410 (3) (a) of the statutes is amended to read:

9 20.410 (3) (a) *General program operations.* The amounts in the schedule to
10 operate the department's juvenile correctional institutions, to provide field services
11 and administrative services and to provide for the operating costs of the gang
12 violence prevention council.

13 **SECTION 416.** 20.410 (3) (e) of the statutes is amended to read:

14 20.410 (3) (e) *Principal repayment and interest.* A sum sufficient to reimburse
15 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
16 the acquisition, construction, development, enlargement or improvement of the
17 department's juvenile correctional facilities.

18 **SECTION 417.** 20.410 (3) (hm) of the statutes is amended to read:

19 20.410 (3) (hm) *Juvenile correctional services.* Except as provided in pars. (ho)
20 and (hr), the amounts in the schedule for juvenile correctional services specified in
21 s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under
22 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus
23 property, including vehicles, from juvenile correctional institutions operated by the
24 department, all moneys received as payments in restitution of property damaged at
25 juvenile correctional institutions operated by the department, all moneys received

1 from miscellaneous services provided at a juvenile correctional institution operated
2 by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys
3 received under 1997 Wisconsin Act ... (this act), section 9111 (2u) and, except as
4 provided in par. (hr), all moneys received in payment for juvenile correctional
5 services specified in s. 301.26 (4) (d) shall be credited to this appropriation account.
6 If moneys generated by the ~~monthly~~ daily rate under s. 301.26 (4) (d) exceed actual
7 fiscal year institutional costs, other than the cost of operating the correctional
8 institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more,
9 all moneys in excess of that 2% shall be remitted to the counties during the
10 subsequent calendar year or transferred to the appropriation account under par. (kx)
11 during the subsequent fiscal year. Each county and the department shall receive a
12 proportionate share of the remittance and transfer depending on the total number
13 of days of placement at juvenile correctional institutions including the Mendota
14 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
15 s. 301.26. The department shall deposit in the general fund the amounts transferred
16 under this paragraph to the appropriation account under par. (kx).

17 **SECTION 418.** 20.410 (3) (ho) of the statutes is amended to read:

18 20.410 (3) (ho) *Juvenile residential aftercare*. The amounts in the schedule for
19 providing foster care, treatment foster care, group home care and institutional child
20 care to delinquent ~~children~~ juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14) and
21 938.52. All moneys transferred under s. 301.26 (4) (cm) and all moneys received in
22 payment for providing foster care, treatment foster care, group home care and
23 institutional child care to delinquent ~~children~~ juveniles under ss. 49.19 (10) (d),
24 938.48 (4) and (14) and 938.52 as specified in s. 301.26 (4) (e) shall be credited to this
25 appropriation account. If moneys generated by the ~~monthly~~ daily rate exceed actual

1 fiscal year foster care, treatment foster care, group home care and institutional child
2 care costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties
3 during the subsequent calendar year or transferred to the appropriation account
4 under par. (kx) during the subsequent fiscal year. Each county and the department
5 shall receive a proportionate share of the remittance and transfer depending on the
6 total number of days of placement in foster care, treatment foster care, group home
7 care or institutional child care. Counties shall use the funds for purposes specified
8 in s. 301.26. The department shall deposit in the general fund the amounts
9 transferred under this paragraph to the appropriation account under par. (kx).

10 **SECTION 419.** 20.410 (3) (jv) of the statutes is created to read:

11 20.410 (3) (jv) *Secure detention services.* All moneys received from counties
12 under s. 938.224 (3) (a) for holding juveniles in secure custody in secured correctional
13 facilities under s. 938.224 (1).

14 **SECTION 420.** 20.410 (3) (ko) of the statutes is created to read:

15 20.410 (3) (ko) *Interagency programs; community youth and family aids.* All
16 moneys transferred from the appropriation account under s. 20.435 (3) (nL) for the
17 purposes of s. 301.26, to be used for those purposes.

18 **SECTION 421.** 20.410 (3) (kp) of the statutes is created to read:

19 20.410 (3) (kp) *Interagency programs; alcohol and other drug abuse.* All
20 moneys transferred from the appropriation account under s. 20.435 (7) (md) for
21 alcohol and other drug abuse education and treatment under s. 301.265 (2), to be
22 used to provide that education and treatment.

23 **SECTION 422.** 20.410 (3) (oo) of the statutes is repealed.

24 **SECTION 423.** 20.410 (3) (p) of the statutes is repealed.

25 **SECTION 525m.** 20.432 (1) (kd) of the statutes is created to read:

1 20.432 (1) (kd) *Ombudsman services*. The amounts in the schedule for the
2 provision of ombudsman services under s. 16.009 (4). All moneys transferred from
3 the appropriation account under s. 20.435 (7) (j) shall be credited to this
4 appropriation account.

5 **SECTION 424.** 20.435 (1) (title) of the statutes is amended to read:

6 20.435 (1) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; STATE
7 OPERATIONS.

8 **SECTION 425.** 20.435 (1) (am) of the statutes is renumbered 20.435 (5) (am).

9 **SECTION 426.** 20.435 (1) (b) of the statutes is renumbered 20.435 (5) (b) and
10 amended to read:

11 20.435 (5) (b) *Medical assistance program benefits*. Biennially, the amounts in
12 the schedule to provide the state share of medical assistance program benefits
13 administered under s. 49.45, to provide medical assistance program benefits
14 administered under s. 49.45 that are not also provided under par. (o), to provide
15 health care coverage under s. 49.153 and to fund the pilot project under s. 46.27 (9)
16 and (10). Notwithstanding s. 20.002 (1), the department may transfer from this
17 appropriation to the appropriation under sub. ~~(3)~~ (7) (kb) funds in the amount of and
18 for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002
19 (1), the department may credit or deposit into this appropriation and may transfer
20 between fiscal years funds that it transfers from the appropriation under sub. ~~(3)~~ (7)
21 (kb) for the purposes specified in s. 46.485 (3r).

22 **SECTION 427.** 20.435 (1) (br) of the statutes is repealed.

23 **SECTION 428.** 20.435 (1) (bs) of the statutes is renumbered 20.435 (5) (bs).

24 **SECTION 429.** 20.435 (1) (bt) of the statutes is renumbered 20.435 (5) (bt).

25 **SECTION 430.** 20.435 (1) (bu) of the statutes is renumbered 20.435 (5) (bu).

1 **SECTION 431.** 20.435 (1) (cc) of the statutes is renumbered 20.435 (5) (cc) and
2 amended to read:

3 20.435 (5) (cc) *Cancer treatment, training, follow-up, control and prevention.*

4 The amounts in the schedule for cancer control and prevention grants under s.
5 255.05, for the breast cancer screening program under s. 255.06 and, for grants for
6 training to perform colposcopic examinations and follow-up activities under s.
7 255.07 and for breast cancer screening activities under 1997 Wisconsin Act ... (this
8 act), section 9123 (10). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
9 department may transfer funds for grants under s. 255.05, funds for screening and
10 services under s. 255.06 and funds for grants under s. 255.07 between fiscal years
11 under this paragraph. All funds allocated by the department under s. 255.05 (2) but
12 not encumbered by December 31 of each year lapse to the general fund on the next
13 January 1 unless transferred to the next calendar year by the joint committee on
14 finance.

15 **SECTION 432.** 20.435 (1) (cd) of the statutes is renumbered 20.435 (3) (cd).

16 **SECTION 433.** 20.435 (1) (ce) of the statutes is renumbered 20.435 (5) (ce).

17 **SECTION 434.** 20.435 (1) (cj) of the statutes is repealed.

18 **SECTION 538b.** 20.435 (1) (cm) of the statutes is renumbered 20.435 (5) (cm) and
19 amended to read:

20 20.435 (5) (cm) *Immunization.* ~~Biennially, the amounts in the schedule~~ A sum
21 sufficient not to exceed in fiscal year 1997-98 the difference between \$8,550,700 and
22 the sum of the moneys received from the federal government under the federal
23 vaccines for children program and under section 317 of the Public Health Service Act
24 in fiscal year 1997-98 and not to exceed in fiscal year 1998-99 the difference between
25 \$8,776,400 and the sum of the moneys received from the federal government under

1 the federal vaccines for children program and under section 317 of the Public Health
2 Service Act in fiscal year 1998-99 for the provision of vaccine to immunize children
3 under s. 252.04 (1).

4 **SECTION 435.** 20.435 (1) (cp) of the statutes is repealed.

5 **SECTION 436.** 20.435 (1) (d) of the statutes is renumbered 20.435 (5) (d).

6 **SECTION 437.** 20.435 (1) (de) of the statutes is renumbered 20.435 (5) (de).

7 **SECTION 438.** 20.435 (1) (dm) of the statutes is renumbered 20.435 (6) (dm).

8 **SECTION 439.** 20.435 (1) (ds) of the statutes is renumbered 20.435 (5) (ds).

9 **SECTION 440.** 20.435 (1) (e) of the statutes is renumbered 20.435 (5) (e).

10 **SECTION 441.** 20.435 (1) (ed) of the statutes is renumbered 20.435 (5) (ed).

11 **SECTION 442.** 20.435 (1) (ef) of the statutes is renumbered 20.435 (5) (ef).

12 **SECTION 443.** 20.435 (1) (eg) of the statutes is renumbered 20.435 (5) (eg).

13 **SECTION 444.** 20.435 (1) (ei) of the statutes is repealed.

14 **SECTION 445.** 20.435 (1) (ek) of the statutes is renumbered 20.435 (5) (ek).

15 **SECTION 446.** 20.435 (1) (em) of the statutes is renumbered 20.435 (5) (em).

16 **SECTION 447.** 20.435 (1) (ev) of the statutes is renumbered 20.435 (5) (ev).

17 **SECTION 448.** 20.435 (1) (f) of the statutes is renumbered 20.435 (5) (f).

18 **SECTION 449.** 20.435 (1) (g) of the statutes is renumbered 20.435 (6) (g).

19 **SECTION 553m.** 20.435 (1) (gm) of the statutes is amended to read:

20 20.435 (1) (gm) *Licensing, review and certifying activities.* The amounts in the
21 schedule for the purposes specified in ss. ~~50.135, 50.49 (2) (b), 50.52 (2) (a), 146.50~~
22 ~~(8), 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.20 (5) and (8), 254.31~~
23 ~~to 254.39, 254.47, 254.61 to 254.89 and 255.08 (2), subch. IV of ch. 50 and ch. 150.~~ All
24 moneys received under ss. ~~50.135, 50.49 (2) (b), 50.52 (2) (a), 50.93 (1) (e), 146.50 (8)~~
25 ~~(d), 150.13, 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178,~~

1 254.20 (5) and (8), 254.31 to 254.39, 254.47, 254.61 to 254.89 and 255.08 (2) (b) shall
2 be credited to this appropriation account. From the fees collected under s. 50.135 (2),
3 \$444,700 in fiscal year 1997-98 and \$451,600 in fiscal year 1998-99 shall be credited
4 to this appropriation account.

5 **SECTION 554b.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (5) (gp) and
6 amended to read:

7 20.435 (5) (gp) *Health care; aids.* All moneys received under s. 146.99, to be
8 used for ~~purchase of primary health care services grants~~ under s. ~~146.93~~ 146.92 and
9 to transfer \$150,000 in fiscal year 1997-98 to the appropriation account under par.
10 (kp).

11 **SECTION 450.** 20.435 (1) (gr) of the statutes is created to read:

12 20.435 (1) (gr) *Supplemental food program for women, infants and children*
13 *administration.* All moneys received from the enforcement assessments on fines,
14 forfeitures and recoupments that are levied by a court under s. 253.06 (4) (c) and on
15 forfeitures and recoupments that are levied by the department under s. 253.06 (5)
16 (c) to finance fraud reduction in the supplemental food program for women, infants
17 and children under s. 253.06.

18 **SECTION 451.** 20.435 (1) (hh) of the statutes is renumbered 20.435 (3) (hh).

19 **SECTION 452.** 20.435 (1) (im) of the statutes is renumbered 20.435 (5) (im).

20 **SECTION 453.** 20.435 (1) (j) of the statutes is amended to read:

21 20.435 (1) (j) *Fees for services and supplies.* The amounts in the schedule for
22 the purposes provided in ch. 69 and ~~ss. 50.02 (2), 50.025, 50.13, 50.36 (2) and s. 254.41~~
23 ~~and to conduct health facility plan and rule development activities, for accrediting~~
24 ~~nursing homes, convalescent homes and homes for the aged, for the purchase and~~
25 ~~distribution of the medical supplies and to conduct capital construction and~~

1 remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2) analyze and provide
2 data under s. 250.04. All moneys received under ch. 69 and ss. 50.02 (2), 50.025,
3 50.13, 50.36 (2) 250.04 (3m) and 254.41 and as reimbursement for medical supplies
4 shall be credited to this appropriation.

5 **SECTION 454.** 20.435 (1) (ja) of the statutes is renumbered 20.435 (5) (ja) and
6 amended to read:

7 20.435 (5) (ja) *Congenital disorders; diagnosis, special dietary treatment and*
8 *counseling*. The amounts in the schedule to provide diagnostic services, special
9 dietary treatment and follow-up counseling for congenital disorders and periodic
10 evaluation of infant screening programs as specified under s. 253.13. All moneys
11 received by the department under s. 253.13 (2), less the amounts appropriated under
12 ~~par. sub. (1)~~ (jb), shall be credited to this appropriation.

13 **SECTION 455.** 20.435 (1) (k) of the statutes is renumbered 20.435 (6) (k).

14 **SECTION 456.** 20.435 (1) (kx) of the statutes is amended to read:

15 20.435 (1) (kx) *Interagency and intra-agency programs*. All moneys received
16 from other state agencies and all moneys received by the department from the
17 department not directed to be deposited under ~~par. (k) or (km)~~ or sub. (6) (k) for the
18 administration of programs or projects for which received.

19 **SECTION 457.** 20.435 (1) (ky) of the statutes is renumbered 20.435 (5) (ky) and
20 amended to read:

21 20.435 (5) (ky) *Interagency and intra-agency aids*. All moneys received from
22 other state agencies and all moneys received by the department from the department
23 not directed to be deposited under ~~par. (k) or (km)~~ sub. (1) (km) or (6) (k) for aids to
24 individuals and organizations.

1 **SECTION 458.** 20.435 (1) (kz) of the statutes is renumbered 20.435 (5) (kz) and
2 amended to read:

3 20.435 (5) (kz) *Interagency and intra-agency local assistance.* All moneys
4 received from other state agencies and all moneys received by the department from
5 the department not directed to be deposited under par. ~~(k) or (km)~~ sub. (1) (km) or
6 (6) (k) for local assistance.

7 **SECTION 459.** 20.435 (1) (ma) of the statutes is renumbered 20.435 (5) (ma).

8 **SECTION 460.** 20.435 (1) (md) of the statutes is renumbered 20.435 (5) (md).

9 **SECTION 461.** 20.435 (1) (na) of the statutes is renumbered 20.435 (5) (na).

10 **SECTION 462.** 20.435 (1) (o) of the statutes is renumbered 20.435 (5) (o).

11 **SECTION 567m.** 20.435 (1) (rg) of the statutes is renumbered 20.435 (1) (cg) and
12 amended to read:

13 20.435 (1) (cg) *Emergency medical services; general program operations.* ~~From~~
14 ~~the transportation fund, the~~ The amounts in the schedule for general program
15 operations relating to emergency medical services.

16 **SECTION 568g** 20.435 (1) (rm) of the statutes is renumbered 20.435 (5) (ch) and
17 amended to read:

18 20.435 (5) (ch) *Emergency medical services; aids.* ~~From the transportation~~
19 ~~fund, the~~ The amounts in the schedule to pay the costs for emergency medical
20 technician — basic training and examination aid under s. 146.55 (5) and for
21 ambulance service vehicles or vehicle equipment, emergency medical services
22 supplies or equipment or emergency medical training for personnel under s. 146.55
23 (4).

24 **SECTION 568m.** 20.435 (2) (bm) of the statutes is amended to read:

1 20.435 (2) (bm) *Secure mental health units or facilities.* The amounts in the
2 schedule for the general program operations of secure mental health units or
3 facilities under s. 980.065 for persons committed to ~~a secure mental health~~
4 ~~placement~~ institutional care under s. 980.06 (2) (b) and placed in a secure mental
5 health unit or facility.

6 **SECTION 569m.** 20.435 (2) (f) of the statutes is amended to read:

7 20.435 (2) (f) *Energy costs.* The amounts in the schedule to be used at any
8 mental health ~~institutes and centers~~ institute or center for the developmentally
9 disabled to pay for utilities and for fuel, heat and air conditioning, to pay costs
10 incurred by or on behalf of the department under ~~s. ss. 16.858 and~~ 16.895, and to
11 repay to the energy efficiency fund loans made to the department under s. 16.847 (6).

12 **SECTION 570m.** 20.435 (2) (gk) of the statutes is amended to read:

13 20.435 (2) (gk) *Institutional operations and charges.* The amounts in the
14 schedule for care provided by ~~the centers~~ any center for the developmentally
15 disabled, to reimburse the cost of providing the services and to remit any credit
16 balances to county departments that occur on and after July 1, 1978, in accordance
17 with s. 51.437 (4rm) (c); for care provided by ~~the~~ any mental health ~~institutes~~
18 institute, to reimburse the cost of providing the services and to remit any credit
19 balances to county departments that occur on and after January 1, 1979, in
20 accordance with s. 51.42 (3) (as) 2.; for maintenance of state-owned housing at
21 ~~centers~~ any center for the developmentally disabled and mental health ~~institutes~~
22 institute; for repair or replacement of property damaged at ~~the~~ any mental health
23 ~~institutes or at centers~~ institute or center for the developmentally disabled; and for
24 reimbursing the total cost of using, producing and providing services, products and
25 care. All moneys received as payments from medical assistance on and after August

1 1, 1978; as payments from all other sources including ~~other~~ payments under s. 46.10
2 and ; as payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as
3 ~~medical assistance payments, other payments under s. 46.10 and payments under~~
4 s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments under s. 51.07
5 (4); as payments for the rental of state-owned housing and other institutional
6 facilities at ~~centers~~ any center for the developmentally disabled and or mental health
7 ~~institutes~~ institute; for the sale of electricity, steam or chilled water; as payments
8 in restitution of property damaged at the any mental health ~~institutes or at centers~~
9 institute or center for the developmentally disabled; for the sale of surplus property,
10 including vehicles, at the any mental health ~~institutes or at centers~~ institute or
11 center for the developmentally disabled; and for other services, products and care;
12 shall be credited to this appropriation, except that any payment under s. 46.10
13 received for the care or treatment of patients admitted under s. 51.10, 51.15 or 51.20
14 for which the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9)
15 (d) or (e) for which the state is liable under s. 55.05 (1), of forensic patients committed
16 under ch. 971 or 975, admitted under ch. 975 or transferred under s. 51.35 (3) or of
17 patients transferred from a state prison under s. 51.37 (5), to the Mendota mental
18 health institute or the Winnebago mental health institute shall be treated as general
19 purpose revenue — earned, as defined under s. 20.001 (4).

20 **SECTION 463.** 20.435 (3) (title) of the statutes is amended to read:

21 20.435 (3) (title) YOUTH CHILDREN AND FAMILY SERVICES.

22 **SECTION 464.** 20.435 (3) (bt) of the statutes is renumbered 20.435 (7) (bt).

23 **SECTION 465.** 20.435 (3) (co) of the statutes is renumbered 20.435 (7) (co).

24 **SECTION 466.** 20.435 (3) (cw) of the statutes is amended to read:

1 20.435 (3) (cw) (title) *Child Milwaukee child welfare services in Milwaukee*
2 *County; general program operations*. The amounts in the schedule for activities
3 ~~under 1995 Wisconsin Act 303, section 9127 (1), (5), (6) and (7) general program~~
4 ~~operations relating to the assumption by the department of the duty and authority~~
5 ~~to provide child welfare services in Milwaukee County providing services to children~~
6 ~~and families under s. 48.48 (17)~~.

7 **SECTION 467.** 20.435 (3) (cx) of the statutes is created to read:

8 20.435 (3) (cx) *Milwaukee child welfare services; aids*. The amounts in the
9 schedule for providing services to children and families under s. 48.48 (17).

10 **SECTION 576m.** 20.435 (3) (cz) of the statutes is created to read:

11 20.435 (3) (cz) *Foster care services, kinship care and aid to minor custodial*
12 *parents*. The amounts in the schedule for the cost of foster care and treatment foster
13 care provided by nonlegally responsible relatives under s. 46.261 (2) (a) 3. or 4., for
14 kinship care payments under s. 48.57 (3m) and for aid to minor custodial parents
15 under s. 46.261 (2) (a) 1.

16 **SECTION 576p.** 20.435 (3) (db) of the statutes is created to read:

17 20.435 (3) (db) *Foster care assessments*. The amounts in the schedule for
18 assessments of nonlegally responsible relatives who provide care and maintenance
19 for children to determine if those relatives are eligible to receive foster care
20 payments.

21 **SECTION 468.** 20.435 (3) (gx) of the statutes is created to read:

22 20.435 (3) (gx) *Milwaukee child welfare services; collections*. All moneys
23 received by the department in payment for services provided to children and families
24 under s. 48.48 (17), to be used to provide those services.

25 **SECTION 469.** 20.435 (3) (jb) of the statutes is created to read:

1 20.435 (3) (jb) *Fees for administrative services.* All moneys received from fees
2 charged for providing state mailings, special computer services, training programs,
3 printed materials and publications, for the purpose of providing state mailings,
4 special computer services, training programs, printed materials and publications.

5 **SECTION 470.** 20.435 (3) (jm) of the statutes is created to read:

6 20.435 (3) (jm) *Licensing activities.* The amounts in the schedule for the costs
7 of licensing child welfare agencies under s. 48.60, foster homes and treatment foster
8 homes under s. 48.62, group homes under s. 48.625, day care centers under s. 48.65
9 and shelter care facilities under s. 938.22 (7). All moneys received for these licensing
10 activities and from fees under ss. 48.615, 48.625, 48.65 (3) and 938.22 (7) (b) and (c)
11 shall be credited to this appropriation account.

12 **SECTION 471.** 20.435 (3) (kb) of the statutes is renumbered 20.435 (7) (kb) and
13 amended to read:

14 20.435 (7) (kb) *Severely emotionally disturbed children.* As a continuing
15 appropriation, all moneys transferred from the appropriation under sub. (1) (5) (b)
16 to this appropriation to provide, under s. 46.485, mental health care and treatment
17 and community-based mental health services for severely emotionally disturbed
18 children. Notwithstanding s. 20.002 (1), the department of health and family
19 services may transfer from this appropriation to the appropriation under sub. (1) (5)
20 (b) funds as specified in s. 46.485 (3r).

21 **SECTION 472.** 20.435 (3) (kc) of the statutes is created to read:

22 20.435 (3) (kc) *Interagency and intra-agency aids; kinship care.* The amounts
23 in the schedule for payments under s. 48.57 (3m). All moneys transferred from the
24 appropriation account under s. 20.445 (3) (md) to this appropriation account shall be
25 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the

1 unencumbered balance on June 30 of each year is transferred to the appropriation
2 account under s. 20.445 (3) (ky).

3 **SECTION 584m.** 20.435 (3) (kd) of the statutes is created to read:

4 20.435 (3) (kd) *Kinship care assessments.* The amounts in the schedule for
5 assessments of kinship care relatives, as defined in s. 48.57 (3m) (a), who provide care
6 and maintenance for children to determine if those kinship care relatives are eligible
7 to receive payments under s. 48.57 (3m). All moneys transferred from the
8 appropriation account under s. 20.445 (3) (md) to this appropriation account shall be
9 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
10 unencumbered balance on June 30 of each year is transferred to the appropriation
11 account under s. 20.455 (3) (ky).

12 **SECTION 473.** 20.435 (3) (kw) of the statutes is created to read:

13 20.435 (3) (kw) *Interagency and intra-agency aids; Milwaukee child welfare*
14 *services.* All moneys received from other state agencies and all moneys received by
15 the department from the department for providing services to children and families
16 under s. 48.48 (17), for such purposes.

17 **SECTION 474.** 20.435 (3) (kx) of the statutes is amended to read:

18 20.435 (3) (kx) *Interagency and intra-agency programs.* All Except as provided
19 in par. (kw), all moneys received from other state agencies and all moneys received
20 by the department from the department for the administration of programs or
21 projects for which received, for such purposes.

22 **SECTION 475.** 20.435 (3) (ky) of the statutes is amended to read:

23 20.435 (3) (ky) *Interagency and intra-agency aids.* All Except as provided in
24 par. (kw), all moneys received from other state agencies and all moneys received by

1 the department from the department for aids to individuals and organizations, for
2 such purposes.

3 **SECTION 476.** 20.435 (3) (kz) of the statutes is amended to read:

4 20.435 (3) (kz) *Interagency and intra-agency local assistance.* All Except as
5 provided in par. (kw), all moneys received from other state agencies and all moneys
6 received by the department from the department for local assistance, for such
7 purposes.

8 **SECTION 477.** 20.435 (3) (mw) of the statutes is amended to read:

9 20.435 (3) (mw) (title) *Federal aid; Milwaukee child welfare services ~~in~~*
10 *Milwaukee County general program operations.* All federal moneys received for
11 ~~activities under 1995 Wisconsin Act 303, section 9127 (1),~~ general program
12 operations relating to the ~~assumption by the department of the duty and authority~~
13 ~~to provide child welfare services in Milwaukee County~~ providing services to children
14 and families under s. 48.48 (17), to carry out the purposes for which received.

15 **SECTION 478.** 20.435 (3) (mx) of the statutes is created to read:

16 20.435 (3) (mx) *Federal aid; Milwaukee child welfare services aids.* All federal
17 moneys received for providing services to children and families under s. 48.48 (17),
18 to carry out the purposes for which received.

19 **SECTION 590m.** 20.435 (3) (o) of the statutes is created to read:

20 20.435 (3) (o) *Community aids; prevention activities.* All federal moneys
21 received under 42 USC 300x-21 to 300x-35 in amounts pursuant to allocation plans
22 developed by the department of health and family services for the provision or
23 purchase of services authorized under sub. (7) (b) and s. 46.70 for distribution under
24 s. 46.40 (2m) (a) for prevention related activities.

25 **SECTION 479.** 20.435 (5) (title) of the statutes is created to read:

1 20.435 (5) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; AIDS AND
2 LOCAL ASSISTANCE.

3 **SECTION 591c.** 20.435 (5) (af) of the statutes is created to read:

4 20.435 (5) (af) *Health insurance risk-sharing plan; costs.* The amounts in the
5 schedule for paying a portion of the operating costs of the health insurance
6 risk-sharing plan under ch. 149.

7 **SECTION 480.** 20.435 (5) (cb) of the statutes is created to read:

8 20.435 (5) (cb) *Women's health services.* The amounts in the schedule for health
9 screening for low-income women under s. 255.075, for conduct of a women's health
10 campaign under 1997 Wisconsin Act ... (this act), section 9123 (6) (a) and for women's
11 health projects under 1997 Wisconsin Act ... (this act), section 9123 (6) (b).

12 **SECTION 481.** 20.435 (5) (i) of the statutes is created to read:

13 20.435 (5) (i) *Gifts and grants; aids.* All moneys received from gifts, grants and
14 bequests to provide aids to individuals for health services consistent with the
15 purpose of the gift, grant or bequest.

16 **SECTION 594m.** 20.435 (5) (kp) of the statutes is created to read:

17 20.435 (5) (kp) *Supplemental primary health care program.* The amounts in
18 the schedule to provide supplemental primary health care services under s. 146.93.
19 All moneys transferred from the appropriation account under par. (gp) shall be
20 credited to this appropriation account.

21 **SECTION 482.** 20.435 (6) (title) of the statutes is amended to read:

22 20.435 (6) (title) ~~COMMUNITY SERVICES~~ SUPPORTIVE LIVING; STATE OPERATIONS.

23 **SECTION 595m.** 20.435 (6) (gb) of the statutes is amended to read:

24 20.435 (6) (gb) *Alcohol and drug abuse initiatives.* ~~All moneys received from~~
25 ~~the state treasurer under s. 961.41 (5) (c), to be expended on~~ The amounts in the

1 schedule for programs providing prevention, intervention and treatment for alcohol
2 and other drug abuse problems. All moneys received under s. 961.41 (5) (c) shall be
3 credited to this appropriation account. The department shall allocate at least
4 \$112,500 annually for grants to local organizations that conduct community-based
5 programs to prevent alcohol and other drug abuse. In fiscal year 1997-98, the
6 department shall transfer \$250,000 from the appropriation account under this
7 paragraph to the appropriation account under sub. (7) (kw).

8 **SECTION 595n.** 20.435 (6) (gb) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is amended to read:

10 20.435 (6) (gb) *Alcohol and drug abuse initiatives.* The amounts in the schedule
11 for programs providing prevention, intervention and treatment for alcohol and other
12 drug abuse problems. All moneys received under s. 961.41 (5) (c) shall be credited
13 to this appropriation account. The department shall allocate at least \$112,500
14 annually for grants to local organizations that conduct community-based programs
15 to prevent alcohol and other drug abuse. In fiscal year 1997-98, the department
16 ~~shall transfer \$250,000 from the appropriation account under this paragraph to the~~
17 ~~appropriation account under sub. (7) (kw).~~

18 **SECTION 483.** 20.435 (6) (gs) of the statutes is renumbered 20.435 (2) (gs).

19 **SECTION 484.** 20.435 (6) (hx) of the statutes is amended to read:

20 20.435 (6) (hx) (title) *Services for related to drivers, receipts.* The amounts in
21 the schedule for services ~~for related to drivers.~~ ~~Of the and to transfer \$650,000~~
22 ~~annually to the appropriation account under sub. (7) (kw).~~ All moneys received by
23 the state treasurer from the driver improvement surcharge on court fines and
24 forfeitures authorized under s. 346.655, ~~15%~~ shall be credited to this appropriation.
25 ~~These moneys~~ The secretary of administration shall annually transfer to the

1 appropriation account under s. 20.395 (5) (di) 31.29% of all moneys credited to this
2 appropriation. The moneys remaining after the transfer to the appropriation
3 account under sub. (7) (kw) may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm),
4 20.285 (1) (ia), 20.395 (5) (ci) and 20.455 (5) (h) by the secretary of administration
5 after consultation with the secretaries of health and family services, education and
6 transportation, the superintendent of public instruction, the attorney general and
7 the president of the university of Wisconsin system.

8 **SECTION 597m.** 20.435 (6) (jm) of the statutes is amended to read:

9 20.435 (6) (jm) *Licensing and support services.* The amounts in the schedule
10 for the purposes specified in ss. 50.02 (2), 50.025, 50.13, 50.135, 50.36 (2), 50.49 (2)
11 (b), 50.495, 50.52 (2) (a), 50.57 and 50.981 and subch. IV of ch. 50 and to conduct
12 health facilities plan and rule development activities, for accrediting nursing homes,
13 convalescent homes and homes for the aged, to conduct capital construction and
14 remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2) and for the costs of
15 inspecting, licensing and approving facilities, issuing permits and providing
16 technical assistance that are not specified under any other paragraph in this
17 subsection. All moneys received under ss. 50.02 (2), 50.025, 50.13, 50.36 (2), 50.49 (2)
18 (b), 50.495, 50.52 (2) (a), 50.57, 50.93 (1) (c) and 50.981, all moneys received from fees
19 for these activities the costs of inspecting, licensing and approving facilities, issuing
20 permits and providing technical assistance that are not specified under any other
21 paragraph in this subsection, and all moneys received under 50.135 (2), less the
22 amounts credited to the appropriation account under sub. (1) (gm), shall be credited
23 to this appropriation account.

24 **SECTION 485.** 20.435 (7) (title) of the statutes is amended to read:

1 20.435 (7) (title) ~~COMMUNITY SERVICES~~ SUPPORTIVE LIVING; AIDS AND LOCAL
2 ASSISTANCE.

3 **SECTION 486.** 20.435 (7) (bd) of the statutes is amended to read:

4 20.435 (7) (bd) *Community options program and long-term support pilot*
5 *projects.* The amounts in the schedule for assessments, case planning, services and
6 administration under s. 46.27 and for pilot projects ~~for home and community-based~~
7 ~~long-term support services~~ under s. 46.271 (1), and the amounts carried forward
8 under 1997 Wisconsin Act ... (this act), section 9123 (2), for the pilot project under
9 s. 46.271 (2m). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department
10 may under this paragraph transfer moneys between fiscal years. Except for moneys
11 authorized for transfer under this appropriation ~~or~~, under s. 46.27 (7) (fm) or (g) or
12 under 1997 Wisconsin Act ... (this act), section 9123 (2) all moneys under this
13 appropriation that are allocated under s. 46.27 and are not spent or encumbered by
14 counties or by the department by December 31 of each year shall lapse to the general
15 fund on the succeeding January 1 unless transferred to the next calendar year by the
16 joint committee on finance.

17 **SECTION 487.** 20.435 (7) (ce) of the statutes is amended to read:

18 20.435 (7) (ce) *Services for homeless individuals.* ~~As a continuing~~
19 ~~appropriation, the~~ The amounts in the schedule for services for homeless individuals
20 under s. 46.972 (3).

21 **SECTION 600m.** 20.435 (7) (dh) of the statutes is amended to read:

22 20.435 (7) (dh) *Programs for senior citizens and elder abuse services.* The
23 amounts in the schedule for the programs for senior citizens, including but not
24 limited to the purpose of distributing funds under s. 46.80 (2m) (b) to supplement any
25 federal foster grandparent project funds received under 42 USC 5011 (a) and the

1 purposes of ss. 46.80 (5) and 46.85, and for direct services for elder persons and other
2 individuals under s. 46.90 (5m). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1),
3 the department of health and family services may transfer funds between fiscal
4 years under this paragraph. All funds allocated under ss. 46.80 (2m) (b) and (5) and
5 46.85 but not encumbered by December 31 of each year lapse to the general fund on
6 the next January 1, unless transferred to the next calendar year by the joint
7 committee on finance, but the department may carry forward funds allocated under
8 s. 46.90 (5m) that are not encumbered by June 30 of each year for allocation under
9 s. 46.90 (5m) in the following state fiscal year. For the purposes of this paragraph,
10 funds are encumbered by December 31 if allocated for services received or for goods
11 ordered by December 31.

12 **SECTION 488.** 20.435 (7) (dn) of the statutes is renumbered 20.435 (3) (dn).

13 **SECTION 489.** 20.435 (7) (dr) of the statutes is renumbered 20.435 (3) (dr).

14 **SECTION 490.** 20.435 (7) (ed) of the statutes is amended to read:

15 20.435 (7) (ed) *State supplement to federal supplemental security income*
16 *program.* A sum sufficient for payments of supplemental grants to supplemental
17 security income recipients under s. 49.77 and for payments for the support of
18 children of supplemental security income recipients under s. 49.775.

19 **SECTION 491.** 20.435 (7) (f) of the statutes is renumbered 20.435 (3) (fm) and
20 amended to read:

21 20.435 (3) (fm) (title) *Community alcohol and other drug abuse prevention pilot*
22 *program.* The amounts in the schedule for the community alcohol and other drug
23 abuse prevention ~~pilot~~ program under s. 51.45 (5).

24 **SECTION 492.** 20.435 (7) (hz) of the statutes is repealed.

25 **SECTION 605j.** 20.435 (7) (j) of the statutes is created to read:

1 20.435 (7) (j) *Fees from residential care apartment complexes.* All moneys
2 received from fees under s. 50.034 (3) (f) for the purpose of transferring the moneys
3 to the appropriation account under s. 20.432 (1) (kd). The department shall transfer
4 to the appropriation account under s. 20.432 (1) (kd) the amounts in the schedule
5 under s. 20.432 (1) (kd).

6 **SECTION 493.** 20.435 (7) (kw) of the statutes is created to read:

7 20.435 (7) (kw) *Interagency and intra-agency community aids.* The amounts
8 in the schedule for human services under s. 46.40, for reimbursement to counties
9 having a population of less than 500,000 for the cost of court attached intake services
10 under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, for foster care and
11 treatment foster care under s. 49.19 (10) and for mental health services under s.
12 51.423 (1). All moneys transferred from the appropriation accounts under sub. (6)
13 (gb) and (hx) and under s. 20.445 (3) (md) for those purposes shall be credited to this
14 appropriation account.

15 **SECTION 606b.** 20.435 (7) (kw) of the statutes, as affected by 1997 Wisconsin
16 Act (this act), is amended to read:

17 20.435 (7) (kw) *Interagency and intra-agency community aids.* The amounts
18 in the schedule for human services under s. 46.40, for reimbursement to counties
19 having a population of less than 500,000 for the cost of court attached intake services
20 under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, for foster care and
21 treatment foster care under s. 49.19 (10) and for mental health services under s.
22 51.423 (1). All moneys transferred from the appropriation accounts under sub. (6)
23 (~~gb~~) and (hx) and under s. 20.445 (3) (md) for those purposes shall be credited to this
24 appropriation account.

25 **SECTION 494.** 20.435 (8) (gg) of the statutes is renumbered 20.435 (6) (gg).

1 **SECTION 608d.** 20.435 (8) (mb) of the statutes is created to read:

2 20.435 (8) (mb) *Income augmentation services receipts.* All moneys that are
3 received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to
4 1396v as the result of income augmentation activities for which the state has
5 contracted, to be used as provided in s. 46.46.

6 **SECTION 495.** 20.435 (8) (mc) of the statutes is created to read:

7 20.435 (8) (mc) *Federal block grant operations.* All block grant moneys received
8 from the federal government for the state administration of federal block grants for
9 the purposes specified.

10 **SECTION 496.** 20.445 (1) (ev) of the statutes is amended to read:

11 20.445 (1) (ev) (title) *Division of ~~workforce excellence~~ connecting education and*
12 *work.* The amounts in the schedule for the general program operations of the division
13 of ~~workforce excellence~~ connecting education and work under s. 106.12 and 106.13.

14 **SECTION 497.** 20.445 (1) (gd) of the statutes is amended to read:

15 20.445 (1) (gd) *Unemployment interest and penalty payments.* From the
16 moneys received as interest and penalties collected under ss. 108.04 (11) (c) and
17 108.22 and assessments under s. 108.19 (1m), all moneys not appropriated under
18 par. (ge) and (gf) for the payment of benefits specified in s. 108.07 (5) and 1987
19 Wisconsin Act 38, section 132 (1) (c), for the payment of interest to employers under
20 s. 108.17 (3m) and for the payment of interest due on advances from the federal
21 unemployment account under title XII of the social security act to the unemployment
22 reserve fund, and for payments made to the unemployment reserve fund to obtain
23 a lower interest rate or deferral of interest payments on these advances, except as
24 otherwise provided in s. 108.20, and for the payment of career counseling center
25 grants under s. 106.14.

1 **SECTION 612m.** 20.445 (1) (gd) of the statutes, as affected by 1997 Wisconsin
2 Act (this act), section 612, is amended to read:

3 20.445 (1) (gd) *Unemployment interest and penalty payments.* From the
4 moneys received as interest and penalties collected under ss. 108.04 (11) (c) and
5 108.22 and, assessments under s. 108.19 (1m) and forfeitures under s. 103.05 (5), all
6 moneys not appropriated under par. (ge) and (gf) for the payment of benefits specified
7 in s. 108.07 (5) and 1987 Wisconsin Act 38, section 132 (1) (c), for the payment of
8 interest to employers under s. 108.17 (3m) and for the payment of interest due on
9 advances from the federal unemployment account under title XII of the social
10 security act to the unemployment reserve fund, and for payments made to the
11 unemployment reserve fund to obtain a lower interest rate or deferral of interest
12 payments on these advances, except as otherwise provided in s. 108.20, and for
13 payment of career counseling center grants under s. 106.14.

14 **SECTION 498.** 20.445 (1) (gd) of the statutes, as affected by 1997 Wisconsin Act
15 (this act), sections 612 and 612m, is repealed and recreated to read:

16 20.445 (1) (gd) *Unemployment interest and penalty payments.* From the
17 moneys received as interest and penalties collected under ss. 108.04 (11) (c) and
18 108.22, assessments under s. 108.19 (1m) and forfeitures under s. 103.05 (5), all
19 moneys not appropriated under par. (ge) and (gf) for the payment of benefits specified
20 in s. 108.07 (5) and 1987 Wisconsin Act 38, section 132 (1) (c), for the payment of
21 interest to employers under s. 108.17 (3m) and for the payment of interest due on
22 advances from the federal unemployment account under title XII of the social
23 security act to the unemployment reserve fund, and for payments made to the
24 unemployment reserve fund to obtain a lower interest rate or deferral of interest
25 payments on these advances, except as otherwise provided in s. 108.20.

1 **SECTION 614b.** 20.445 (1) (k) of the statutes is renumbered 20.445 (1) (L).

2 **SECTION 499.** 20.445 (1) (ka) of the statutes is amended to read:

3 20.445 (1) (ka) (title) *Interagency and intra-agency agreements.* All moneys
4 received through contracts or financial agreements ~~for~~ from other state agencies for
5 the provision of services to other those state agencies and all moneys received by the
6 department from the department for the provision of services to the department,
7 except moneys appropriated under par. ~~(k) or (kc)~~ (L), for the purpose of providing
8 the services.

9 **SECTION 500.** 20.445 (1) (kb) of the statutes is created to read:

10 20.445 (1) (kb) *Funds transferred from the technical college system board;*
11 *school-to-work programs.* All moneys transferred from the appropriation account
12 under s. 20.292 (1) (m) for school-to-work programs under s. 106.13 (1).

13 **SECTION 617g.** 20.445 (1) (ux) of the statutes is renumbered 20.445 (1) (ox) and
14 amended to read:

15 20.445 (1) (ox) *Employment transit aids, federal funds.* ~~From the~~
16 ~~transportation fund, all~~ All moneys received from the federal government for the
17 employment transit assistance program under s. 106.26, for that purpose.

18 **SECTION 617m.** 20.445 (1) (uy) of the statutes is renumbered 20.445 (1) (kr) and
19 amended to read:

20 20.445 (1) (kr) *Employment transit aids, federal oil overcharge funds.* ~~From the~~
21 ~~transportation fund, all~~ All moneys transferred from the appropriation under s.
22 20.505 (1) (md) to this appropriation for the employment transit assistance program
23 under s. 106.26, for that purpose.

24 **SECTION 617r.** 20.445 (1) (uz) of the statutes is renumbered 20.445 (1) (fg) and
25 amended to read:

1 20.445 (1) (fg) *Employment transit aids, state funds.* ~~From the transportation~~
2 fund, the The amounts in the schedule for the employment transit assistance
3 program under s. 106.26.

4 **SECTION 501.** 20.445 (3) (a) of the statutes is amended to read:

5 20.445 (3) (a) *General program operations.* The amounts in the schedule for
6 general program operations relating to economic support, including field services
7 and administrative services, for costs associated with receiving and disbursing
8 support and support-related payments, including any contract costs, and for
9 administering the program under s. 49.22 and all other purposes specified in s. 49.22.
10 No moneys may be expended under this paragraph for the program under, or any
11 other purpose specified in, s. 49.22 unless moneys appropriated under par. (ja) are
12 insufficient for the purposes specified under that paragraph.

13 **SECTION 502.** 20.445 (3) (cm) of the statutes is created to read:

14 20.445 (3) (cm) *Wisconsin works child care.* The amounts in the schedule for
15 paying child care subsidies under s. 49.155. Before October 1, 1997, moneys
16 appropriated under this paragraph may be used to fund child care costs of
17 individuals who secure unsubsidized employment and lose eligibility for aid to
18 families with dependent children as provided under s. 49.191 (2), for child care and
19 related transportation costs under s. 49.26 (1) (e), for at-risk and low-income child
20 care under s. 49.132 and for child care costs under ss. 49.191 (1) and 49.193 (8).

21 **SECTION 503.** 20.445 (3) (cn) of the statutes is repealed.

22 **SECTION 504.** 20.445 (3) (cp) of the statutes is repealed.

23 **SECTION 505.** 20.445 (3) (d) of the statutes is repealed.

24 **SECTION 506.** 20.445 (3) (de) of the statutes is repealed.

25 **SECTION 507.** 20.445 (3) (df) of the statutes is repealed.

1 **SECTION 508.** 20.445 (3) (dg) of the statutes is repealed.

2 **SECTION 625m.** 20.445 (3) (dk) of the statutes is repealed.

3 **SECTION 509.** 20.445 (3) (dy) of the statutes is repealed.

4 **SECTION 510.** 20.445 (3) (dz) of the statutes is amended to read:

5 20.445 (3) (dz) (title) *Wisconsin works and other public assistance*
6 *administration and benefits.* The amounts in the schedule for administration and
7 benefit payments under Wisconsin works under ss. 49.141 to 49.161, the job
8 opportunities and basic skills program under s. 49.193, the learnfare program under
9 s. 49.26, the work experience and job search program under s. 49.36, the food stamp
10 employment and training program under s. 49.124 (1m) and the parental
11 responsibility pilot program under s. 49.25; for payment distribution under s. 49.33
12 (8) for county administration of public assistance benefits and medical assistance
13 eligibility determination and payments to American Indian tribes for administration
14 of public assistance programs; to provide state aid for county administered public
15 assistance programs for which reimbursement is provided under s. 49.33 (9); for child
16 care costs under ss. 49.191 (1) and (2), 49.193 (8) and 49.26 (1) (e); for payments
17 required under s. 49.170; for the new hope project under s. 49.37; for aid to
18 18-year-old students under s. 49.20; and for funeral expenses under s. 49.30.
19 Payments may be made from this appropriation to counties for fraud investigation
20 and error reduction under s. 49.197 (1m) and (4). Moneys appropriated under this
21 paragraph may be used to match federal funds received under par. (md).
22 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
23 between fiscal years under this paragraph. All funds allocated by the department
24 but not encumbered by December 31 of each year lapse to the general fund on the

1 next January 1 unless transferred to the next calendar year by the joint committee
2 on finance.

3 **SECTION 627b.** 20.445 (3) (dz) of the statutes, as affected by 1997 Wisconsin Act
4 (this act), is amended to read:

5 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*
6 *benefits.* The amounts in the schedule for administration and benefit payments
7 under Wisconsin works under ss. 49.141 to 49.161, the job opportunities and basic
8 skills program under s. 49.193, the learnfare program under s. 49.26, the work
9 experience and job search program under s. 49.36, the food stamp employment and
10 training program under s. 49.124 (1m) and the parental responsibility pilot program
11 under s. 49.25; for payment distribution under s. 49.33 (8) for county administration
12 of public assistance benefits and medical assistance eligibility determination and
13 payments to American Indian tribes for administration of public assistance
14 programs; to provide state aid for county administered public assistance programs
15 for which reimbursement is provided under s. 49.33 (9); for child care costs under ss.
16 49.191 (1) and (2), 49.193 (8) and 49.26 (1) (e); for payments required under s. 49.170;
17 for the new hope project under s. 49.37; for aid to 18-year-old students under s.
18 49.20; and for funeral expenses under s. 49.30; and to transfer to the appropriation
19 account under s. 20.835 (2) (k) the amount determined by the department of revenue
20 under s. 49.175 (1) (b) 2. Payments may be made from this appropriation to counties
21 for fraud investigation and error reduction under s. 49.197 (1m) and (4). Moneys
22 appropriated under this paragraph may be used to match federal funds received
23 under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department
24 may transfer funds between fiscal years under this paragraph. All funds allocated
25 by the department but not encumbered by December 31 of each year lapse to the

1 general fund on the next January 1 unless transferred to the next calendar year by
2 the joint committee on finance.

3 **SECTION 628b.** 20.445 (3) (g) of the statutes is amended to read:

4 20.445 (3) (g) *Child support collections.* All moneys received for the support
5 of dependent children, to be expended under the Wisconsin works program under
6 subch. III of ch. 49 and to be distributed in accordance with federal and state laws,
7 rules and regulations.

8 **SECTION 628c.** 20.445 (3) (g) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is repealed.

10 **SECTION 511.** 20.445 (3) (ja) of the statutes is amended to read:

11 20.445 (3) (ja) *Child support state operations — fees.* All moneys received from
12 fees charged under s. 49.22 (8), from fees ordered under s. 767.29 (1) (d) and from fees
13 charged and incentive payments and collections retained under s. 49.22 (7m), for
14 costs associated with receiving and disbursing support and support-related
15 payments, including any contract costs, and for administering the program under s.
16 49.22 and all other purposes specified in s. 49.22.

17 **SECTION 512.** 20.445 (3) (jL) of the statutes is created to read:

18 20.445 (3) (jL) *Job access loan repayments.* All moneys received from
19 repayments of loans made under s. 49.147 (6) for the purpose of making loans under
20 s. 49.147 (6).

21 **SECTION 513.** 20.445 (3) (k) of the statutes is created to read:

22 20.445 (3) (k) *Child support transfers.* All moneys transferred from the
23 appropriation account under par. (r), to be expended under the Wisconsin works
24 program under subch. III of ch. 49 and to be distributed for the support of dependent

1 children in accordance with applicable federal and state statutes, federal regulations
2 and state rules.

3 **SECTION 514.** 20.445 (3) (md) of the statutes is amended to read:

4 20.445 (3) (md) *Federal block grant aids.* All block grant moneys received from
5 the federal government or any of its agencies to be expended as aids to individuals
6 or organizations and to be transferred to the appropriation accounts under s. 20.435
7 (3) (kc) and (kd), (7) (kw) and (ky) and (8) (kx).

8 **SECTION 515.** 20.445 (3) (my) of the statutes is repealed.

9 **SECTION 516.** 20.445 (3) (p) of the statutes is repealed.

10 **SECTION 517.** 20.445 (3) (pm) of the statutes is amended to read:

11 20.445 (3) (pm) (title) *Employment programs Food stamp employment and*
12 *training program; administration.* All federal moneys received for the
13 administrative costs associated with the ~~learnfare program under s. 49.26 (1), the job~~
14 ~~opportunities and basic skills program under s. 49.193~~ and the food stamp
15 employment and training program under s. 49.124 (1m), to carry out ~~those purposes~~
16 that purpose.

17 **SECTION 518.** 20.445 (3) (ps) of the statutes is amended to read:

18 20.445 (3) (ps) (title) *Employment programs Food stamp employment and*
19 *training program; aids.* All federal moneys received for the provision or purchase of
20 services for the ~~learnfare program under s. 49.26 (1), the job opportunities and basic~~
21 ~~skills program under s. 49.193, the parental responsibility pilot program under s.~~
22 ~~49.25~~ and the food stamp employment and training program under s. 49.124 (1m),
23 to carry out ~~those purposes~~ that purpose.

24 **SECTION 519.** 20.445 (3) (pz) of the statutes is created to read:

1 20.445 (3) (pz) *Income augmentation services receipts.* All moneys received
2 from the federal government as the result of income augmentation services for which
3 the state has contracted, for the state administration of continuing programs to be
4 expended for the purposes specified.

5 **SECTION 520.** 20.445 (3) (q) of the statutes is created to read:

6 20.445 (3) (q) *Centralized support receipt and disbursement; interest.* From the
7 support collections trust fund, a sum sufficient equal to the amounts earned by the
8 support collections trust fund for costs associated with receiving and disbursing
9 payments under ss. 767.265 and 767.29, including any contract costs, and for costs
10 associated with any other support enforcement function.

11 **SECTION 639b.** 20.445 (3) (r) of the statutes is created to read:

12 20.445 (3) (r) *Support receipt and disbursement program; payments.* From the
13 support collections trust fund, all moneys received under ss. 767.265 and 767.29 for
14 child or family support, maintenance, spousal support, health care expenses or birth
15 expenses, and all other moneys received under judgments or orders in actions
16 affecting the family, as defined in s. 767.02 (1), for disbursement to the persons for
17 whom the payments are awarded and for transfer to the appropriation account under
18 par. (k) if assigned under s. 46.261, 48.57 (3m) (b) 2., 49.145 (2) (s) or 49.19 (4) (h) 1.
19 b. Estimated disbursements under this paragraph shall not be included in the
20 schedule under s. 20.005.

21 **SECTION 521.** 20.445 (6) (k) of the statutes is amended to read:

22 20.445 (6) (k) *General enrollee operations; service funds.* All moneys received
23 by the department from other state agencies and by the department from the
24 department under agreements entered into under s. 106.215 (8) (i) ~~with state~~
25 ~~agencies~~, except moneys appropriated under par. (kb), for the payment of the

1 sponsor's share of costs for Wisconsin conservation corps projects including the
2 payment of any corps enrollee compensation as specified in those agreements. Corps
3 enrollee compensation includes the cost of salaries, benefits, incentive payments and
4 vouchers.

5 **SECTION 522.** 20.445 (6) (kb) of the statutes is amended to read:

6 20.445 (6) (kb) *Administrative support; service funds.* All moneys received by
7 the department from other state agencies and by the department from the
8 department under agreements entered into under s. 106.215 (8) (i) ~~with state~~
9 agencies, except moneys appropriated under par. (k), for the payment of
10 administrative expenses related to the Wisconsin conservation corps program as
11 specified in those agreements.

12 **SECTION 642m.** 20.445 (6) (v) of the statutes is renumbered 20.445 (6) (bm) and
13 amended to read:

14 20.445 (6) (bm) (title) *General enrollee operations; ~~transportation fund~~*
15 *supplement.* Biennially, ~~from the transportation fund~~, the amounts in the schedule
16 for the payment of Wisconsin conservation corps enrollee compensation and for the
17 payment of other Wisconsin conservation corps costs for projects if those costs are not
18 paid by project sponsors. Corps enrollee compensation includes the cost of salaries,
19 benefits, incentive payments and vouchers.

20 **SECTION 523.** 20.455 (2) (e) of the statutes is amended to read:

21 20.455 (2) (e) *Drug enforcement.* The amounts in the schedule for drug law
22 enforcement programs to work with local law enforcement agencies in a coordinated
23 effort, and for operating costs of the crime laboratory in the city of Wausau, ~~and to~~
24 ~~match federal funds under par. (ma) if matching funds under s. 20.505 (6) (h) are~~
25 ~~insufficient.~~

1 **SECTION 524.** 20.455 (2) (kd) of the statutes is created to read:

2 20.455 (2) (kd) *Drug law enforcement and crime laboratories.* The amounts in
3 the schedule for activities relating to drug law enforcement, drug law violation
4 prosecution assistance and activities of the state and regional crime laboratories. All
5 moneys transferred from the appropriation account under par. (Lm) shall be credited
6 to this appropriation account.

7 **SECTION 525.** 20.455 (2) (Lm) of the statutes is amended to read:

8 20.455 (2) (Lm) (title) *Deoxyribonucleic Crime laboratories; deoxyribonucleic*
9 *acid analysis.* All moneys received from crime laboratories and drug law
10 enforcement assessments authorized under s. 165.755 and deoxyribonucleic acid
11 analysis surcharges authorized under s. 973.046 to provide deoxyribonucleic acid
12 analysis, to administer s. 165.77, to pay for the salary and fringe benefits of one
13 assistant district attorney for Milwaukee county who conducts prosecutions using
14 deoxyribonucleic acid analysis, to pay for the costs of mailing and materials under
15 s. 165.76 for the submission of biological specimens by the departments of corrections
16 and health and family services and by county sheriffs and to provide statewide
17 training regarding prosecutions using deoxyribonucleic acid analysis transfer to the
18 appropriation account under par. (kd) the amounts in the schedule under par. (kd).

19 **SECTION 645m.** 20.455 (2) (q) of the statutes is renumbered 20.455 (2) (cm) and
20 amended to read:

21 20.455 (2) (cm) *Computers for transaction information for management of*
22 *enforcement system.* ~~From the transportation fund, the~~ The amounts in the schedule
23 for payments for a lease with option to purchase regarding computers for the
24 transaction information for the management of enforcement system.

25 **SECTION 646m.** 20.455 (5) (g) of the statutes is amended to read:

1 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*
2 The amounts in the schedule for purposes of ch. 950. All moneys received from part
3 A of crime victim and witness assistance surcharges authorized under s. 973.045 (3)
4 (a) 1. shall be credited to this appropriation account. The department of justice shall
5 transfer ~~not more than \$488,800 in fiscal year 1995-96 and not more than \$488,800~~
6 ~~in fiscal year 1996-97~~ from this appropriation account to the appropriation account
7 under par. (j) the amounts in the schedule under par. (j).

8 **SECTION 646p.** 20.455 (5) (g) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is repealed and recreated to read:

10 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*
11 The amounts in the schedule for purposes of ch. 950. All moneys received from part
12 A of crime victim and witness assistance surcharges authorized under s. 973.045 (3)
13 (a) 1. and from delinquency victim and witness assistance surcharges authorized
14 under s. 938.34 (8d) (a) shall be credited to this appropriation account. The
15 department of justice shall transfer from this appropriation account to the
16 appropriation account under par. (j) the amounts in the schedule under par. (j).

17 **SECTION 526.** 20.465 (1) (f) of the statutes is amended to read:

18 20.465 (1) (f) *Energy costs.* The amounts in the schedule to be used at military
19 buildings under control of the department to pay for utilities and for fuel, heat and
20 air conditioning, to pay costs incurred by or on behalf of the department under s. ss.
21 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the
22 department under s. 16.847 (6).

23 **SECTION 527.** 20.465 (1) (g) of the statutes is amended to read:

24 20.465 (1) (g) *Military property.* The amounts in the schedule for rent of
25 state-owned military lands or buildings used by, acquired for or erected for the

1 Wisconsin national guard under s. 21.19 (2), for rental of buildings and grounds
2 maintenance equipment owned by the state and required to properly maintain
3 properties supported by state-federal cooperative funding agreements, for the
4 repair and maintenance of state-owned military lands or buildings, for the payment
5 of municipal assessments related to state-owned military property and for the
6 purchase and construction of new military property, real and personal. All moneys
7 received on account of lost military property, from the sale of obsolete or
8 unserviceable military property, from the sale of any state-owned military property,
9 real and personal, under s. 21.19 (3), from the rental of state-owned housing, or from
10 the provision of housing-related services to military personnel shall be credited to
11 this appropriation.

12 **SECTION 528.** 20.465 (2) (a) of the statutes is amended to read:

13 20.465 (2) (a) *Tuition grants.* The amounts in the schedule for the payment of
14 tuition grants to members of the Wisconsin national guard under s. 21.49 (3), ~~less the~~
15 ~~amounts appropriated as applied receipts under par. (g).~~

16 **SECTION 529.** 20.465 (2) (g) of the statutes is repealed.

17 **SECTION 530.** 20.465 (3) (d) of the statutes is repealed.

18 **SECTION 531.** 20.465 (3) (jm) of the statutes is amended to read:

19 20.465 (3) (jm) *State emergency response board; emergency planning grants.*

20 All moneys received by the state emergency response board from fees assessed under
21 s. 166.20 (7), except moneys appropriated under par. (i) for the payment of grants
22 under s. 166.21, except grants under s. 166.21 (2) (bm). ~~The secretary of~~
23 ~~administration shall lapse from this appropriation amounts totaling the amount~~
24 ~~expended under par. (d) at the times and in the instalments determined by the~~
25 ~~secretary of administration (br).~~

1 **SECTION 652b.** 20.465 (3) (q) of the statutes is renumbered 20.465 (3) (f) and
2 amended to read:

3 20.465 (3) (f) *Civil air patrol aids.* ~~From the transportation fund, the The~~
4 amounts in the schedule to provide assistance to the civil air patrol under s. 166.03
5 (2) (a) 5.

6 **SECTION 652c.** 20.465 (3) (rg) of the statutes is renumbered 20.465 (3) (dd) and
7 amended to read:

8 20.465 (3) (dd) *Regional emergency response teams.* ~~As a continuing~~
9 ~~appropriation, from the transportation fund, the The~~ amounts in the schedule for
10 payments to regional emergency response teams under s. 166.215 (1) ~~and (2).~~

11 **SECTION 652cm.** 20.465 (3) (rk) of the statutes is renumbered 20.465 (3) (dh)
12 and amended to read:

13 20.465 (3) (dh) *Hazardous substance emergency response; administration.*
14 ~~From the transportation fund, the The~~ amounts in the schedule for hazardous
15 substance emergency response activities under s. 166.215.

16 **SECTION 652d.** 20.465 (3) (rp) of the statutes is renumbered 20.465 (3) (dp) and
17 amended to read:

18 20.465 (3) (dp) *Emergency response equipment.* ~~From the transportation fund,~~
19 ~~the The~~ amounts in the schedule for grants for the costs of computers and emergency
20 response equipment under s. 166.21 (2) (bm). ~~Notwithstanding s. 20.001 (3) (a), the~~
21 ~~unencumbered balance of this appropriation on June 30 of each year shall be~~
22 ~~transferred to the appropriation account under par. (rt), except that transfers to the~~
23 ~~appropriation account under par. (rt) shall cease whenever the balance in the~~
24 ~~appropriation account under par. (rt) exceeds \$500,000 and shall not recommence~~
25 ~~until the balance in the appropriation account under par. (rt) is less than \$400,000.~~

1 ~~No moneys may be transferred from this appropriation account to the appropriation~~
2 ~~account under par. (rt) after June 30, 1998 (br).~~

3 **SECTION 652g.** 20.465 (3) (rt) of the statutes is renumbered 20.465 (3) (dr) and
4 amended to read:

5 20.465 (3) (dr) *Emergency response supplement.* ~~All moneys transferred from~~
6 ~~the appropriation under par. (rp),~~ As a continuing appropriation, the amounts in the
7 schedule to be used for response costs of a regional emergency response team that
8 are not reimbursed under s. 166.215 (2) or (3) and for response costs of a local agency
9 that are not reimbursed under s. 166.22 (4). ~~No moneys may be encumbered from~~
10 ~~the appropriation under this paragraph after June 30, 1999.~~

11 **SECTION 652x.** 20.465 (3) (s) of the statutes is renumbered 20.465 (3) (dt) and
12 amended to read:

13 20.465 (3) (dt) (title) *Emergency response training—transportation fund.*
14 Biennially, ~~from the transportation fund,~~ the amounts in the schedule for the state
15 emergency response board to provide training for emergency response to releases of
16 hazardous substances ~~and for providing equipment under 1989 Wisconsin Act 31,~~
17 ~~section 3039 (1q).~~

18 **SECTION 652z.** 20.475 (1) (d) of the statutes is amended to read:

19 20.475 (1) (d) *Salaries and fringe benefits.* The amounts in the schedule for
20 salaries and fringe benefits of district attorneys and state employes of the office of
21 the district attorney, for payments under s. 40.05 (2) (bz) 3. and for payments under
22 s. 978.045 (2) (b).

23 **SECTION 532.** 20.485 (2) (rm) of the statutes is amended to read:

1 20.485 (2) (rm) (title) *Veterans ~~rehabilitation~~ assistance program*. Biennially,
2 the amounts in the schedule for general program operations of the veterans
3 ~~rehabilitation~~ assistance program under s. 45.357.

4 **SECTION 533.** 20.485 (2) (rp) of the statutes is created to read:

5 20.485 (2) (rp) *Veterans assistance program receipts*. The amounts in the
6 schedule for the provision of assistance to veterans under s. 45.357 (1). All moneys
7 received from fees under s. 45.357 (2) shall be credited to this appropriation account.

8 **SECTION 654g.** 20.485 (2) (s) of the statutes is renumbered 20.485 (2) (e) and
9 amended to read:

10 20.485 (2) (e) *Veterans memorial grants*. From the ~~transportation~~ general fund,
11 as a continuing appropriation, the amounts in the schedule for the veterans
12 memorial grant program under s. 45.04.

13 **SECTION 654m.** 20.485 (2) (sm) of the statutes is renumbered 20.485 (2) (em)
14 and amended to read:

15 20.485 (2) (em) *Payments related to The Highground*. From the ~~transportation~~
16 general fund, as a continuing appropriation, the amounts in the schedule to make
17 payments under s. 45.03 (3) related to the veterans memorial at The Highground in
18 Clark county. Moneys may not be spent from this appropriation without the approval
19 of the joint committee on finance.

20 **SECTION 655g.** 20.485 (2) (th) of the statutes is created to read:

21 20.485 (2) (th) *Correspondence courses and part-time classroom study*. The
22 amounts in the schedule for the veterans' correspondence courses and part-time
23 classroom study program under s. 45.396. Notwithstanding ss. 16.52 (5) and 20.001
24 (3) (a), after June 30, 1998, the department may encumber moneys under this
25 appropriation for the fiscal year up to 60 days after the end of that fiscal year if an

1 estimate is first submitted to and approved by the secretary of administration
2 showing the amounts that will be encumbered during that 60-day period.

3 **SECTION 655m.** 20.485 (2) (tj) of the statutes is created to read:

4 20.485 (2) (tj) *Retraining grant program.* The amounts in the schedule for the
5 veterans' retraining grant program under s. 45.397.

6 **SECTION 655r.** 20.485 (2) (vg) of the statutes is created to read:

7 20.485 (2) (vg) *Health care aid grants.* The amounts in the schedule for the
8 payment of benefits to veterans and their dependents under s. 45.351 (1j).

9 **SECTION 534.** 20.485 (2) (vm) of the statutes, as affected by 1995 Wisconsin Act
10 27, section 1040q, is amended to read:

11 20.485 (2) (vm) (title) *~~Veterans aids and treatment~~ Subsistence grants.* The
12 amounts in the schedule for payment of benefits subsistence grants to veterans and
13 their dependents under ss. s. 45.351 (1), 45.396 and 45.397.

14 **SECTION 658m.** 20.485 (2) (x) of the statutes is created to read:

15 20.485 (2) (x) *Federal per diem payments.* All moneys received from the federal
16 government as per diem payments for veterans participating in the veterans
17 assistance program under s. 45.357 to be used for the purposes under s. 45.357.

18 **SECTION 535.** 20.485 (2) (y) of the statutes is repealed.

19 **SECTION 536.** 20.485 (2) (ym) of the statutes is repealed.

20 **SECTION 661m.** 20.485 (2) (yn) of the statutes is created to read:

21 20.485 (2) (yn) *Veterans trust fund loans and expenses.* The amounts in the
22 schedule for the purpose of providing loans under s. 45.356 and for the payment of
23 expenses and other payments as a consequence of being a mortgagee or owner under
24 s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s. 45.356.
25 All moneys received under ss. 45.356 (9) (a) and (b) and 45.79 (7) (c) for the purpose

1 of providing loans under the personal loan program under s. 45.356 shall be credited
2 to this appropriation account. All payments of interest and repayments of principal
3 for loans made under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989
4 stats., and s. 45.356 shall revert to the veterans trust fund.

5 **SECTION 662m.** 20.485 (2) (yo) of the statutes is created to read:

6 20.485 (2) (yo) *Debt payment.* A sum sufficient for the payment of obligations
7 incurred for moneys received under s. 45.356 (9) (a) or (b).

8 **SECTION 537.** 20.485 (3) (u) of the statutes is repealed.

9 **SECTION 538.** 20.485 (4) (qm) of the statutes is created to read:

10 20.485 (4) (qm) *Repayment of principal and interest.* From the veterans trust
11 fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
12 interest costs incurred in financing the acquisition, construction, development,
13 enlargement or improvement of veterans cemeteries provided under s. 20.866 (2) (z).

14 **SECTION 539.** 20.485 (4) (r) of the statutes is amended to read:

15 20.485 (4) (r) *Cemetery energy costs.* From the veterans trust fund, the amounts
16 in the schedule to be used at the veterans memorial cemeteries operated under s.
17 45.358 for utilities and for fuel, heat and air conditioning and for costs incurred by
18 or on behalf of the department of veterans affairs under ~~s. ss. 16.858 and~~ 16.895.

19 **SECTION 540.** 20.490 (5) (t) of the statutes is created to read:

20 20.490 (5) (t) *Recycling fund transfer for brownfields remediation.* From the
21 recycling fund, as a continuing appropriation, the amounts in the schedule to be
22 transferred to the Wisconsin development reserve fund under s. 234.93 for the
23 program under s. 234.88.

24 **SECTION 666d.** 20.490 (5) (tm) of the statutes is created to read:

1 20.490 (5) (tm) *Recycling fund transfers for brownsfields remediation.* From
2 the recycling fund, a sum sufficient, not to exceed \$3,900,000, equal to \$1 for every
3 \$4.50 of total outstanding principal that is guaranteed by the authority under the
4 program under s. 234.88, to be transferred to the Wisconsin development reserve
5 fund under s. 234.93 for the program under s. 234.88.

6 **SECTION 666g.** 20.505 (1) (title) of the statutes is amended to read:

7 20.505 (1) (title) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD.

8 **SECTION 666h.** 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin
9 Act (this act), is amended to read:

10 20.505 (1) (title) SUPERVISION AND MANAGEMENT; ~~LAND INFORMATION BOARD.~~

11 **SECTION 666m.** 20.505 (1) (am) of the statutes is created to read:

12 20.505 (1) (am) *Information technology investment fund administration.* The
13 amounts in the schedule for the administration of the information technology
14 investment fund under s. 16.971.

15 **SECTION 666n.** 20.505 (1) (am) of the statutes, as created by 1997 Wisconsin
16 Act (this act), is repealed.

17 **SECTION 666nm.** 20.505 (1) (fn) of the statutes is created to read:

18 20.505 (1) (fn) *Free books to organizations.* The amounts in the schedule for
19 the purpose of contracting to supply free books to organizations under s. 16.23 (1).

20 **SECTION 666np.** 20.505 (1) (gm) of the statutes is created to read:

21 20.505 (1) (gm) *Historical grants.* All moneys transferred from the
22 appropriation account under s. 20.525 (1) (gm) for historical grants under s. 16.25.

23 **SECTION 666nq.** 20.505 (1) (gm) of the statutes, as created by 1997 Wisconsin
24 Act (this act), is repealed.

1 **SECTION 666p.** 20.505 (1) (ie) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 666q.** 20.505 (1) (ig) of the statutes, as affected by 1997 Wisconsin Act
4 (this act), is repealed.

5 **SECTION 666r.** 20.505 (1) (ij) of the statutes, as affected by 1997 Wisconsin Act
6 (this act), is repealed.

7 **SECTION 541.** 20.505 (1) (is) of the statutes is amended to read:

8 20.505 (1) (is) *Information technology processing services to nonstate entities.*
9 All moneys received from local governmental units and entities in the private sector
10 for provision of computer services, telecommunications services and supercomputer
11 services under s. 16.973 (2) (b) and ~~(3)~~ (c) or under s. 196.218 (4r) (c) 4., to be used
12 for the purpose of providing those services.

13 **SECTION 667m.** 20.505 (1) (j) of the statutes is amended to read:

14 20.505 (1) (j) *Gifts and donations.* ~~All~~ Except as provided in par. (jb), all moneys
15 received from gifts, grants, bequests and devises, to carry out the purposes for which
16 made and received.

17 **SECTION 542.** 20.505 (1) (ja) of the statutes is amended to read:

18 20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for
19 the development and operation of automated justice information systems under s.
20 16.971 (9). ~~Eighty percent~~ Four-sevenths of the moneys received under s. 814.635
21 (1) shall be credited to this appropriation account.

22 **SECTION 668p.** 20.505 (1) (jb) of the statutes is created to read:

23 20.505 (1) (jb) *Gifts and grants; free books to organizations.* All moneys
24 received from gifts, grants and bequests provided by foundations and private donors
25 to supply free books to organizations under s. 16.23 (1).

1 **SECTION 543.** 20.505 (1) (ka) of the statutes is amended to read:

2 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*

3 The amounts in the schedule to provide services primarily to state agencies or local
4 professional baseball park districts created under subch. III of ch. 229, other than
5 services specified in pars. (im), (is) and (kb) to ~~(kr)~~ (ks) and subs. (2) (k) and (5) (ka),
6 and to repurchase inventory items sold primarily to state agencies or such districts.
7 All moneys received from the provision of services primarily to state agencies and
8 such districts and from the sale of inventory items primarily to state agencies and
9 such districts, other than moneys received and disbursed under pars. (im), (is) and
10 (kb) to ~~(kr)~~ (ks) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation
11 account.

12 **SECTION 669am.** 20.505 (1) (ka) of the statutes, as affected by 1997 Wisconsin
13 Act (this act), is amended to read:

14 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*

15 The amounts in the schedule to provide services primarily to state agencies or local
16 professional baseball park districts created under subch. III of ch. 229, other than
17 services specified in pars. (im), (is) and (kb) to ~~(ks)~~ (kr) and subs. (2) (k) and (5) (ka),
18 and to repurchase inventory items sold primarily to state agencies or such districts.
19 All moneys received from the provision of services primarily to state agencies and
20 such districts and from the sale of inventory items primarily to state agencies and
21 such districts, other than moneys received and disbursed under pars. (im), (is) and
22 (kb) to ~~(ks)~~ (kr) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation
23 account.

24 **SECTION 670g.** 20.505 (1) (ke) of the statutes is amended to read:

1 20.505 (1) (ke) *Telecommunications and data processing services*. The amounts
2 in the schedule to provide state telecommunications services and data processing
3 oversight and management services and telecommunications and data processing
4 inventory items primarily to state agencies and to provide for the initial costs of
5 establishment and operation of the division of information technology services. All
6 moneys received from the provision of state telecommunications and data processing
7 services and sale of telecommunications and data processing inventory items
8 primarily to state agencies, other than moneys received and disbursed under par.
9 (kL) and s. 20.225 (1) (kb), and all reimbursements of advances received by the
10 division of information technology services shall be credited to this appropriation
11 account.

12 **SECTION 670p.** 20.505 (1) (kk) of the statutes is repealed.

13 **SECTION 670r.** 20.505 (1) (kL) of the statutes is amended to read:

14 20.505 (1) (kL) *Information technology processing services to agencies*. All
15 moneys received from state agencies The amounts in the schedule for the provision
16 of information technology processing services under ss. 16.973 and 16.974, ~~to be~~
17 used. All moneys received from state agencies for the purpose of providing these
18 information technology processing services shall be credited to this appropriation
19 account.

20 **SECTION 544.** 20.505 (1) (kp) of the statutes is created to read:

21 20.505 (1) (kp) *Interagency assistance; justice information systems*. The
22 amounts in the schedule for the development and operation of automated justice
23 information systems under s. 16.971 (9). All moneys transferred from the
24 appropriation account under sub. (6) (pc) shall be credited to this appropriation
25 account.

1 **SECTION 545.** 20.505 (1) (ks) of the statutes is created to read:

2 20.505 (1) (ks) *Wisconsin land council; state agency support.* All moneys
3 received from assessments levied against state agencies under s. 16.966 for the
4 functions of the Wisconsin land council under s. 16.023.

5 **SECTION 672m.** 20.505 (1) (ks) of the statutes, as created by 1997 Wisconsin Act
6 (this act), is repealed.

7 **SECTION 673m.** 20.505 (1) (qm) of the statutes is created to read:

8 20.505 (1) (qm) *Recycling activities.* From the recycling fund, the amounts in
9 the schedule for recycling procurement specifications activities under s. 16.72 (2) and
10 administering the recycled materials clearinghouse under s. 16.72 (6).

11 **SECTION 546.** 20.505 (1) (v) of the statutes is amended to read:

12 20.505 (1) (v) (title) *General program operations — clean-water fund program*
13 *environmental improvement programs; state funds.* From the ~~clean-water~~
14 environmental improvement fund, the amounts in the schedule for general program
15 operations under s. 281.58 ~~or, 281.59, 281.60 or 281.61.~~

16 **SECTION 547.** 20.505 (1) (x) of the statutes is amended to read:

17 20.505 (1) (x) *General program operations — clean water fund program; federal*
18 *funds.* As a continuing appropriation, from the clean water fund program federal
19 revolving loan fund account in the ~~clean-water~~ environmental improvement fund,
20 the amounts in the schedule for general program operations of the clean water fund
21 program under s. 281.58 or 281.59.

22 **SECTION 548.** 20.505 (1) (y) of the statutes is created to read:

23 20.505 (1) (y) *General program operations — safe drinking water loan program;*
24 *federal funds.* As a continuing appropriation, from the safe drinking water loan
25 program federal revolving loan fund account in the environmental improvement

1 fund, the amounts in the schedule for general program operations of the safe
2 drinking water loan program under s. 281.59 or 281.61.

3 **SECTION 549.** 20.505 (3) (a) of the statutes is amended to read:

4 20.505 (3) (a) *General program operations.* The amounts in the schedule for
5 the expenses of committees created by law or executive order, for the state's
6 contribution to the advisory commission on intergovernmental relations, and for
7 state membership dues and travel expenses and miscellaneous expenses for state
8 participation in the Council of State Governments, Education Commission of the
9 States under s. 39.76, Midwestern Higher Education Compact under s. 39.80,
10 Northeast Midwest Institute, Council of Great Lakes Governors, Great Lakes
11 Commission, and such other national or regional interstate governmental bodies as
12 the governor determines.

13 **SECTION 550.** 20.505 (3) (be) of the statutes is repealed.

14 **SECTION 551.** 20.505 (4) (ee) of the statutes is repealed.

15 **SECTION 552.** 20.505 (4) (er) of the statutes is repealed.

16 **SECTION 682ad.** 20.505 (4) (ie) of the statutes is renumbered 20.505 (1) (ie).

17 **SECTION 683ad.** 20.505 (4) (ig) of the statutes is renumbered 20.505 (1) (ig).

18 **SECTION 684ad.** 20.505 (4) (im) of the statutes is renumbered 20.505 (1) (ij).

19 **SECTION 553.** 20.505 (4) (kp) of the statutes, as affected by 1997 Wisconsin Act
20 3, is amended to read:

21 20.505 (4) (kp) *Hearings and appeals fees.* The amounts in the schedule for
22 hearings and appeals services to the ~~departments~~ department of health and family
23 services and under s. 227.43 (1) (bu), the department of workforce development
24 under s. 227.43 (1) (by) and to all agencies under s. 227.43 (1m). All moneys received

1 from the fees charged under s. 227.43 (3) (c) ~~and~~, (d) and (e) shall be credited to this
2 appropriation account.

3 **SECTION 685g.** 20.505 (4) (q) of the statutes is repealed.

4 **SECTION 685m.** 20.505 (5) (c) of the statutes is created to read:

5 20.505 (5) (c) *Principal repayment and interest; Black Point Estate.* A sum
6 sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs
7 incurred in adapting for public use the property known as Black Point Estate.

8 **SECTION 554.** 20.505 (5) (ka) of the statutes is amended to read:

9 20.505 (5) (ka) *Facility operations and maintenance; police and protection*
10 *functions.* The amounts in the schedule for the purpose of financing the costs of
11 operation of state-owned or operated facilities that are not funded from other
12 appropriations, including custodial and maintenance services; minor projects;
13 utilities, fuel, heat and air conditioning; costs incurred under s. ss.16.858 and 16.895
14 by or on behalf of the department; repayment to the energy efficiency fund loans
15 made to the department under s. 16.847 (6); and supplementing the costs of operation
16 of child care facilities for children of state employees under s. 16.841; and for police
17 and protection functions under s. 16.84 (2) and (3). All moneys received from state
18 agencies for the operation of such facilities, parking rental fees established under s.
19 16.843 (2) (bm) and miscellaneous other sources, all moneys received from
20 assessments under s. 16.895, all moneys received for the performance of gaming
21 protection functions under s. 16.84 (3), and all moneys transferred from the
22 appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this
23 appropriation account.

24 **SECTION 555.** 20.505 (6) (g) of the statutes is amended to read:

1 20.505 (6) (g) *Anti-drug enforcement program, penalty assessment — local*. All
2 moneys received from the penalty assessment surcharge on court fines and
3 forfeitures as allocated under s. 165.87 (1) to match federal funds made available
4 under subtitle K of title I of P.L. 99-570, except as provided in par. (h) and s. 20.410
5 (3) (jk). The executive staff director of the office of justice assistance may transfer
6 moneys not needed as matching funds under this paragraph to par. (h). The
7 secretary of administration shall transfer \$450,000 from this paragraph to s. 20.410
8 (3) (jk) in each fiscal year. The secretary of administration shall transfer \$200,000
9 in fiscal year ~~1995-96~~ 1997-98 and \$200,000 in fiscal year ~~1996-97~~ 1998-99 from
10 this paragraph to the appropriation account under s. 20.455 (2) (k) for a drug
11 enforcement tactical intelligence unit and shall transfer \$948,800 in fiscal year
12 1998-99 from this paragraph to the appropriation account under s. 20.455 (2) (k) for
13 a drug enforcement strategic intelligence unit.

14 **SECTION 687r.** 20.505 (7) (d) of the statutes is amended to read:

15 20.505 (7) (d) *Grants to local housing organizations*. Biennially, the amounts
16 in the schedule to make grants to community-based organizations, organizations
17 operated for profit or housing authorities under s. 16.336.

18 **SECTION 556.** 20.505 (7) (jf) of the statutes is amended to read:

19 20.505 (7) (jf) (title) *Mobile home parks, dealers and salespersons*. The amounts
20 in the schedule for the licensing and regulation of mobile home parks under s. 16.366
21 and the regulation of mobile home dealers and salespersons under subch. VI of ch.
22 218. All moneys received under s. 16.366 and subch. VI of ch. 218 shall be credited
23 to this appropriation.

24 **SECTION 557.** 20.505 (7) (ji) of the statutes is repealed.

25 **SECTION 558.** 20.505 (8) (title) of the statutes is repealed.

1 **SECTION 559.** 20.505 (8) (a) of the statutes is renumbered 20.505 (1) (ab), and
2 20.505 (1) (ab) (title), as renumbered, is amended to read:

3 20.505 (1) (ab) (title) *General program operations; state prosecutor*.

4 **SECTION 560.** 20.505 (9) (a) of the statutes is amended to read:

5 20.505 (9) (a) *Administrative expenses; initial funds.* ~~The As a continuing~~
6 appropriation, the amounts in the schedule for the administrative expenses of the
7 college tuition prepayment program under s. 16.24, including the expense of
8 promoting the program. ~~No funds may be encumbered from this appropriation after~~
9 ~~June 30, 1997.~~

10 **SECTION 561.** 20.507 (intro.) of the statutes is created to read:

11 **20.507 Board of commissioners of public lands.** (intro.) There is
12 appropriated to the board of commissioners of public lands for the following program:

13 **SECTION 693m.** 20.507 (1) (j) of the statutes is created to read:

14 20.507 (1) (j) *Payments to American Indian tribes or bands for raised sunken*
15 *logs.* All moneys received under s. 170.12 (9m) (a) for making payments to American
16 Indian tribes or bands under s. 170.12 (9m) (a).

17 **SECTION 562.** 20.510 (1) (a) (title) of the statutes is amended to read:

18 20.510 (1) (a) (title) *General program operations; general purpose revenue*.

19 **SECTION 563.** 20.510 (1) (i) of the statutes is created to read:

20 20.510 (1) (i) *General program operations; program revenue.* The amounts in
21 the schedule for general program operations. All moneys received from fees imposed
22 under s. 11.055 (1) shall be credited to this appropriation account.

23 **SECTION 695g.** 20.515 (1) (am) of the statutes is created to read:

1 20.515 (1) (am) *Payment of judgment against the state.* The amounts in the
2 schedule to pay the judgment against the state under *Retired Teachers Ass'n v.*
3 *Employe Trust Funds Bd.*, 207 Wis. 2d 1 (1997).

4 **SECTION 695h.** 20.515 (1) (am) of the statutes, as created by 1997 Wisconsin
5 Act (this act), is repealed.

6 **SECTION 564.** 20.525 (1) (cm) of the statutes is created to read:

7 20.525 (1) (cm) *National Governors Association conference.* As a continuing
8 appropriation, the amounts in the schedule to provide programmatic support for a
9 meeting of the National Governors Association to be held in the city of Milwaukee
10 on August 1 to 4, 1998.

11 **SECTION 565.** 20.525 (1) (cm) of the statutes, as created by 1997 Wisconsin Act
12 (this act), is repealed.

13 **SECTION 697j.** 20.525 (1) (e) of the statutes is repealed.

14 **SECTION 697m.** 20.525 (1) (em) of the statutes is repealed.

15 **SECTION 566.** 20.525 (1) (f) of the statutes is created to read:

16 20.525 (1) (f) *Literacy improvement aids.* The amounts in the schedule for the
17 governor to provide grants for literacy improvement under s. 14.20.

18 **SECTION 698c.** 20.525 (1) (g) of the statutes is amended to read:

19 20.525 (1) (g) *Gifts and grants; Wisconsin sesquicentennial commission.* All
20 moneys received before October 1, 1998, by the Wisconsin sesquicentennial
21 commission from gifts, grants or bequests to be used for the purposes for which made
22 and received.

23 **SECTION 698e.** 20.525 (1) (g) of the statutes, as affected by 1997 Wisconsin Act
24 (this act), is repealed.

1 **SECTION 698f.** 20.525 (1) (gm) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 698g.** 20.525 (1) (h) of the statutes is amended to read:

4 20.525 (1) (h) *Wisconsin sesquicentennial commission; license revenue.* All
5 moneys received before October 1, 1998, by the Wisconsin sesquicentennial
6 commission from license fees, to be used for the general program operations of the
7 commission under s. 14.26.

8 **SECTION 698h.** 20.525 (1) (h) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is repealed.

10 **SECTION 698k.** 20.525 (1) (k) of the statutes is repealed.

11 **SECTION 698m.** 20.525 (1) (qr) of the statutes is renumbered 20.525 (1) (gm)
12 and amended to read:

13 20.525 (1) (gm) *Wisconsin sesquicentennial commission; vehicle registration*
14 *plates.* ~~From the transportation fund, all~~ All moneys received under s. 341.14 (6r)
15 (bg) 2. that are credited to this appropriation account under s. 341.14 (6r) (bg) 3. b.,
16 to be used for the general program operations of the Wisconsin sesquicentennial
17 commission under s. 14.26. All moneys credited to this appropriation account in
18 excess of \$2,700,000 shall be transferred to the appropriation account under s.
19 20.505 (1) (gm).

20 **SECTION 567.** 20.536 (1) (ka) of the statutes is amended to read:

21 20.536 (1) (ka) (title) *General program operations; clean-water environmental*
22 *improvement fund.* All moneys received for providing services to the department of
23 administration or the department of natural resources in administering ss. 25.43,
24 281.58 and, 281.59, 281.60, 281.61 and 281.62, for general program operations.

25 **SECTION 568.** 20.566 (1) (g) of the statutes is amended to read:

1 20.566 (1) (g) *Administration of county sales and use taxes.* From moneys
2 received from the appropriation under s. 20.835 (4) (g), the amounts in the schedule
3 for the purpose of administering the county taxes under subch. V of ch. 77. The
4 balance of all taxes collected under subch. V of ch. 77, after the distribution under
5 s. 77.76 (3), shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a),
6 at the end of the fiscal year the unencumbered balance of this appropriation account
7 lapses to the general fund.

8 **SECTION 701m.** 20.566 (1) (r) of the statutes is created to read:

9 20.566 (1) (r) *Administration of dry cleaner fees.* From the dry cleaner
10 environmental response fund, the amounts in the schedule for the purpose of
11 administering the fees under subch. XII of ch. 77.

12 **SECTION 702m.** 20.566 (2) (ht) of the statutes is repealed.

13 **SECTION 569.** 20.566 (7) (v) of the statutes is amended to read:

14 20.566 (7) (v) *Investment and local impact fund.* From the investment and local
15 impact fund, all moneys received under s. 70.395 (1)(a), (1g) (b) (1e) and (2) (dc) and
16 (dg), less the moneys appropriated under ~~ss. 20.143 (1) (r) and 20.370 (2) (gr)~~, to
17 be disbursed under ss. 70.395 (2) (d) to (g), 293.33 (4) and ~~293.85~~ 293.65 (5) (a) .

18 **SECTION 704m.** 20.566 (8) (v) of the statutes is amended to read:

19 20.566 (8) (v) (title) ~~*On-line vendor*~~ *Vendor fees.* From the lottery fund, a sum
20 sufficient to pay vendors for on-line and instant ticket services and supplies
21 provided by the vendors under contract under s. 565.25 (2) (a).

22 **SECTION 570.** 20.575 (1) (g) of the statutes is amended to read:

23 20.575 (1) (g) *Program fees.* The amounts in the schedule for the purpose of
24 carrying out general program operations. Except as provided under par. (ka), all
25 amounts received by the secretary of state, including fees under chs. 132 and 137 and

1 all moneys transferred from the appropriation under s. ~~20.566 (4)~~ 20.144 (1) (g), shall
2 be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any
3 unencumbered balance at the close of a fiscal year exceeding 10% of that fiscal year's
4 expenditures under this appropriation shall lapse to the general fund.

5 **SECTION 571.** 20.575 (1) (h) of the statutes is repealed.

6 **SECTION 572.** 20.575 (1) (i) of the statutes is repealed.

7 **SECTION 707m.** 20.585 (1) (i) of the statutes is created to read:

8 20.585 (1) (i) *Gifts and grants.* All moneys received from gifts, grants and
9 bequests made for the operations of the office of the state treasurer to carry out the
10 purposes for which the gifts, grants and bequests are made.

11 **SECTION 573.** 20.585 (2) (title) of the statutes is renumbered 20.507 (1) (title)
12 and amended to read:

13 20.507 (1) (title) ~~DIVISION OF TRUST~~ TRUST LANDS AND INVESTMENTS.

14 **SECTION 574.** 20.585 (2) (h) of the statutes is renumbered 20.507 (1) (h) and
15 amended to read:

16 20.507 (1) (h) *Trust lands and investments — general program operations.* The
17 amounts in the schedule for the general program operations of the ~~division of trust~~
18 ~~lands and investments~~ board as provided under ss. 24.04, 24.09 (1) (bm), 24.53 and
19 24.62 (1). ~~All~~ Ninety percent of all amounts deducted from the gross receipts of the
20 appropriate funds as provided under ss. 24.04, 24.09 (1) (bm), 24.53 and 24.62 (1)
21 shall be credited to this appropriation account. ~~On each June 30, an amount shall~~
22 ~~lapse to the general fund as determined by the secretary of administration by~~
23 ~~multiplying the average rate determined by the department of administration for the~~
24 ~~office of state treasurer during that fiscal year to establish indirect cost~~
25 ~~reimbursements, as defined in s. 16.54 (9) (a) 2., by the cost to continue payment~~

1 under this paragraph of salaries for all positions for the division of trust lands and
2 investments at the beginning of that fiscal year, as affected by the applicable biennial
3 budget act. Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end
4 of each fiscal year shall be transferred to the trust funds, as defined under s. 24.60
5 (5). The amount transferred to each trust fund, as defined under s. 24.60 (5), shall
6 bear the same proportion to the total amount transferred to the trust funds that the
7 gross receipts of that trust fund bears to the total gross receipts credited to this
8 appropriation account during that fiscal year.

9 **SECTION 575.** 20.585 (2) (k) of the statutes is renumbered 20.507 (1) (k) and
10 amended to read:

11 20.507 (1) (k) *Trust lands and investments — interagency and intra-agency*
12 *assistance.* The amounts in the schedule to provide services to state agencies relating
13 to trust lands and investments. All moneys received from the office of the state
14 treasurer department of administration or any other state agency for services
15 relating to trust lands and investments shall be credited to this appropriation
16 account.

17 **SECTION 576.** 20.585 (2) (mg) of the statutes is renumbered 20.507 (1) (mg).

18 **SECTION 712d.** 20.625 (1) (km) of the statutes is created to read:

19 20.625 (1) (km) *Court interpreter fees.* The amounts in the schedule to pay court
20 interpreter fees under s. 885.37 (4) (a) 2. All moneys transferred for this purpose
21 from the appropriation account under s. 20.680 (2) (j) shall be credited to this
22 appropriation account.

23 **SECTION 712g.** 20.660 (1) (k) of the statutes is created to read:

24 20.660 (1) (k) *Automated information systems.* The amounts in the schedule
25 for the operation of the court of appeals automated information system. All moneys

1 transferred for this purpose from the appropriation account under s. 20.680 (2) (j)
2 shall be credited to this appropriation account.

3 **SECTION 712j.** 20.680 (1) (km) of the statutes is created to read:

4 20.680 (1) (km) *Automated information systems.* The amounts in the schedule
5 for the operation of the supreme court automated information system. All moneys
6 transferred for this purpose from the appropriation account under sub. (2) (j) shall
7 be credited to this appropriation account.

8 **SECTION 712m.** 20.680 (2) (j) of the statutes is amended to read:

9 20.680 (2) (j) (title) ~~*Circuit court automation systems*~~ *Court information*
10 *systems and interpreters.* The amounts in the schedule for the operation of circuit
11 court ~~automation~~ automated systems under s. 758.19 (4), the court of appeals
12 automated information system and the supreme court automated information
13 system and for the payment of interpreter fees under s. 885.37 (4) (a) 2. All moneys
14 received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this
15 appropriation account under those sections shall be credited to this appropriation
16 account. The supreme court may transfer moneys from this appropriation account
17 to the appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660
18 (1) (k).

19 **SECTION 712r.** 20.680 (2) (j) of the statutes, as affected by 1997 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 20.680 (2) (j) *Court information systems and interpreters.* The amounts in the
22 schedule for the operation of circuit court automated systems under s. 758.19 (4), the
23 court of appeals automated information system and the supreme court automated
24 information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2.

25 All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be

1 credited to this appropriation account under those sections and two-sevenths of the
2 moneys received under s. 814.635 (1) shall be credited to this appropriation account.
3 The supreme court may transfer moneys from this appropriation account to the
4 appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k).

5 **SECTION 577.** 20.680 (2) (k) of the statutes is repealed.

6 **SECTION 578.** 20.680 (2) (kd) of the statutes is amended to read:

7 20.680 (2) (kd) *Court operations information technology.* ~~All moneys~~
8 ~~transferred from the appropriation account under s. 20.505 (1) (ja)~~ The amounts in
9 the schedule to provide information technology development and management
10 services to the court system. All moneys transferred from the appropriation account
11 under s. 20.505 (1) (ja) shall be credited to this appropriation account.

12 **SECTION 579.** 20.680 (2) (ke) of the statutes is created to read:

13 20.680 (2) (ke) *Interagency and intra-agency automation assistance.* All
14 moneys received from a court or any state agency for services provided to the court
15 or state agency related to the circuit court automation system for automated justice
16 information systems.

17 **SECTION 716d.** 20.765 (1) (d) of the statutes is amended to read:

18 20.765 (1) (d) (title) *Legislative documents; exhibit.* A sum sufficient to pay
19 legislative expenses for acquisition, production, retention, sales and distribution of
20 legislative documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3)
21 and 35.78 (1) or the rules of the senate and assembly, except as provided in sub. (3)
22 (em) and to establish and support production of the exhibit specified in 1997
23 Wisconsin Act (this act), section 9132 (2g).

24 **SECTION 716e.** 20.765 (1) (d) of the statutes, as affected by 1997 Wisconsin Act
25 (this act), is amended to read:

1 20.765 (1) (d) (title) *Legislative documents; exhibit*. A sum sufficient to pay
2 legislative expenses for acquisition, production, retention, sales and distribution of
3 legislative documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3)
4 and 35.78 (1) or the rules of the senate and assembly, except as provided in sub. (3)
5 (em) and to establish and support production of the exhibit specified in 1997 Wisconsin
6 Act (this act), section 9132 (2g).

7 **SECTION 716g.** 20.765 (2) (b) of the statutes is repealed.

8 **SECTION 716m.** 20.765 (3) (em) of the statutes is repealed and recreated to read:

9 20.765 (3) (em) *Integrated legislative information system staff*. For the
10 integrated legislative information system staff, biennially, the amounts in the
11 schedule for general program operations under s. 13.96.

12 **SECTION 716p.** 20.765 (3) (fa) of the statutes is amended to read:

13 20.765 (3) (fa) *Membership in national associations*. A sum sufficient to be
14 disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature
15 to membership in national organizations including, without limitation because of
16 enumeration, the national conference of state legislatures, the council of state
17 governments the national conference of the Commission on Uniform State Laws and
18 the national committee on uniform traffic laws and ordinances.

19 **SECTION 716r.** 20.765 (3) (g) of the statutes is amended to read:

20 20.765 (3) (g) *Gifts and grants to service agencies*. For the legislative service
21 agency under s. 13.81, 13.82, 13.90, 13.91, 13.92, 13.93, 13.94 or, 13.95 or 13.96 to
22 which directed, as a continuing appropriation, all gifts, grants, bequests and devises
23 for the purposes for which made not inconsistent with said sections.

24 **SECTION 716t.** 20.835 (2) (f) of the statutes is amended to read:

1 20.835 (2) (f) *Earned income tax credit*. A sum sufficient to pay the claims
2 approved under s. 71.07 (9e), except the claims paid under par. (k).

3 **SECTION 716v.** 20.835 (2) (k) of the statutes is created to read:

4 20.835 (2) (k) *Earned income tax credit; community service job participants*.

5 All moneys transferred from the appropriation account under s. 20.445 (3) (dz) to be
6 used to pay the claims approved under s. 71.07 (9e).

7 **SECTION 580.** 20.835 (3) (r) of the statutes is repealed.

8 **SECTION 717m.** 20.835 (4) (g) of the statutes is amended to read:

9 20.835 (4) (g) *County taxes*. All moneys received from the taxes imposed under
10 s. 77.70 for distribution to the counties that enact an ordinance imposing taxes under
11 that section and for interest payments on refunds under s. 77.76 (3), except that ~~1.5%~~
12 1.3% of those tax revenues collected under that section shall be credited to the
13 appropriation account under s. 20.566 (1) (g).

14 **SECTION 718m.** 20.835 (4) (gf) of the statutes is created to read:

15 20.835 (4) (gf) *City tax*. Ninety-seven percent of the moneys received from the
16 taxes imposed under s. 77.98 by cities, for distribution to the cities that impose those
17 taxes.

18 **SECTION 719c.** 20.835 (4) (gd) of the statutes is created to read:

19 20.835 (4) (gd) *Premier resort area tax*. Ninety-eight and one-half percent of
20 the moneys received from the tax imposed under subch. X of ch. 77, for distribution
21 to the municipality or county that imposed the tax.

22 **SECTION 719m.** 20.855 (3) (b) of the statutes is created to read:

23 20.855 (3) (b) *Capitol restoration and relocation planning*. Biennially, the
24 amounts in the schedule for the planning of capitol restoration projects and for

1 planning a facility to house offices to be relocated from the capitol, legislative branch
2 agencies or judicial branch agencies.

3 **SECTION 581.** 20.855 (4) (r) of the statutes is created to read:

4 20.855 (4) (r) *Petroleum allowance.* From the petroleum inspection fund, a sum
5 sufficient for the payment of allowances and interest under s. 168.12 (6).

6 **SECTION 582.** 20.855 (7) (title) of the statutes is repealed.

7 **SECTION 583.** 20.855 (7) (j) of the statutes is renumbered 20.445 (3) (kp) and
8 amended to read:

9 20.445 (3) (kp) *Delinquent support and maintenance payments.* All moneys
10 received from the department of revenue and the department of administration
11 under s. 49.855 for child support, maintenance, medical expenses or birth expenses,
12 to be distributed to ~~clerks of court~~ in accordance with state law and federal
13 regulations.

14 **SECTION 725m.** 20.865 (4) (c) of the statutes is repealed.

15 **SECTION 725r.** 20.865 (4) (m) of the statutes is created to read:

16 20.865 (4) (m) *Federal funds general program supplementation.* All moneys
17 received from the federal government to supplement appropriations as provided in
18 s. 13.101 for the administration of federally funded programs.

19 **SECTION 584.** 20.866 (1) (u) of the statutes is amended to read:

20 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
21 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d), 20.190 (1) (c), (d), (i) and (j),
22 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1)
23 (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih) and (kd) and (5) (i),
24 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (aq), (ar), (at), (au), (ba), (ca), (cb),
25 (cc), (cd), (ea) and, (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko)

1 and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go) and, (3) (t)
2 and (4) (qm), 20.505 (5) (c),(g) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (g),
3 (h), (i) and (q) for the payment of principal and interest on public debt contracted
4 under subchs. I and IV of ch. 18.

5 **SECTION 585.** 20.866 (1) (u) of the statutes, as affected by 1997 Wisconsin Act
6 (this act), is repealed and recreated to read:

7 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
8 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d), 20.190 (1) (c), (d), (i) and (j),
9 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1)
10 (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih) and (kd) and (5) (i),
11 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (aq), (ar), (at), (ba), (ca), (cb), (cc),
12 (cd), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e),
13 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm),
14 20.505 (5) (c),(g) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (g), (h), (i) and (q)
15 for the payment of principal and interest on public debt contracted under subchs. I
16 and IV of ch. 18.

17 **SECTION 727g.** 20.866 (2) (s) of the statutes, as affected by 1995 Wisconsin Act
18 246, is amended to read:

19 20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital
20 improvement fund, a sum sufficient for the board of regents of the university of
21 Wisconsin system to acquire, construct, develop, enlarge or improve university
22 academic educational facilities and facilities to support such facilities. The state may
23 contract public debt in an amount not to exceed ~~\$740,111,300~~ \$762,124,100 for this
24 purpose.

1 **SECTION 727m.** 20.866 (2) (s) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is amended to read:

3 20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital
4 improvement fund, a sum sufficient for the board of regents of the university of
5 Wisconsin system to acquire, construct, develop, enlarge or improve university
6 academic educational facilities and facilities to support such facilities. The state may
7 contract public debt in an amount not to exceed ~~\$762,124,100~~ \$790,009,100 for this
8 purpose.

9 **SECTION 727r.** 20.866 (2) (t) of the statutes, as affected by 1995 Wisconsin Act
10 246, is amended to read:

11 20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* From the
12 capital improvement fund, a sum sufficient for the board of regents of the university
13 of Wisconsin system to acquire, construct, develop, enlarge or improve university
14 self-amortizing educational facilities. The state may contract public debt in an
15 amount not to exceed ~~\$373,781,600~~ \$438,248,600 for this purpose. Of this amount,
16 \$4,500,000 is allocated only for the university of Wisconsin-Madison indoor practice
17 facility for athletic programs and only at the time that ownership of the facility is
18 transferred to the state.

19 **SECTION 586.** 20.866 (2) (tc) of the statutes is amended to read:

20 20.866 (2) (tc) (title) *Clean water fund program.* From the capital improvement
21 fund, a sum sufficient for the purpose of s. 281.57 (10m) and to be transferred to the
22 ~~clean water~~ environmental improvement fund for the purposes of the clean water
23 fund program under ss. 281.58 and 281.59. The state may contract public debt in an
24 amount not to exceed ~~\$553,194,000~~ \$544,830,400 for this purpose. Of this amount,
25 the amount needed to meet the requirements for state deposits under 33 USC 1382

1 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the
2 minority business development and training program under s. ~~66.905 (2) (b)~~ 560.036
3 (2m) (b) 2. Moneys from this appropriation account may be expended for the purpose
4 of s. 281.57 (10m) only in the amount by which the department of natural resources
5 and the department of administration determine that moneys available under par.
6 (tn) are insufficient for the purpose for s. 281.57 (10m).

7 **SECTION 587.** 20.866 (2) (td) of the statutes is created to read:

8 20.866 (2) (td) *Safe drinking water loan program.* From the capital
9 improvement fund, a sum sufficient to be transferred to the environmental
10 improvement fund for the safe drinking water loan program under s. 281.61. The
11 state may contract public debt in an amount not to exceed \$12,130,000 for this
12 purpose.

13 **SECTION 588.** 20.866 (2) (te) of the statutes is amended to read:

14 20.866 (2) (te) *Natural resources; nonpoint source grants.* From the capital
15 improvement fund, a sum sufficient for the department of natural resources to
16 provide funds for nonpoint source water pollution abatement projects under ~~s. ss.~~
17 281.16 (5) and 281.65. The state may contract public debt in an amount not to exceed
18 \$20,000,000 \$34,363,600 for this purpose. Of this amount, \$2,000,000 may only be
19 used for projects selected under s. 281.65 (4c) (c) after July 1, 1998. Of this amount,
20 \$2,000,000 may only be used under s. 281.16 (5) for projects to assist agricultural
21 facilities to comply with the performance standards, prohibitions, conservation
22 practices and technical standards under s. 281.16 (3).

23 **SECTION 589.** 20.866 (2) (tg) of the statutes is amended to read:

24 20.866 (2) (tg) *Natural resources; environmental repair.* From the capital
25 improvement fund, a sum sufficient for the department of natural resources to fund

1 investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial
2 action under s. 281.83 and for payment of this state's share of environmental repair
3 that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may
4 contract public debt in an amount not to exceed ~~\$31,500,000~~ \$43,000,000 for this
5 purpose. Of this amount, ~~\$9,000,000~~ \$5,000,000 is allocated for remedial action
6 under s. 281.83.

7 **SECTION 731g.** 20.866 (2) (tk) of the statutes is created to read:

8 20.866 (2) (tk) *Natural resources; environmental segregated fund supported*
9 *administrative facilities.* From the capital improvement fund, a sum sufficient for
10 the department of natural resources to acquire, construct, develop, enlarge or
11 improve natural resource administrative office, laboratory, equipment storage and
12 maintenance facilities. The state may contract public debt in an amount not to
13 exceed \$145,000 for this purpose.

14 **SECTION 731h.** 20.866 (2) (tL) of the statutes is amended to read:

15 20.866 (2) (tL) *Natural resources; segregated revenue supported dam*
16 *maintenance, repair, modification, abandonment and removal.* From the capital
17 improvement fund, a sum sufficient for the department of natural resources to
18 provide financial assistance to counties, cities, villages, towns and public inland lake
19 protection and rehabilitation districts in conducting dam maintenance, repair,
20 modification, abandonment and removal under s. 31.385. The state may contract
21 public debt in an amount not to exceed ~~\$4,000,000~~ \$6,350,000 for this purpose.

22 **SECTION 731k.** 20.866 (2) (tn) of the statutes is amended to read:

23 20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection*
24 *facilities.* From the capital improvement fund, a sum sufficient to the department
25 of natural resources to acquire, construct, develop, enlarge or improve point source

1 water pollution abatement facilities and sewage collection facilities under s. 281.57
2 including eligible engineering design costs. Payments may be made from this
3 appropriation for capital improvement expenditures and encumbrances authorized
4 under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57
5 (9m) (a) and except as provided in s. 281.57 (10m). Payments may also be made from
6 this appropriation for expenditures and encumbrances resulting from disputed costs
7 under s. 281.57 if an appeal of an eligibility determination is filed before July 1, 1990,
8 and the result of the dispute requires additional funds for an eligible project. The
9 state may contract public debt in an amount not to exceed \$902,449,800 for this
10 purpose.

11 **SECTION 731m.** 20.866 (2) (to) of the statutes is amended to read:

12 20.866 (2) (to) *Natural resources; pollution abatement and sewage collection*
13 *facilities; combined sewer overflow.* From the capital improvement fund, a sum
14 sufficient to the department of natural resources to provide funds for the
15 construction of combined sewer overflow projects and for eligible engineering design
16 costs under s. 281.63. The state may contract public debt in an amount not to exceed
17 \$200,600,000 for this purpose. Of this amount, \$7,360,000 is allocated to fund the
18 minority business demonstration and training program under s. ~~66.905~~ 560.036
19 (2m).

20 **SECTION 731r.** 20.866 (2) (tu) of the statutes is amended to read:

21 20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From
22 the capital improvement fund, a sum sufficient for the department of natural
23 resources to acquire, construct, develop, enlarge or improve natural resource
24 administrative office, laboratory, equipment storage or maintenance facilities and to
25 acquire, construct, develop, enlarge or improve state recreation facilities and state

1 fish hatcheries. The state may contract public debt in an amount not to exceed
2 \$14,749,900 \$18,746,600 for this purpose.

3 **SECTION 731t.** 20.866 (2) (tv) of the statutes is amended to read:

4 20.866 (2) (tv) *Natural resources; general fund supported administrative*
5 *facilities.* From the capital improvement fund, a sum sufficient for the department
6 of natural resources to acquire, construct, develop, enlarge or improve natural
7 resource administrative office, laboratory, equipment, storage or maintenance
8 facilities. The state may contract public debt in an amount not to exceed \$6,733,500
9 \$8,295,800 for this purpose.

10 **SECTION 590.** 20.866 (2) (tw) of the statutes is amended to read:

11 20.866 (2) (tw) *Natural resources; ice age trail.* From the capital improvement
12 fund, as a part of the outdoor recreation land acquisition program, a sum sufficient
13 for the department of natural resources for the acquisition and development of the
14 ice age trail under s. 23.17. The state may contract public debt in an amount not to
15 exceed \$750,000 for this purpose. Moneys expended from this appropriation in each
16 fiscal year may not exceed an amount equal to the sum of the amount received under
17 s. 20.370 (1) ~~(gg)~~ (7) (gg) from gifts, grants and bequests for that fiscal year plus an
18 amount equal to the valuation of the land accepted for dedication under s. 23.293 (5)
19 in that fiscal year.

20 **SECTION 732m.** 20.866 (2) (up) of the statutes is amended to read:

21 20.866 (2) (up) *Transportation; rail passenger route development.* From the
22 capital improvement fund, a sum sufficient for the department of transportation to
23 fund rail passenger route development under s. 85.061 (3). The state may contract
24 public debt in an amount not to exceed \$50,000,000 for this purpose. Of this amount,

1 not more than \$10,000,000 may be used to fund the purposes specified in s. 85.061
2 (3) (a) 2. and 3.

3 **SECTION 591.** 20.866 (2) (uv) of the statutes is amended to read:

4 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
5 improvement fund, a sum sufficient for the department of transportation to provide
6 grants for harbor improvements. The state may contract public debt in an amount
7 not to exceed ~~\$12,000,000~~ \$15,000,000 for this purpose.

8 **SECTION 592.** 20.866 (2) (uw) of the statutes is amended to read:

9 20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the
10 capital improvement fund, a sum sufficient for the department of transportation to
11 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and
12 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).
13 The state may contract public debt in an amount not to exceed ~~\$14,500,000~~
14 \$19,000,000 for these purposes.

15 **SECTION 734e.** 20.866 (2) (ux) of the statutes is amended to read:

16 20.866 (2) (ux) *Corrections; correctional facilities.* From the capital
17 improvement fund, a sum sufficient for the department of corrections to acquire,
18 construct, develop, enlarge or improve adult and juvenile correctional facilities. The
19 state may contract public debt in an amount not to exceed ~~\$480,087,500~~
20 \$594,680,500 for this purpose.

21 **SECTION 734m.** 20.866 (2) (uy) of the statutes is amended to read:

22 20.866 (2) (uy) *Corrections; self-amortizing facilities and equipment.* From the
23 capital improvement fund, a sum sufficient for the department of corrections to
24 acquire, develop, enlarge or improve facilities and equipment used in prison

1 industries. The state may contract public debt in an amount not to exceed \$6,110,000
2 \$7,337,000 for this purpose.

3 **SECTION 734s.** 20.866 (2) (v) of the statutes is amended to read:

4 20.866 (2) (v) (title) *Health and family services; mental health and secure*
5 *treatment facilities*. From the capital improvement fund, a sum sufficient for the
6 department of health and family services to acquire, construct, develop, enlarge or
7 extend mental health and secure treatment facilities. The state may contract public
8 debt in an amount not to exceed ~~\$88,712,500~~ \$118,712,500 for this purpose.

9 **SECTION 593.** 20.866 (2) (w) of the statutes is renumbered 20.866 (2) (uz) and
10 amended to read:

11 20.866 (2) (uz) (title) ~~*Health and family services*~~ *Corrections; juvenile*
12 *correctional facilities*. From the capital improvement fund, a sum sufficient for the
13 department of ~~health and family services~~ corrections to acquire, construct, develop,
14 enlarge or improve juvenile correctional facilities. The state may contract public
15 debt in an amount not to exceed ~~\$29,441,500~~ \$26,441,500 for this purpose.

16 **SECTION 735am.** 20.866 (2) (wr) of the statutes is created to read:

17 20.866 (2) (wr) *Administration; Black Point Estate*. From the capital
18 improvement fund, a sum sufficient for the department of administration to adapt
19 for public use the property known as Black Point Estate. The state may contract
20 public debt in an amount not to exceed \$1,600,000 for this purpose.

21 **SECTION 735b.** 20.866 (2) (x) of the statutes is amended to read:

22 20.866 (2) (x) *Building commission; previous lease rental authority*. From the
23 capital improvement fund, a sum sufficient to the building commission to acquire,
24 construct, develop, enlarge or improve facilities authorized by the legislature prior

1 to July 1, 1969. The state may contract public debt in an amount not to exceed
2 \$143,171,600 \$143,071,600 for this purpose.

3 **SECTION 735c.** 20.866 (2) (xb) of the statutes is amended to read:

4 20.866 (2) (xb) *Building commission; refunding corporation self-amortizing*
5 *debt.* From the capital improvement fund, a sum sufficient to fund or refund the
6 whole or any part of any unpaid indebtedness used to finance self-amortizing
7 facilities in which program revenues or corresponding segregated revenues from
8 program receipts reimburse lease rental payments advanced by general purpose
9 revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies
10 building corporation, Wisconsin state colleges building corporation or Wisconsin
11 university building corporation. The state may contract public debt in an amount not
12 to exceed ~~\$2,686,600~~ \$1,940,000 for this purpose. Such indebtedness shall be
13 construed to include any premium payable with respect thereto. Debt incurred by
14 this paragraph shall be repaid under the appropriations providing for the retirement
15 of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the
16 purposes for which the debt was refinanced. The refunding authority provided in this
17 paragraph may be used only if the true interest costs to the state can be reduced
18 thereby.

19 **SECTION 735d.** 20.866 (2) (y) of the statutes is amended to read:

20 20.866 (2) (y) *Building commission; housing state departments and agencies.*
21 From the capital improvement fund, a sum sufficient to the building commission for
22 the purpose of housing state departments and agencies. The state may contract
23 public debt in an amount not to exceed ~~\$219,525,600~~ \$259,727,600 for this purpose.

24 **SECTION 735h.** 20.866 (2) (yg) of the statutes is amended to read:

1 20.866 (2) (yg) *Building commission; project contingencies.* From the capital
2 improvement fund, a sum sufficient to the building commission for the purpose of
3 funding project contingencies for projects enumerated in the authorized state
4 building program for state departments and agencies. The state may contract public
5 debt in an amount not to exceed ~~\$19,659,000~~ \$28,233,200 for this purpose.

6 **SECTION 735j.** 20.866 (2) (ym) of the statutes is amended to read:

7 20.866 (2) (ym) *Building commission; capital equipment acquisition.* From the
8 capital improvement fund, a sum sufficient to the state building commission to
9 acquire capital equipment for state departments and agencies. The state may
10 contract public debt in an amount not to exceed ~~\$67,129,800~~ \$84,312,100 for this
11 purpose.

12 **SECTION 735k.** 20.866 (2) (z) (intro.) of the statutes is amended to read:

13 20.866 (2) (z) *Building commission; other public purposes.* From the capital
14 improvement fund, a sum sufficient to the building commission for relocation
15 assistance and capital improvements for other public purposes authorized by law but
16 not otherwise specified in this chapter. The state may contract public debt in an
17 amount not to exceed ~~\$736,956,000~~ \$919,466,000 for this purpose. Of this amount,
18 ~~\$150,000,000 is allocated for the Wisconsin initiative for state technology and~~
19 ~~applied research program. The total amount of debt authorized for this program may~~
20 ~~not exceed the following amounts on the following dates:~~

21 **SECTION 735p.** 20.866 (2) (z) 1. to 7. of the statutes is renumbered 20.866 (2)
22 (z) 1m. a. to g., and 20.866 (2) (z) 1m. g., as renumbered, is amended to read:

23 20.866 (2) (z) 1m. g. July 1, 1997, ~~or thereafter,~~ \$150,000,000 to June 30, 1998,
24 \$130,000,000.

25 **SECTION 735s.** 20.866 (2) (z) 1m. (intro.) of the statutes is created to read:

1 20.866 (2) (z) 1m. (intro.) An amount equal to \$162,500,000 may be used for the
2 Wisconsin initiative for state technology and applied research program. The total
3 amount of debt authorized under this subdivision may not exceed the following
4 amounts on the following dates:

5 **SECTION 735w.** 20.866 (2) (z) 1m. h. and i. of the statutes are created to read:

6 20.866 (2) (z) 1m. h. July 1, 1998, to June 30, 1999, \$150,000,000.

7 i. July 1, 1999, or thereafter, \$162,500,000.

8 **SECTION 735y.** 20.866 (2) (z) 2m. of the statutes is created to read:

9 20.866 (2) (z) 2m. An amount equal to \$72,000,000 is allocated for the
10 healthstar program. The total amount of debt authorized under this subdivision may
11 not exceed the following amounts on the following dates:

12 a. July 1, 1997, to June 30, 1999, \$14,500,000.

13 b. July 1, 1999, to June 30, 2001, \$57,000,000.

14 c. July 1, 2001, or thereafter, \$72,000,000.

15 **SECTION 594.** 20.866 (2) (zc) of the statutes is created to read:

16 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board;*
17 *school district educational technology infrastructure loans.* From the capital
18 improvement fund, a sum sufficient for the technology for educational achievement
19 in Wisconsin board to make subsidized educational technology infrastructure loans
20 to school districts under s. 44.72 (4). The state may contract public debt in an amount
21 not to exceed \$50,000,000 for this purpose.

22 **SECTION 595.** 20.866 (2) (zc) of the statutes, as created by 1997 Wisconsin Act
23 (this act), is amended to read:

24 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board;*
25 *school district educational technology infrastructure loans.* From the capital

1 improvement fund, a sum sufficient for the technology for educational achievement
2 in Wisconsin board to make subsidized educational technology infrastructure loans
3 to school districts under s. 44.72 (4). The state may contract public debt in an amount
4 not to exceed ~~\$50,000,000~~ \$100,000,000 for this purpose.

5 **SECTION 737b.** 20.866 (2) (zcm) of the statutes is created to read:

6 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board;*
7 *public library educational technology infrastructure loans.* From the capital
8 improvement fund, a sum sufficient for the technology for educational achievement
9 in Wisconsin board to make subsidized educational technology infrastructure loans
10 to public library boards under s. 44.72 (4). The state may contract public debt in an
11 amount not to exceed \$5,000,000 for this purpose.

12 **SECTION 737c.** 20.866 (2) (zcm) of the statutes, as created by 1997 Wisconsin
13 Act (this act), is amended to read:

14 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board;*
15 *public library educational technology infrastructure loans.* From the capital
16 improvement fund, a sum sufficient for the technology for educational achievement
17 in Wisconsin board to make subsidized educational technology infrastructure loans
18 to public library boards under s. 44.72 (4). The state may contract public debt in an
19 amount not to exceed ~~\$5,000,000~~ \$10,000,000 for this purpose.

20 **SECTION 737d.** 20.866 (2) (zd) of the statutes is amended to read:

21 20.866 (2) (zd) *Educational communications board; educational*
22 *communications facilities.* From the capital improvement fund, a sum sufficient for
23 the educational communications board to acquire, construct, develop, enlarge or
24 improve educational communications facilities. The state may contract public debt
25 in an amount not to exceed ~~\$7,429,600~~ \$8,237,300 for this purpose.

1 **SECTION 737m.** 20.866 (2) (zf) of the statutes is amended to read:

2 20.866 (2) (zf) *Historical society; historic sites.* From the capital improvement
3 fund, a sum sufficient for the historical society to acquire, construct, develop, enlarge
4 or improve historic sites and facilities. The state may contract public debt in an
5 amount not to exceed \$1,839,000 \$1,939,000 for this purpose.

6 **SECTION 596.** 20.866 (2) (zh) of the statutes is amended to read:

7 20.866 (2) (zh) (title) *Education public instruction; state schools and library*
8 *facilities.* From the capital improvement fund, a sum sufficient for the department
9 of education public instruction to acquire, construct, develop, enlarge or improve
10 institutional facilities for the hearing impaired and the visually handicapped and
11 reference and loan library facilities. The state may contract public debt in an amount
12 not to exceed \$7,367,700 for this purpose.

13 **SECTION 739e.** 20.866 (2) (zj) of the statutes is amended to read:

14 20.866 (2) (zj) *Military affairs; armories and military facilities.* From the
15 capital improvement fund, a sum sufficient for the department of military affairs to
16 acquire, construct, develop, enlarge, or improve armories and other military
17 facilities. The state may contract public debt in an amount not to exceed \$18,215,200
18 \$19,590,200 for this purpose.

19 **SECTION 739m.** 20.866 (2) (zm) of the statutes is amended to read:

20 20.866 (2) (zm) (title) *Veterans affairs; Wisconsin veterans home facilities.*
21 From the capital improvement fund, a sum sufficient for the department of veterans
22 affairs to acquire, construct, develop, enlarge or improve facilities at the Wisconsin
23 state veterans home homes, veterans cemeteries and the veterans museum. The
24 state may contract public debt in an amount not to exceed \$9,990,100 \$10,090,100
25 for this purpose.

1 **SECTION 739n.** 20.866 (2) (zn) of the statutes is amended to read:

2 20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans.* From the
3 capital improvement fund, a sum sufficient for the department of veterans affairs for
4 loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an
5 amount not to exceed ~~\$1,661,000,000~~ \$1,807,500,000 for this purpose.

6 **SECTION 597.** 20.866 (2) (zo) of the statutes is amended to read:

7 20.866 (2) (zo) *Veterans affairs; refunding bonds.* From the funds and accounts
8 under s. 18.04 (6) (b), a sum sufficient for the department of veterans affairs to fund,
9 refund or acquire the whole or any part of public debt as set forth in s. 18.04 (5). The
10 building commission may contract public debt in an amount not to exceed
11 ~~\$625,000,000~~ \$665,000,000 for these purposes, exclusive of any amount issued to
12 fund public debt contracted under par. (zn).

13 **SECTION 740be.** 20.866 (2) (zp) of the statutes is amended to read:

14 20.866 (2) (zp) *Veterans affairs; self-amortizing housing facilities.* From the
15 capital improvement fund, a sum sufficient for the department of veterans affairs to
16 acquire, construct, develop, enlarge or improve housing facilities at ~~the Wisconsin~~
17 ~~Veterans Home at King~~ state veterans homes. The state may contract public debt
18 in an amount not to exceed ~~\$1,629,400~~ \$2,031,900 for this purpose.

19 **SECTION 740bk.** 20.866 (2) (zx) of the statutes is created to read:

20 20.866 (2) (zx) *State fair park board; board facilities.* From the capital
21 improvement fund, a sum sufficient for the state fair park board to acquire,
22 construct, develop, enlarge or improve state fair park board facilities. The state may
23 contract public debt in an amount not to exceed \$2,000,000 for this purpose.

24 **SECTION 740bm.** 20.866 (2) (zy) of the statutes is amended to read:

1 20.866 (2) (zy) *State fair park board; housing facilities.* From the capital
2 improvement fund, a sum sufficient to the state fair park board to construct, acquire,
3 develop, enlarge or improve housing facilities at the state fair park in West Allis. The
4 state may contract public debt not to exceed ~~\$13,000,000~~ \$11,000,000 for this
5 purpose.

6 **SECTION 740bs.** 20.866 (2) (zz) of the statutes is amended to read:

7 20.866 (2) (zz) *State fair park board; self-amortizing facilities.* From the
8 capital improvement fund, a sum sufficient to the state fair park board to acquire,
9 construct, develop, enlarge or improve facilities at the state fair park in West Allis.
10 The state may contract public debt not to exceed ~~\$27,850,000~~ \$26,387,000 for this
11 purpose.

12 **SECTION 740c.** 20.870 (title) of the statutes is repealed and recreated to read:

13 **20.870 (title) Information technology development projects.**

14 **SECTION 740d.** 20.870 (intro.) of the statutes, as affected by 1997 Wisconsin Act
15 (this act), is repealed and recreated to read:

16 **20.870 Information technology investment fund.** (intro.) There is
17 appropriated to state agencies from the information technology investment fund:

18 **SECTION 740e.** 20.870 (1) (title) of the statutes is amended to read:

19 20.870 (1) (title) INFORMATION TECHNOLOGY ~~DEVELOPMENT~~ INVESTMENT FUND.

20 **SECTION 740f.** 20.870 (1) (title) of the statutes, as affected by 1997 Wisconsin
21 Act (this act), is amended to read:

22 20.870 (1) (title) INFORMATION TECHNOLOGY ~~INVESTMENT FUND~~ DEVELOPMENT

23 **SECTION 740g.** 20.870 (1) (intro.) of the statutes is created to read:

24 20.870 (1) (intro.) There is appropriated to state agencies from the information
25 technology investment fund:

1 **SECTION 740h.** 20.870 (1) (intro.) of the statutes, as affected by 1997 Wisconsin
2 Act (this act), is repealed.

3 **SECTION 740i.** 20.870 (2) of the statutes is created to read:

4 20.870 (2) GENERAL FUND. There is appropriated to the department of
5 administration:

6 (a) *Information technology development projects.* The amounts in the schedule
7 to pay for the cost of conducting information technology development projects for
8 which grants were awarded by the department under s. 16.971 (5) prior to the
9 effective date of this paragraph [revisor inserts date].

10 **SECTION 740j.** 20.870 (2) of the statutes, as created by 1997 Wisconsin Act
11 (this act), is repealed.

12 **SECTION 598.** 20.903 (2) (b) of the statutes is amended to read:

13 20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys
14 expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and
15 (es) and 20.505 (1) (im), (ka), (kb), (kc) and (kd) in an additional amount not
16 exceeding the depreciated value of equipment for operations financed under ss.
17 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), (kc) and
18 (kd). The secretary of administration may require such statements of assets and
19 liabilities as he or she deems necessary before approving expenditure estimates in
20 excess of the unexpended moneys in the appropriation account.

21 **SECTION 599.** 20.9045 (title) of the statutes is created to read:

22 **20.9045 (title) Department of natural resources; appropriations;**
23 **program balances; revenues.**

24 **SECTION 745m.** 20.916 (3) of the statutes is amended to read:

1 20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The
2 department of health and family services, the department of corrections and the
3 department of natural resources may, with the approval of the governor and the
4 department of administration, provide group transportation, in the absence of
5 convenient and public scheduled transportation, for employes to and from the
6 Mendota and Winnebago mental health institutes and ~~the centers~~ any center for the
7 developmentally disabled in the case of employes of the department of health and
8 family services, to the Ethan Allen school, the Taycheedah correctional institution
9 and the Fox Lake correctional institution in the case of employes of the department
10 of corrections, and to and from its temporary branch offices located at the Nevin fish
11 hatchery grounds in the case of employes of the department of natural resources.
12 Any employe, if injured while being so transported, shall be deemed to have been in
13 the course of his or her employment.

14 **SECTION 600.** 20.923 (1) of the statutes is amended to read:

15 20.923 (1) ESTABLISHMENT OF EXECUTIVE SALARY GROUPS. To this end, a
16 compensation plan consisting of 10 executive salary groups is established in
17 schedule one of the state compensation plan for the classified service from ranges 18
18 through 27. No salary range established above salary range 23 may be utilized in
19 the establishment and compensation of positions in the classified service without
20 specific approval of the joint committee on employment relations. The dollar value
21 of the salary range minimum and maximum for each executive salary group shall be
22 reviewed and established in the same manner as that provided for positions in the
23 classified service under s. 230.12 (3). The salary-setting authority of individual
24 boards, commissions, elective and appointive officials elsewhere provided by law is
25 subject to and limited by this section, and the salary rate for these positions upon

1 appointment and subsequent thereto shall be set by the appointing authority
2 pursuant to this section, except as provided in s. 36.09 (1) (j) and as otherwise
3 required by article IV, section 26, of the constitution.

4 **SECTION 601.** 20.923 (4) (intro.) of the statutes is amended to read:

5 20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the
6 administrator of the division of merit recruitment and selection in the department
7 of employment relations, commission chairpersons and members and higher
8 education administrative positions shall be identified and limited in number in
9 accordance with the standardized nomenclature contained in this subsection, and
10 shall be assigned to the executive salary groups listed in pars. (a) to (j). Except for
11 positions specified in par. (c) 3m. and sub. (12) ~~and s. 230.08 (2) (e) 6m.~~, all
12 unclassified division administrator positions enumerated under s. 230.08 (2) (e)
13 shall be assigned, when approved by the joint committee on employment relations,
14 by the secretary of employment relations to one of the 10 executive salary groups
15 listed in pars. (a) to (j). The joint committee on employment relations, by majority
16 vote of the full committee, may amend recommendations for initial position
17 assignments and changes in assignments to the executive salary groups submitted
18 by the secretary of employment relations. All division administrator assignments
19 and amendments to assignments of administrator positions approved by the
20 committee shall become part of the compensation plan. Whenever a new unclassified
21 division administrator position is created, the appointing authority may set the
22 salary for the position until the joint committee on employment relations approves
23 assignment of the position to an executive salary group. If the committee approves
24 assignment of the position to an executive salary group having a salary range
25 minimum or maximum inconsistent with the salary paid to the incumbent at the

1 time of such approval, the incumbent's salary shall be adjusted by the appointing
2 authority to conform with the committee's action, effective on the date of that action.

3 Positions are assigned as follows:

4 **SECTION 602.** 20.923 (4) (a) 4q. of the statutes is repealed.

5 **SECTION 603.** 20.923 (4) (c) 4. of the statutes is created to read:

6 20.923 (4) (c) 4. Higher educational aids board: executive secretary.

7 **SECTION 604.** 20.923 (4) (e) 1. of the statutes is renumbered 20.923 (4) (e) 1e.

8 **SECTION 605.** 20.923 (4) (e) 1b. of the statutes is created to read:

9 20.923 (4) (e) 1b. Administration, department of; technology for educational
10 achievement in Wisconsin board: executive director.

11 **SECTION 606.** 20.923 (4) (e) 2m. of the statutes is repealed.

12 **SECTION 754m.** 20.923 (4) (e) 5m. of the statutes is created to read:

13 20.923 (4) (e) 5m. Legislature, integrated legislative information system staff:
14 director.

15 **SECTION 607.** 20.923 (4) (g) 1g. of the statutes is repealed.

16 **SECTION 756c.** 20.923 (4m) of the statutes is repealed and recreated to read:

17 20.923 (4m) UNIVERSITY OF WISCONSIN SYSTEM EXECUTIVE POSITIONS. (a) The
18 board of regents of the University of Wisconsin System may set the salary of the
19 president of the University of Wisconsin System at any point up to 30% above the
20 maximum dollar value of the salary range for executive salary group 10, based on the
21 competitive market for comparable positions at comparable institutions of higher
22 education.

23 (b) Notwithstanding the maximum of the salary range established under sub.
24 (4) (j), the board of regents of the University of Wisconsin System may set the salaries
25 of the chancellor of the University of Wisconsin-Madison and the chancellor of the

1 University of Wisconsin-Milwaukee at any point up to 20% above the maximum
2 dollar value of the salary range for executive salary group 10.

3 (c) The board of regents of the University of Wisconsin System may set the
4 salaries of the vice presidents of the University of Wisconsin System, the chancellors
5 of the University of Wisconsin System campuses at Eau Claire, Green Bay, LaCrosse,
6 Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior and
7 Whitewater, the chancellors of the University of Wisconsin-Center System and the
8 University of Wisconsin-Extension, the vice chancellor for health sciences of the
9 University of Wisconsin-Madison and the vice chancellor who is serving as a deputy
10 at the University of Wisconsin-Madison and the University of
11 Wisconsin-Milwaukee at any point between the minimum dollar value of the salary
12 range for executive salary group 7 and 10% above the maximum dollar value of the
13 salary range for executive salary group 10, to reflect the hierarchical structure of the
14 system, to recognize merit, to permit orderly salary progression and to recognize
15 competitive factors.

16 (d) The board of regents of the University of Wisconsin System may set the
17 salaries of the vice chancellors who are serving as deputies at the University of
18 Wisconsin-Center System and the University of Wisconsin-Extension and at any
19 University of Wisconsin System campus, other than the University of
20 Wisconsin-Madison and the University of Wisconsin-Milwaukee, at any point
21 between the minimum dollar value of the salary range for executive salary group 7
22 and the maximum dollar value of the salary range for executive salary group 10, to
23 reflect the hierarchical structure of the system, to recognize merit, to permit orderly
24 salary progression and to recognize competitive factors.

25 **SECTION 608.** 20.923 (6) (aL) of the statutes is created to read:

1 20.923 (6) (aL) Administration, department of: director of Indian gaming, and
2 the attorney appointed under s. 569.015 (2).

3 **SECTION 757c.** 20.923 (6) (bc) of the statutes is created to read:

4 20.923 (6) (bc) Ethics board: legal counsel.

5 **SECTION 757d.** 20.923 (6) (bd) of the statutes is created to read:

6 20.923 (6) (bd) Health and family services, department of: director of the office
7 of urban development.

8 **SECTION 757m.** 20.923 (6) (bp) of the statutes is created to read:

9 20.923 (6) (bp) Integrated legislative information system staff: staff employes.

10 **SECTION 609.** 20.923 (15) of the statutes is amended to read:

11 20.923 (15) SALARY ADJUSTMENT LIMITATIONS. (a) ~~An~~ Except as provided in sub.
12 (4m) and except as authorized under s. 36.09 (1) (j) for a position identified in sub.
13 (4) (j), an incumbent of a position that has been assigned to an executive salary group
14 of the compensation plan under this section, whose current salary exceeds the
15 maximum of the salary range to which his or her position's group is assigned, shall
16 remain at his or her current rate of pay while he or she remains employed in that
17 position until the maximum of the salary range to which his or her executive salary
18 group is assigned equals or exceeds his or her current rate of pay.

19 (b) Except for the positions identified in subs. (4) (j) and (4m), the pay of any
20 incumbent whose salary is subject to a limitation under this section may not equal
21 or exceed that amount paid the governor. ~~The pay of any incumbent in the position~~
22 ~~of president of the university of Wisconsin system, chancellor of the university of~~
23 ~~Wisconsin-Madison or chancellor of the university of Wisconsin-Milwaukee may not~~
24 ~~exceed the maximum dollar value of the salary range for the group to which the~~
25 ~~incumbent's position is assigned.~~

1 **SECTION 758m.** 20.924 (1) (a) of the statutes is amended to read:

2 20.924 (1) (a) Shall authorize the design and construction of any building,
3 structure or facility costing in excess of ~~\$250,000~~ \$500,000 regardless of funding
4 source, only if that project is enumerated in the authorized state building program.

5 **SECTION 758s.** 20.924 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
6 5, section 3, is amended to read:

7 20.924 (1) (b) Shall authorize the acquisition of land, or the repair, remodeling
8 or improvement to any existing building, structure or facility costing in excess of
9 ~~\$250,000~~ \$500,000, regardless of funding source, only if that project is enumerated
10 in the authorized state building program. This paragraph does not apply to the
11 acquisition of land by the building commission in the city of Madison within a block
12 number specified in s. 13.48 (18). This paragraph does not apply to projects
13 authorized under s. 16.858.

14 **SECTION 610.** 20.924 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
15 5, section 4, is amended to read:

16 20.924 (1) (b) Shall authorize the acquisition of land, or the repair, remodeling
17 or improvement to any existing building, structure or facility costing in excess of
18 ~~\$250,000~~ \$500,000, regardless of funding source, only if that project is enumerated
19 in the authorized state building program. This paragraph does not apply to projects
20 authorized under s. 16.858.

21 **SECTION 611.** 20.924 (2) of the statutes is created to read:

22 20.924 (2) Subsection (1) does not apply to the acquisition of land for, or the
23 design or construction of, the harbor of refuge along the Lake Superior shoreline
24 under s. 30.92 (4m).

25 **SECTION 612.** 21.19 (3) (b) of the statutes is amended to read:

1 21.19 (3) (b) Notwithstanding s. 13.48 (14) (c), the department, under the
2 authority and procedures established in par. (a), may sell and convey the Wisconsin
3 national guard armory located at 1225 E. Henry Clay Street, Whitefish Bay,
4 Milwaukee County. The proceeds of a sale shall be used first to pay off all bonds, all
5 or a part of which were used to construct or purchase the property. Any moneys
6 remaining from the sale shall be paid into the state treasury and credited to the
7 appropriation under s. 20.465 (2) (1) (g).

8 **SECTION 761g.** 21.49 (1) (b) 2. of the statutes is amended to read:

9 21.49 (1) (b) 2. Any accredited institution of higher education as defined by rule
10 by the ~~department of education~~ higher educational aids board.

11 **SECTION 761m.** 21.49 (2) (a) of the statutes is amended to read:

12 21.49 (2) (a) An officer ~~or warrant officer~~.

13 **SECTION 613.** 21.49 (3) (a) of the statutes is amended to read:

14 21.49 (3) (a) Any eligible guard member upon satisfactory completion of a
15 full-time or part-time course in a qualifying school is eligible for a tuition grant
16 equal to ~~50%~~ 100% of the actual tuition charged by the school or ~~50%~~ 100% of the
17 maximum resident undergraduate tuition charged by the university of
18 Wisconsin-Madison for a comparable number of credits, whichever amount is less.

19 **SECTION 762b.** 23.09 (2) (f) of the statutes is amended to read:

20 23.09 (2) (f) *Propagation, game and fish.* ~~Capture~~ Subject to s. 95.60, capture,
21 propagate, transport, sell or exchange any species of game or fish needed for stocking
22 or restocking any lands or waters of the state.

23 **SECTION 762c.** 23.09 (2) (km) of the statutes is created to read:

1 23.09 (2) (km) *Resources inventory*. Develop an information system to acquire,
2 integrate and disseminate information concerning inventories and data on aquatic
3 and terrestrial natural resources.

4 **SECTION 762d.** 23.09 (2) (m) of the statutes is amended to read:

5 23.09 (2) (m) (title) *Lake and stream Stream classification*. Develop a program
6 for classifying lakes and streams by use and to make recommendations to
7 municipalities and other state agencies for protection and development of
8 recreational waters.

9 **SECTION 762g.** 23.09 (2q) (intro.) and (b) of the statutes are consolidated,
10 renumbered 23.09 (2q) and amended to read:

11 23.09 (2q) WARREN KNOWLES-GAYLORD NELSON STEWARDSHIP PROGRAM; LOWER
12 WISCONSIN STATE RIVERWAY; ~~ICE AGE TRAIL~~. Except as provided in s. 23.0915 (2), the
13 department in each fiscal year may not expend from the appropriation under s.
14 20.866 (2) (tz): ~~(b) More~~ more than \$2,000,000 under sub. (2) (d) 11.

15 **SECTION 762h.** 23.09 (2q) (c) of the statutes is repealed.

16 **SECTION 762k.** 23.09 (2r) (intro.) of the statutes is amended to read:

17 23.09 (2r) WARREN KNOWLES-GAYLORD NELSON STEWARDSHIP PROGRAM; LAND
18 ACQUISITION. (intro.) Except as provided in s. 23.0915 (2), the department in each
19 fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more than
20 a total of \$8,600,000 under this subsection the amount designated under s. 23.0915
21 (1) (a) or (am) for that fiscal year. The purposes for which these moneys may be
22 expended are the following:

23 **SECTION 762L.** 23.09 (2s) of the statutes is created to read:

24 23.09 (2s) WARREN KNOWLES-GAYLORD NELSON STEWARDSHIP PROGRAM; ICE AGE
25 TRAIL. (a) Except as provided in par. (b) and s. 23.0915 (2), the department in each

1 fiscal year may expend from the appropriation under s. 20.866 (2) (tz) not more than
2 \$500,000 for all of the following purposes:

3 1. The Ice Age Trail under ss. 23.17 and 23.293.

4 2. Grants for the Ice Age Trail under s. 23.096.

5 (b) The department in fiscal year 1997-98 may not increase the expenditure
6 limit under the stewardship program for the purposes specified in par. (a) 1. and 2.
7 and may only expend up to the amount that is available for expenditure, as adjusted
8 under s. 23.0915 (2) (a), (b) and (c), on June 30, 1997.

9 **SECTION 762p.** 23.09 (3) of the statutes is renumbered 23.09 (3) (a) and
10 amended to read:

11 23.09 (3) (a) The department shall cooperate with the several state
12 departments and officials in the conduct of matters in which the interests of the
13 respective departments or officials overlap. The cooperating agencies may provide
14 by agreement for the manner of sharing expenses and responsibilities under this
15 subsection paragraph.

16 **SECTION 762r.** 23.09 (3) (b) of the statutes is created to read:

17 23.09 (3) (b) If the department and the board of regents of the University of
18 Wisconsin System enter into an agreement to create a faculty position at the
19 University of Wisconsin-Madison for a forest landscape ecologist, the department
20 and the University of Wisconsin-Madison shall develop an annual work plan for the
21 ecologist. In developing the annual work plan the department shall consult with the
22 governor's council on forestry created by executive order under s. 14.019.

23 **SECTION 614.** 23.09 (19) (a) of the statutes is renumbered 23.09 (19) (a) (intro.)
24 and amended to read:

25 23.09 (19) (a) (intro.) In this subsection, "local;

1 2. “Local governmental unit” means a city, village, town, county, lake sanitary
2 district, as defined in s. 30.50 (4q), or public inland lake protection and rehabilitation
3 district.

4 **SECTION 615.** 23.09 (19) (a) 1. of the statutes is created to read:

5 23.09 (19) (a) 1. “Brownfields redevelopment” means an abandoned, idle or
6 underused industrial or commercial facility or site, the expansion or redevelopment
7 of which is adversely affected by actual or perceived environmental contamination.

8 **SECTION 616.** 23.09 (19) (cm) of the statutes is created to read:

9 23.09 (19) (cm) In approving grants under this subsection and under s. 23.096
10 for urban green space, the department shall give higher priority for projects related
11 to brownfields redevelopment.

12 **SECTION 766b.** 23.0915 (1) (intro.) of the statutes is amended to read:

13 23.0915 (1) DESIGNATED AMOUNTS. (intro.) The legislature intends that the
14 department will expend the following designated amounts under the stewardship
15 program from the appropriation under s. 20.866 (2) (tz) for the following purposes in
16 each fiscal year, the expenditures beginning with fiscal year 1990-91 and ending in
17 fiscal year 1999-2000, except as provided in pars. (am), (bn), (kg), (kr), (L) and (Lg),
18 (Lr), (m) and (n):

19 **SECTION 766c.** 23.0915 (1) (a) of the statutes is amended to read:

20 23.0915 (1) (a) General land acquisition, urban river grants and the Frank
21 Lloyd Wright Monona terrace project, \$8,600,000, except as provided in par. (am).

22 **SECTION 766d.** 23.0915 (1) (am) of the statutes is created to read:

23 23.0915 (1) (am) General land acquisition, urban river grants and the Frank
24 Lloyd Wright Monona terrace project, \$7,100,000 beginning in fiscal year 1997-98
25 and ending in fiscal year 1999-2000.

1 **SECTION 766e.** 23.0915 (1) (b) of the statutes is amended to read:

2 23.0915 (1) (b) General property development, \$3,500,000, except as provided
3 in par. (bn).

4 **SECTION 766f.** 23.0915 (1) (bn) of the statutes is created to read:

5 23.0915 (1) (bn) General property development, \$3,000,000 in fiscal year
6 1997-98 and \$2,500,000 in fiscal years 1998-99 and 1999-2000.

7 **SECTION 766g.** 23.0915 (1) (k) of the statutes is amended to read:

8 23.0915 (1) (k) Ice age trail, \$500,000, except for fiscal year 1997-98.

9 **SECTION 766h.** 23.0915 (1) (kg) of the statutes is created to read:

10 23.0915 (1) (kg) Open space protection, \$2,000,000 beginning in fiscal year
11 1997-98 and ending in fiscal year 1999-2000.

12 **SECTION 766i.** 23.0915 (1) (kr) of the statutes is created to read:

13 23.0915 (1) (kr) Bluff protection, \$500,000 beginning in fiscal year 1997-98 and
14 ending in fiscal year 1999-2000.

15 **SECTION 766j.** 23.0915 (1) (Lg) of the statutes is created to read:

16 23.0915 (1) (Lg) Henry Aaron State Park Trail, a total of \$290,000, to be
17 expended beginning in fiscal year 1997-98 and ending in fiscal year 1999-2000.

18 **SECTION 766k.** 23.0915 (1) (Lr) of the statutes is created to read:

19 23.0915 (1) (Lr) Flambeau Mine Trail, a total of \$100,000, to be expended
20 beginning in fiscal year 1997-98 and ending in fiscal year 1999-2000.

21 **SECTION 766L.** 23.0915 (1) (n) of the statutes is created to read:

22 23.0915 (1) (n) Crex Meadows Wildlife Area education center, a total of
23 \$250,000, to be expended beginning in fiscal year 1997-98 and ending in fiscal year
24 1999-2000.

1 **SECTION 766m.** 23.0915 (2) (a) of the statutes is renumbered 23.0915 (2) (a) 1.
2 and amended to read:

3 23.0915 (2) (a) 1. Beginning with fiscal year 1990-91, if the department
4 expends in a given fiscal year an amount from the moneys appropriated under s.
5 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount
6 designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k),
7 the department may adjust the expenditure limit under the stewardship program for
8 that purpose by raising the expenditure limit, as it may have been previously
9 adjusted under this paragraph and par. (b) 1., for the next fiscal year by the amount
10 that equals the difference between the amount designated for that purpose and the
11 amount expended for that purpose in that given fiscal year.

12 **SECTION 766n.** 23.0915 (2) (a) 2. of the statutes is created to read:

13 23.0915 (2) (a) 2. Beginning with fiscal year 1997-98, if the department
14 expends in a given fiscal year an amount from the moneys appropriated under s.
15 20.866 (2) (tz) for a purpose under sub. (1) (kg) or (kr) that is less than the amount
16 designated for that purpose for that given fiscal year under sub. (1) (kg) or (kr), the
17 department may adjust the expenditure limit under the stewardship program for
18 that purpose by raising the expenditure limit, as it may have been previously
19 adjusted under this paragraph and par. (b) 2., for the next fiscal year by the amount
20 that equals the difference between the amount designated for that purpose and the
21 amount expended for that purpose in that given fiscal year.

22 **SECTION 766p.** 23.0915 (2) (b) of the statutes is renumbered 23.0915 (2) (b) 1.
23 and amended to read:

24 23.0915 (2) (b) 1. Beginning with fiscal year 1990-91, if the department
25 expends in a given fiscal year an amount from the moneys appropriated under s.

1 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount
2 designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k),
3 the department shall adjust the expenditure limit under the stewardship program
4 for that purpose by lowering the expenditure limit, as it may have been previously
5 adjusted under this paragraph and par. (a) 1, for the next fiscal year by an amount
6 equal to the remainder calculated by subtracting the amount designated for that
7 purpose from the amount expended, as it may be affected under par. (c) or (d), for that
8 purpose in that given fiscal year.

9 **SECTION 766q.** 23.0915 (2) (b) 2. of the statutes is created to read:

10 23.0915 (2) (b) 2. Beginning with fiscal year 1997-98, if the department
11 expends in a given fiscal year an amount from the moneys appropriated under s.
12 20.866 (2) (tz) for a purpose under sub. (1) (kg) or (kr) that is more than the amount
13 designated for that purpose for that given fiscal year under sub. (1) (kg) or (kr), the
14 department shall adjust the expenditure limit under the stewardship program for
15 that purpose by lowering the expenditure limit, as it may have been previously
16 adjusted under this paragraph and par. (a) 2., for the next fiscal year by an amount
17 equal to the remainder calculated by subtracting the amount designated for that
18 purpose from the amount expended, as it may be affected under par. (c) or (d), for that
19 purpose in that given fiscal year.

20 **SECTION 766r.** 23.0915 (2) (c) of the statutes is amended to read:

21 23.0915 (2) (c) The department may not expend in a fiscal year an amount from
22 the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or
23 (c) to ~~(k)~~ (kr) that exceeds the amount equal to the expenditure limit for that purpose
24 as it may have been previously adjusted under pars. (a) and (b), except as provided
25 in par. (d).

1 **SECTION 766s.** 23.0915 (2) (d) (intro.) of the statutes is amended to read:

2 23.0915 (2) (d) (intro.) In a given fiscal year, in addition to expending the
3 amount designated for a purpose under sub. (1) (a) or (c) to ~~(k)~~ (kr), or the amount
4 equal to the expenditure limit for that purpose, as adjusted under pars. (a) and (b),
5 whichever amount is applicable, the department may also expend for that purpose
6 up to 50% of the designated amount for that purpose for the given fiscal year for a
7 project or activity if the natural resources board determines all of the following:

8 **SECTION 766t.** 23.0915 (2j) of the statutes is created to read:

9 23.0915 (2j) FLAMBEAU MINE TRAIL. (a) From the moneys appropriated under
10 s. 20.866 (2) (tz), before June 30, 2000, the department shall expend \$100,000 for the
11 Flambeau Mine Trail and Rusk County visitor center.

12 (b) For purposes of sub. (1) and s. 23.17, moneys expended under this
13 subsection shall be treated as moneys expended for trails.

14 **SECTION 766u.** 23.0915 (2m) (e) and (em) of the statutes are created to read:

15 23.0915 (2m) (e) From the moneys appropriated under s. 20.866 (2) (tz), the
16 department shall set aside for the period of time specified in sub. (1) (Lg) \$290,000
17 for the Henry Aaron State Park Trail in the Henry Aaron State Park.

18 (em) For purposes of sub. (1), moneys expended under par. (e) shall be treated
19 as moneys expended for wildlife habitat restoration under s. 23.092.

20 **SECTION 766um.** 23.0915 (2r) of the statutes is created to read:

21 23.0915 (2r) ACQUISITION OF GRANDFATHER FALLS RECREATION AREA. (a) Subject
22 to par. (b), from the appropriation under s. 20.866 (2) (tz), the department shall
23 expend the moneys necessary to purchase approximately 1,485 acres of land in
24 Lincoln County that is commonly known as the Grandfather Falls Recreation Area.

1 (b) The department may not expend more than \$2,138,000 for the land specified
2 under par. (a).

3 (c) For purposes of sub. (1), moneys expended under par. (a) may be treated as
4 moneys expended for any of the purposes specified under sub. (1) (a) to (k) or any
5 combination of those purposes.

6 **SECTION 766v.** 23.0915 (3m) of the statutes is created to read:

7 **23.0915 (3m) CREX MEADOWS WILDLIFE AREA EDUCATION CENTER.** (a) From the
8 moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during
9 fiscal year 1997–98 for the period of time specified in sub. (1) (n) \$250,000 for a project
10 to construct and equip a wildlife education center for Crex Meadows Wildlife Area.
11 Expenditures under this paragraph shall be made in a manner that, for every \$3
12 received by the department from private grants, gifts or bequests for the project, \$1
13 will be expended from the moneys under this paragraph.

14 (b) The department shall expedite the planning, design and development of the
15 education center.

16 (c) For purposes of sub. (1), moneys set aside by the department under this
17 subsection shall be treated as moneys for general property development.

18 **SECTION 766w.** 23.0925 of the statutes is created to read:

19 **23.0925 Open space protection program. (1) DEFINITION.** In this section,
20 “local governmental unit” means a city, village, town or county.

21 **(2) GRANTS.** (a) The department shall establish a program, beginning in fiscal
22 year 1997–98, to expend from the appropriation under s. 20.866 (2) (tz) moneys for
23 grants to local governmental units and to nonprofit conservation organizations
24 under s. 23.096 to acquire conservation easements for the protection of open space.

1 (b) A conservation easement acquired with an open space protection grant
2 awarded under this section or under s. 23.096 shall run with the land and shall bind
3 all subsequent purchasers and any other successors to an interest in the land. An
4 open space protection grant awarded under this section or s. 23.096 may be used to
5 acquire a conservation easement in agricultural or forest land.

6 **(3) AMOUNT OF GRANT.** An open space protection grant awarded under this
7 section or under s. 23.096 may not exceed 75% of the cost of acquiring the
8 conservation easement.

9 **(4) LIMIT ON SPENDING.** Except as provided in s. 23.0915 (2), the department in
10 each fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more
11 than \$2,000,000 for open space protection grants awarded under this section or
12 under s. 23.096.

13 **SECTION 766wm.** 23.094 (2) (c) 2. of the statutes is amended to read:

14 23.094 (2) (c) 2. The ~~erosion control~~ land and resource management planning
15 program under s. 92.10.

16 **SECTION 766x.** 23.0945 of the statutes is created to read:

17 **23.0945 Bluff protection program. (1) DEFINITION.** In this section, “local
18 governmental unit” means a city, village, town or county.

19 **(2) GRANTS.** The department shall establish a program, beginning in fiscal year
20 1997–98, to expend from the appropriation under s. 20.866 (2) (tz) moneys for grants
21 to local governmental units and to nonprofit conservation organizations under s.
22 23.096 to acquire bluff land for the purposes of environmental protection and
23 environmental management.

24 **(3) AMOUNT OF GRANT.** A bluff protection grant awarded under this section or
25 s. 23.096 may not exceed 50% of the cost of acquiring the bluff land.

1 **(4) LIMIT ON SPENDING.** Except as provided in s. 23.0915 (2), the department in
2 each fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more
3 than \$500,000 for bluff protection grants awarded under this section or under s.
4 23.096.

5 **(5) RULES.** The department shall promulgate rules to administer and
6 implement this section, including standards for awarding bluff land protection
7 grants under this section and under s. 23.096. The department by rule shall define
8 “bluff land” for purposes of this section.

9 **SECTION 766y.** 23.0955 (3) of the statutes is created to read:

10 **23.0955 (3)** From the appropriation under s. 20.866 (2) (tz), the department
11 may expend \$100,000 to provide one grant to a nonprofit corporation that is
12 organized in this state, that is described under section 501 (c) (3) or (4) of the Internal
13 Revenue Code and that is exempt from taxation under section 501 (a) of the the
14 Internal Revenue Code to provide training and technical assistance to local
15 governmental units to assist them in the establishment of projects for the acquisition
16 of conservation easements to protect open space. For purposes of s. 23.0915 (1) and
17 this section, the moneys expended under this subsection shall be treated as moneys
18 for open space protection.

19 **SECTION 617.** 23.096 (2) of the statutes is amended to read:

20 **23.096 (2)** The department may award grants to nonprofit conservation
21 organizations to acquire property for the purposes described in ss. 23.09 (19) and
22 (20), 23.092, 23.094, 23.0945, 23.17, 23.175, 23.27, 23.29, 23.293 and 30.277 (2) (a).
23 The department may award grants to nonprofit conservation organizations to
24 acquire conservation easements under s. 23.0925.

25 **SECTION 767m.** 23.0962 of the statutes is created to read:

1 **23.0962 Grant to a nonprofit conservation organization for Black**
2 **Point Estate.** (1) If the department of administration acquires as a gift the
3 property, known as Black Point Estate, that is located on Lake Geneva in the county
4 of Walworth, town of Linn, in fractional Sec. 8, T. 1 N., R. 17 E., and if the joint
5 committee on finance approves the gift under s. 20.907 (1), the department of natural
6 resources shall make a grant of \$1,800,000, from the appropriation under s. 20.370
7 (5) (cq), to a nonprofit conservation organization that meets all of the following
8 requirements:

9 (a) The nonprofit conservation organization is a nonprofit corporation, a
10 charitable trust or other nonprofit association that is described in section 501 (c) (3)
11 of the Internal Revenue Code and is exempt from federal tax under section 501 (a)
12 of the Internal Revenue Code.

13 (b) The nonprofit conservation organization has, as its primary purpose, the
14 preservation of the property known as Black Point Estate.

15 (c) The nonprofit conservation organization has a board of directors that
16 consists of representatives of the state, of the family who donated Black Point Estate
17 to the state, of local units of government that have an interest in Black Point Estate
18 and of civic organizations that have an interest in Black Point Estate.

19 (d) The nonprofit conservation organization acquires a conservation easement
20 in the property, the terms of which are subject to approval of the department of
21 natural resources, to be held by the organization for the purpose of preserving Black
22 Point Estate.

23 (e) The nonprofit conservation organization makes a commitment, with
24 guarantees determined to be adequate by the department of natural resources, to use

1 the grant under this section and any additional funds donated to the organization
2 to fund an endowment for the operation and maintenance of Black Point Estate.

3 (2) If the nonprofit conservation organization does not use the grant under this
4 section in the manner required under sub. (1) (e), the nonprofit conservation
5 organization shall reimburse the department in an amount equal to the grant.

6 **SECTION 618.** 23.175 (4m) of the statutes is created to read:

7 23.175 (4m) PRIORITY FOR BROWNFIELDS. In awarding grants for trails under s.
8 23.096, the department shall give higher priority for projects related to brownfields
9 redevelopment, as defined in s. 23.09 (19) (a) 1.

10 **SECTION 768m.** 23.196 (2) (b) of the statutes is amended to read:

11 23.196 (2) (b) For the purpose of establishing the Willow flowage project, the
12 department may expend up to an amount equal to the total amount available for the
13 purchase of land. For purposes of ss. 23.09 ~~(2r) (a)~~ (2q) and 23.0915 (1), moneys
14 expended under this paragraph shall be treated as moneys expended for the lower
15 Wisconsin state riverway acquisition.

16 **SECTION 619.** 23.27 (3) (a) of the statutes is amended to read:

17 23.27 (3) (a) *Duties.* The department, with the advice of the council, shall
18 conduct a natural heritage inventory program. The department shall cooperate with
19 the land information board under s. 16.967 in conducting this program. This
20 program shall establish a system for determining the existence and location of
21 natural areas, the degree of endangerment of natural areas, an evaluation of the
22 importance of natural areas, information related to the associated natural values of
23 natural areas and other information and data related to natural areas. This program
24 shall establish a system for determining the existence and location of native plant
25 and animal communities and endangered, threatened and critical species, the

1 degree of endangerment of these communities and species, the existence and location
2 of habitat areas associated with these communities and species and other
3 information and data related to these communities and species. This program shall
4 establish and coordinate standards for the collection, storage, recall and display of
5 and management of information and data related to the natural heritage inventory.

6 **SECTION 769ad.** 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
7 (this act), is amended to read:

8 23.27 (3) (a) *Duties.* The department, with the advice of the council, shall
9 conduct a natural heritage inventory program. ~~The department shall cooperate with~~
10 ~~the land information board under s. 16.967 in conducting this program.~~ This
11 program shall establish a system for determining the existence and location of
12 natural areas, the degree of endangerment of natural areas, an evaluation of the
13 importance of natural areas, information related to the associated natural values of
14 natural areas and other information and data related to natural areas. This program
15 shall establish a system for determining the existence and location of native plant
16 and animal communities and endangered, threatened and critical species, the
17 degree of endangerment of these communities and species, the existence and location
18 of habitat areas associated with these communities and species and other
19 information and data related to these communities and species. This program shall
20 establish and coordinate standards for the collection, storage and management of
21 information and data related to the natural heritage inventory.

22 **SECTION 620.** 23.27 (3) (b) of the statutes is amended to read:

23 23.27 (3) (b) *Access to information; fees.* The department shall make
24 information and data from the natural heritage inventory program available to any
25 individual or public or private agency for research, educational, environmental, land

1 management or similar authorized purposes. The department may establish a fee
2 to be charged collected to recover the actual cost of collecting, storing, managing,
3 compiling and providing this information and data. The department may reduce or
4 waive the fee established under this paragraph if the department determines that
5 a waiver or reduction of the fee is in the public interest. The natural heritage
6 inventory and related information and data are not subject to s. 19.35 and the
7 department may refuse to release information or data for any purpose which is not
8 authorized.

9 **SECTION 621.** 23.27 (4) of the statutes is amended to read:

10 23.27 (4) NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the
11 intent of the legislature to continue natural areas land acquisition activities from
12 moneys available from the appropriation under ss. 20.370 ~~(1)(kb)~~ (7)(fa) and 20.866
13 (2) (ts) and (tz). This commitment is separate from and in addition to the
14 commitment to acquire natural areas under the Wisconsin natural areas heritage
15 program. Except as provided in s. 23.0915 (2), the department may not expend under
16 s. 20.866 (2) (tz) more than \$1,500,000 in each fiscal year for natural areas land
17 acquisition activities under this subsection and for grants for this purpose under s.
18 23.096.

19 **SECTION 622.** 23.27 (7) of the statutes is created to read:

20 23.27 (7) SALE OF RESOURCES. Moneys received from the sale or lease of
21 resources derived from the land in the state natural areas system shall be credited
22 to the appropriation under s. 20.370 (1) (fs).

23 **SECTION 623.** 23.293 (4) of the statutes is amended to read:

24 23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept
25 contributions and gifts for the ice age trail program. The department may convert

1 gifts of land which it determines are not appropriate for the ice age trail program into
2 cash. The department may convert other noncash contributions and gifts into cash.
3 These moneys shall be deposited in the general fund and credited to the
4 appropriation under s. 20.370 ~~(1) (gg)~~ (7) (gg). An amount equal to the value of all
5 contributions and gifts shall be released from the appropriation under s. 20.866 (2)
6 (tw) or (tz) or both to be used for land acquisition and development activities under
7 s. 23.17. The department shall determine how the moneys being released are to be
8 allocated from these appropriations. No moneys may be released under s. 20.866 (2)
9 (tz) before July 1, 1990.

10 **SECTION 774am.** 23.32 (2) (d) of the statutes is repealed.

11 **SECTION 775am.** 23.325 (1) (a) of the statutes is amended to read:

12 23.325 (1) (a) Shall consult with the ~~land information board~~, the department
13 of transportation and the state cartographer, and may consult with other potential
14 users of the photographic products resulting from the survey, to determine the scope
15 and character of the survey.

16 **SECTION 624.** 23.33 (1) (id) of the statutes is created to read:

17 23.33 (1) (id) "Lac du Flambeau band" means the Lac du Flambeau band of
18 Lake Superior Chippewa.

19 **SECTION 625.** 23.33 (1) (ie) of the statutes is created to read:

20 23.33 (1) (ie) "Lac du Flambeau reservation" means the territory within the
21 boundaries of the Lac du Flambeau reservation that were in existence on April 10,
22 1996.

23 **SECTION 626.** 23.33 (2) (a) of the statutes is amended to read:

24 23.33 (2) (a) *Requirement.* No person may operate and no owner may give
25 permission for the operation of an all-terrain vehicle within this state unless the

1 all-terrain vehicle is registered for public use or for private use ~~with the department~~
2 under this section subsection or sub. (2g), is exempt from registration or is operated
3 with a reflectorized plate attached in the manner specified under par. (dm) 3. No
4 person may operate and no owner may give permission for the operation of an
5 all-terrain vehicle on a public all-terrain vehicle route or trail unless the all-terrain
6 vehicle is registered for public use ~~with the department~~ under this section subsection
7 or sub. (2g), is exempt from registration or is operated with a reflectorized plate
8 attached in the manner specified under par. (dm) 3.

9 **SECTION 627.** 23.33 (2g) of the statutes is created to read:

10 23.33 (2g) LAC DU FLAMBEAU BAND REGISTRATION PROGRAM. (a) *Authorization for*
11 *issuance.* The Lac du Flambeau band may issue registration certificates for public
12 use or private use for all-terrain vehicles that are equivalent to the registration
13 certificates for public use or private use that are issued by the department. The Lac
14 du Flambeau band may renew and transfer a registration certificate that it or the
15 department has issued. The Lac du Flambeau band may issue duplicates of only
16 those registration certificates that it issues under this subsection.

17 (b) *Requirements for issuance; fees; effective periods.* 1. For issuing or renewing
18 a registration certificate under this subsection, the Lac du Flambeau band shall
19 collect the same fee that would be collected for the equivalent registration certificate
20 under sub. (2) (c) and (d). For transferring a registration certificate or issuing a
21 duplicate registration certificate under this subsection, the Lac du Flambeau band
22 shall collect the same fee that would be collected for the equivalent service under sub.
23 (2) (e).

1 2. The Lac du Flambeau band may not issue, renew or otherwise process
2 registration certificates under this subsection in conjunction with discount coupons
3 or as part of a promotion or other merchandising offer.

4 3. For a registration certificate issued, transferred or renewed under this
5 subsection, the effective period shall be the same as it would be for the equivalent
6 registration certificate under sub. (2) (f) 1. or (g) or under a rule promulgated under
7 sub. (2) (f) 2.

8 4. The Lac du Flambeau band may issue, renew or otherwise process
9 registration certificates under this subsection only to applicants who appear in
10 person on the Lac du Flambeau reservation.

11 (c) *Requirements for registration applications and decals.* 1. The Lac du
12 Flambeau band shall use registration applications and registration certificates that
13 are substantially similar to those under sub. (2) with regard to length, legibility and
14 information content.

15 2. The Lac du Flambeau band shall use registration decals that are
16 substantially similar to those under sub. (2) with regard to color, size, legibility,
17 information content and placement on the all-terrain vehicle.

18 3. The Lac du Flambeau band shall use a sequential numbering system that
19 includes a series of letters or initials that identify the Lac du Flambeau band as the
20 issuing authority.

21 (d) *Registration information.* The Lac du Flambeau band shall provide
22 registration information to the state in one of the following ways:

23 1. By transmitting all additions, changes or deletions of registration
24 information to persons identified in the agreement described in par. (f), for

1 incorporation into the registration records of this state, within one working day after
2 the addition, change or deletion.

3 2. By establishing a 24-hour per day data retrieval system, consisting of either
4 a law enforcement agency with 24-hour per day staffing or a computerized data
5 retrieval system to which law enforcement officials of this state have access at all
6 times.

7 (e) *Reports; records; tax collection.* 1. Before June 1 annually, the Lac du
8 Flambeau band shall submit a report to the department notifying it of the number
9 of each type of registration certificate that the Lac du Flambeau band issued,
10 transferred or renewed for the period beginning on April 1 of the previous year and
11 ending on March 31 of the year in which the report is submitted.

12 2. For law enforcement purposes, the Lac du Flambeau band shall make
13 available for inspection by the department during normal business hours the Lac du
14 Flambeau band's records of all registration certificates issued, renewed or otherwise
15 processed under this subsection, including copies of all applications made for
16 certificates.

17 3. The Lac du Flambeau band shall ensure that the record of each registration
18 certificate issued, renewed or otherwise processed under this subsection, including
19 a copy of each application made, is retained for at least 2 years after the date of
20 expiration of the certificate.

21 4. The Lac du Flambeau band shall collect the sales and use taxes due under
22 s. 77.61 (1) on any all-terrain vehicle registered under this subsection and make the
23 report in respect to those taxes. On or before the 15th day of each month, the Lac du
24 Flambeau band shall pay to the department of revenue all taxes that the Lac du
25 Flambeau band collected in the previous month.

1 (f) *Applicability*. This subsection does not apply unless the department and the
2 Lac du Flambeau band have in effect a written agreement, approved by the joint
3 committee on finance, under which the Lac du Flambeau band agrees to comply with
4 pars. (a) to (e) and that contains all of the following terms:

5 1. The manner in which the Lac du Flambeau band will limit its treaty-based
6 right to fish outside the Lac du Flambeau reservation.

7 2. A requirement that the fees collected by the Lac du Flambeau band under
8 par. (b) be used only for a program for registering all-terrain vehicles, for regulating
9 all-terrain vehicles and their operation and for providing all-terrain vehicle trails
10 and all-terrain vehicle facilities.

11 **SECTION 628.** 23.33 (4) (d) 5. of the statutes is amended to read:

12 23.33 (4) (d) 5. On roadways if the all-terrain vehicle is an implement of
13 husbandry, if the all-terrain vehicle is used exclusively for agricultural purposes and
14 if the all-terrain vehicle is registered for private use under sub. (2) (d) or (2g).
15 Operation of an all-terrain vehicle which is an implement of husbandry on a
16 roadway is authorized only for the extreme right side of the roadway except that left
17 turns may be made from any part of the roadway which is safe given prevailing
18 conditions.

19 **SECTION 629.** 23.33 (4z) (b) of the statutes is amended to read:

20 23.33 (4z) (b) The department shall develop and issue an educational pamphlet
21 on the intoxicated operation of an all-terrain vehicle law to be distributed, beginning
22 in 1989, to persons issued all-terrain vehicle registration certificates under subs. (2)
23 and (2g).

24 **SECTION 630.** 23.33 (9) (a) (title) of the statutes is repealed and recreated to
25 read:

1 23.33 (9) (a) (title) *Enforcement*.

2 **SECTION 631.** 23.33 (9) (a) of the statutes is amended to read:

3 23.33 (9) (a) The department may utilize ~~up to 50% of the moneys received~~
4 under sub. (2) for all-terrain vehicle registration aids administration and for the
5 purposes specified under s. 20.370 (3) (as), and (5) (er) and (mu) and (8) (ds) including
6 costs associated with ~~registration,~~ enforcement, safety education, accident reports
7 and analysis, law enforcement aids to counties, ~~aids administration~~ and other
8 similar costs in administering and enforcing this section.

9 **SECTION 783d.** 23.33 (9) (b) 1. of the statutes is repealed.

10 **SECTION 783g.** 23.33 (9) (b) 2. (intro.) of the statutes is renumbered 23.33 (9)
11 (b) (intro.) and amended to read:

12 23.33 (9) (b) *All-terrain vehicle projects.* (intro.) Any of the following
13 all-terrain vehicle projects are eligible for funding ~~under this paragraph~~ as a state
14 all-terrain vehicle project from the appropriation account under s. 20.370 (1) (ms)
15 or for aid ~~under this paragraph~~ as a nonstate all-terrain vehicle project from the
16 appropriation accounts under s. 20.370 (5) (ct) and (cu):

17 **SECTION 783m.** 23.33 (9) (b) 2. a. to f. of the statutes are renumbered 23.33 (9)
18 (b) 1. to 6.

19 **SECTION 783s.** 23.33 (9) (b) 3. of the statutes is renumbered 23.33 (9) (c) and
20 amended to read:

21 23.33 (9) (c) (title) *Signs.* In addition to the projects listed in ~~subd. 2. par. (b),~~
22 the department may provide aid under this ~~paragraph~~ subsection to a town, village,
23 city or county for up to 100% of the cost of placing signs developed under sub. (4z) (a)
24 2.

25 **SECTION 783v.** 23.36 of the statutes is created to read:

1 **23.36 Natural resources agreements with federally recognized**
2 **American Indian tribes and bands. (1)** In this section, “tribe or band” means a
3 federally recognized American Indian tribe or band.

4 **(2)** Before the department and a tribe or band enter into any agreement that
5 affects the regulation of the harvest of fish or game in the state, the department shall
6 first obtain the approval of the proposed agreement by the joint committee on finance
7 if the proposed agreement will authorize or recognize any of the following:

8 (a) The issuance by the tribe or band of hunting or fishing approvals under ch.
9 29 to persons who are not members of the tribe or band.

10 (b) The registration or certification by the tribe or band of all-terrain vehicles,
11 boats or snowmobiles that are not owned by persons who are members of the tribe
12 or band.

13 **SECTION 783x.** 23.39 of the statutes is repealed.

14 **SECTION 632.** 23.405 (title) of the statutes is renumbered 23.425 (title).

15 **SECTION 633.** 23.405 (1) of the statutes is renumbered 23.425 (1).

16 **SECTION 634.** 23.405 (2) (a) of the statutes is renumbered 23.425 (2) (a).

17 **SECTION 635.** 23.405 (2) (b) of the statutes is renumbered 23.425 (2) (b) and
18 amended to read:

19 23.425 **(2)** (b) The fees collected by the department under par. (a) for the use
20 of the MacKenzie environmental center shall be deposited in the general fund and
21 credited to the appropriation under s. 20.370 ~~(5) (gb)~~ (9) (gb).

22 **SECTION 636.** 23.41 (5m) of the statutes is renumbered 23.41 (5m) (intro.) and
23 amended to read:

24 23.41 **(5m)** (intro.) If the governor or the governor’s designee determines that
25 it is in the best interest of this state, he or she may waive the requirement under sub.

1 (5) for bids or competitive sealed proposals ~~in~~ under any of the following
2 circumstances:

3 (a) In an emergency involving the public health, welfare or safety or the
4 environment.

5 **SECTION 637.** 23.41 (5m) (b) of the statutes is created to read:

6 23.41 (5m) (b) The department desires to use innovative or patented
7 technology that is available from only one source and that in the judgment of the
8 department would provide the best practicable hazardous substance spill response
9 under s. 292.11 or environmental repair under s. 292.31.

10 **SECTION 638.** 23.51 (2p) of the statutes is created to read:

11 23.51 (2p) "Crime laboratories and drug law enforcement assessment" means
12 the assessment imposed under s. 165.755.

13 **SECTION 639.** 23.51 (8) of the statutes is amended to read:

14 23.51 (8) "Violation" means conduct which is prohibited by state law or
15 municipal ordinance and punishable by a forfeiture, a penalty assessment and, a jail
16 assessment and a crime laboratories and drug law enforcement assessment.

17 **SECTION 640.** 23.54 (3) (e) of the statutes is amended to read:

18 23.54 (3) (e) The maximum forfeiture, penalty assessment, jail assessment,
19 crime laboratories and drug law enforcement assessment, applicable weapons
20 assessment, applicable environmental assessment, applicable wild animal
21 protection assessment, applicable natural resources assessment, applicable fishing
22 shelter removal assessment, applicable snowmobile registration restitution
23 payment and applicable natural resources restitution payment for which the
24 defendant might be found liable.

25 **SECTION 641.** 23.54 (3) (i) of the statutes is amended to read:

1 23.54 (3) (i) Notice that if the defendant makes a deposit and fails to appear
2 in court at the time fixed in the citation, the defendant will be deemed to have
3 tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a
4 jail assessment, a crime laboratories and drug law enforcement assessment, any
5 applicable weapons assessment, any applicable environmental assessment, any
6 applicable wild animal protection assessment, any applicable natural resources
7 assessment, any applicable fishing shelter removal assessment, any applicable
8 snowmobile registration restitution payment and any applicable natural resources
9 restitution payment plus costs, including any applicable fees prescribed in ch. 814,
10 not to exceed the amount of the deposit. The notice shall also state that the court may
11 decide to summon the defendant rather than accept the deposit and plea.

12 **SECTION 642.** 23.54 (3) (j) of the statutes is amended to read:

13 23.54 (3) (j) Notice that if the defendant makes a deposit and signs the
14 stipulation, the defendant will be deemed to have tendered a plea of no contest and
15 submitted to a forfeiture, a penalty assessment, a jail assessment, a crime
16 laboratories and drug law enforcement assessment, any applicable weapons
17 assessment, any applicable environmental assessment, any applicable wild animal
18 protection assessment, any applicable natural resources assessment, any applicable
19 fishing shelter removal assessment, any applicable snowmobile registration
20 restitution payment and any applicable natural resources restitution payment plus
21 costs, including any applicable fees prescribed in ch. 814, not to exceed the amount
22 of the deposit. The notice shall also state that the court may decide to summon the
23 defendant rather than accept the deposit and stipulation, and that the defendant
24 may, at any time prior to or at the time of the court appearance date, move the court
25 for relief from the effects of the stipulation.

1 **SECTION 643.** 23.55 (1) (b) of the statutes is amended to read:

2 23.55 (1) (b) A plain and concise statement of the violation identifying the event
3 or occurrence from which the violation arose and showing that the plaintiff is entitled
4 to relief, the statute upon which the cause of action is based and a demand for a
5 forfeiture, the amount of which shall not exceed the maximum set by the statute
6 involved, a penalty assessment, a jail assessment, a crime laboratories and drug law
7 enforcement assessment, any applicable weapons assessment, any applicable
8 environmental assessment, any applicable wild animal protection assessment, any
9 applicable natural resources assessment, any applicable fishing shelter removal
10 assessment, any applicable snowmobile registration restitution payment, any
11 applicable natural resources restitution payment and any other relief that is sought
12 by the plaintiff.

13 **SECTION 644.** 23.66 (2) of the statutes is amended to read:

14 23.66 (2) The person receiving the deposit shall prepare a receipt in triplicate
15 showing the purpose for which the deposit is made, stating that the defendant may
16 inquire at the office of the clerk of court or municipal court regarding the disposition
17 of the deposit, and notifying the defendant that if he or she fails to appear in court
18 at the time fixed in the citation he or she will be deemed to have tendered a plea of
19 no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a
20 crime laboratories and drug law enforcement assessment, any applicable weapons
21 assessment, any applicable environmental assessment, any applicable wild animal
22 protection assessment, any applicable natural resources assessment, any applicable
23 fishing shelter removal assessment, any applicable snowmobile registration
24 restitution payment and any applicable natural resources restitution payment plus
25 costs, including any applicable fees prescribed in ch. 814, not to exceed the amount

1 of the deposit which the court may accept. The original of the receipt shall be
2 delivered to the defendant in person or by mail. If the defendant pays by check, share
3 draft or other draft, the check, share draft or other draft or a microfilm copy of the
4 check, share draft or other draft shall be considered a receipt. If the defendant makes
5 the deposit by use of a credit card, the credit charge receipt shall be considered a
6 receipt.

7 **SECTION 645.** 23.66 (4) of the statutes is amended to read:

8 23.66 (4) The basic amount of the deposit shall be determined in accordance
9 with a deposit schedule that the judicial conference shall establish. Annually, the
10 judicial conference shall review and may revise the schedule. In addition to the basic
11 amount determined according to the schedule, the deposit shall include court costs,
12 including any applicable fees prescribed in ch. 814, any applicable penalty
13 assessment, any applicable jail assessment, any applicable crime laboratories and
14 drug law enforcement assessment, any applicable weapons assessment, any
15 applicable environmental assessment, any applicable wild animal protection
16 assessment, any applicable natural resources assessment, any applicable fishing
17 shelter removal assessment, any applicable snowmobile registration restitution
18 payment and any applicable natural resources restitution payment.

19 **SECTION 646.** 23.67 (2) of the statutes is amended to read:

20 23.67 (2) The deposit and stipulation of no contest may be made at any time
21 prior to the court appearance date. By signing the stipulation, the defendant is
22 deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty
23 assessment, a jail assessment, a crime laboratories and drug law enforcement
24 assessment, any applicable weapons assessment, any applicable environmental
25 assessment, any applicable wild animal protection assessment, any applicable

1 natural resources assessment, any applicable fishing shelter removal assessment,
2 any applicable snowmobile registration restitution payment and any applicable
3 natural resources restitution payment plus costs, including any applicable fees
4 prescribed in ch. 814, not to exceed the amount of the deposit.

5 **SECTION 647.** 23.67 (3) of the statutes is amended to read:

6 23.67 (3) The person receiving the deposit and stipulation of no contest shall
7 prepare a receipt in triplicate showing the purpose for which the deposit is made,
8 stating that the defendant may inquire at the office of the clerk of court or municipal
9 court regarding the disposition of the deposit, and notifying the defendant that if the
10 stipulation of no contest is accepted by the court the defendant will be deemed to have
11 submitted to a forfeiture, a penalty assessment, a jail assessment, a crime
12 laboratories and drug law enforcement assessment, any applicable weapons
13 assessment, any applicable environmental assessment, any applicable wild animal
14 protection assessment, any applicable natural resources assessment, any applicable
15 fishing shelter removal assessment, any applicable snowmobile registration
16 restitution payment and any applicable natural resources restitution payment plus
17 costs, including any applicable fees prescribed in ch. 814, not to exceed the amount
18 of the deposit. Delivery of the receipt shall be made in the same manner as in s. 23.66.

19 **SECTION 648.** 23.75 (3) (a) 2. of the statutes is amended to read:

20 23.75 (3) (a) 2. If the court considers the nonappearance to be a plea of no
21 contest and enters judgment accordingly, the court shall promptly mail a copy or
22 notice of the judgment to the defendant. The judgment shall allow the defendant not
23 less than 20 working days from the date the judgment copy or notice is mailed to pay
24 the forfeiture, penalty assessment ~~and~~, jail assessment and crime laboratories and
25 drug law enforcement assessment, any applicable weapons assessment, any

1 applicable environmental assessment, any applicable wild animal protection
2 assessment, any applicable natural resources assessment, any applicable fishing
3 shelter removal assessment, any applicable snowmobile registration restitution
4 payment and any applicable natural resources restitution payment plus costs,
5 including any applicable fees prescribed in ch. 814.

6 **SECTION 649.** 23.75 (3) (b) of the statutes is amended to read:

7 23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the
8 initial pleading and the defendant shall be deemed to have tendered a plea of no
9 contest and submitted to a forfeiture, a penalty assessment, a jail assessment, a
10 crime laboratories and drug law enforcement assessment, any applicable weapons
11 assessment, any applicable environmental assessment, any applicable wild animal
12 protection assessment, any applicable natural resources assessment, any applicable
13 fishing shelter removal assessment, any applicable snowmobile registration
14 restitution payment and any applicable natural resources restitution payment plus
15 any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit.
16 The court may either accept the plea of no contest and enter judgment accordingly,
17 or reject the plea and issue a summons. If the defendant fails to appear in response
18 to the summons, the court shall issue an arrest warrant. If the court accepts the plea
19 of no contest, the defendant may move within 90 days after the date set for
20 appearance to withdraw the plea of no contest, open the judgment and enter a plea
21 of not guilty if the defendant shows to the satisfaction of the court that failure to
22 appear was due to mistake, inadvertence, surprise or excusable neglect. If a party
23 is relieved from the plea of no contest, the court or judge may order a written
24 complaint to be filed and set the matter for trial. After trial the costs and fees shall
25 be taxed as provided by law. If on reopening the defendant is found not guilty, the

1 court shall delete the record of conviction and shall order the defendant's deposit
2 returned.

3 **SECTION 650.** 23.75 (3) (c) of the statutes is amended to read:

4 23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest,
5 the citation may serve as the initial pleading and the defendant shall be deemed to
6 have tendered a plea of no contest and submitted to a forfeiture, a penalty
7 assessment, a jail assessment, a crime laboratories and drug law enforcement
8 assessment, any applicable weapons assessment, any applicable environmental
9 assessment, any applicable wild animal protection assessment, any applicable
10 natural resources assessment, any applicable fishing shelter removal assessment,
11 any applicable snowmobile registration restitution payment and any applicable
12 natural resources restitution payment plus any applicable fees prescribed in ch. 814,
13 not exceeding the amount of the deposit. The court may either accept the plea of no
14 contest and enter judgment accordingly, or reject the plea and issue a summons. If
15 the defendant fails to appear in response to the summons, the court shall issue an
16 arrest warrant. After signing a stipulation of no contest, the defendant may, at any
17 time prior to or at the time of the court appearance date, move the court for relief from
18 the effect of the stipulation. The court may act on the motion, with or without notice,
19 for cause shown by affidavit and upon just terms, and relieve the defendant from the
20 stipulation and the effects thereof. If the defendant is relieved from the stipulation
21 of no contest, the court may order a citation or complaint to be filed and set the matter
22 for trial. After trial the costs and fees shall be taxed as provided by law.

23 **SECTION 651.** 23.79 (1) of the statutes is amended to read:

24 23.79 (1) If the defendant is found guilty, the court may enter judgment against
25 the defendant for a monetary amount not to exceed the maximum forfeiture provided

1 by the statute for the violation, the penalty assessment, the jail assessment, the
2 crime laboratories and drug law enforcement assessment, any applicable weapons
3 assessment, any applicable environmental assessment, any applicable wild animal
4 protection assessment, any applicable natural resources assessment, any applicable
5 fishing shelter removal assessment, any applicable snowmobile registration
6 restitution payment, any applicable natural resources restitution payment and for
7 costs.

8 **SECTION 652.** 23.80 (2) of the statutes is amended to read:

9 23.80 (2) Upon default of the defendant corporation or municipality, or upon
10 conviction, judgment for the amount of the forfeiture, the penalty assessment, the
11 jail assessment, the crime laboratories and drug law enforcement assessment, any
12 applicable weapons assessment, any applicable environmental assessment, any
13 applicable wild animal protection assessment, any applicable natural resources
14 assessment, any applicable fishing shelter removal assessment, any applicable
15 snowmobile registration restitution payment and any applicable natural resources
16 restitution payment shall be entered.

17 **SECTION 653.** 23.84 of the statutes is amended to read:

18 **23.84 Forfeitures and assessments collected; to whom paid.** Except for
19 actions in municipal court, all moneys collected in favor of the state or a municipality
20 for forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
21 enforcement assessment, applicable weapons assessment, applicable environmental
22 assessment, applicable wild animal protection assessment, applicable natural
23 resources assessment, applicable fishing shelter removal assessment, applicable
24 snowmobile registration restitution payment and applicable natural resources
25 restitution payment shall be paid by the officer who collects the same to the

1 appropriate municipal or county treasurer, within 20 days after its receipt by the
2 officer, except that all jail assessments shall be paid to the county treasurer. In case
3 of any failure in the payment, the municipal or county treasurer may collect the
4 payment from the officer by an action in the treasurer's name of office and upon the
5 official bond of the officer, with interest at the rate of 12% per year from the time
6 when it should have been paid.

7 **SECTION 654.** 24.01 (1) of the statutes is amended to read:

8 24.01 (1) "Agricultural college lands" embraces all lands granted to the state
9 by an act of congress entitled "An act donating public lands to the several states and
10 territories which may provide colleges for the benefit of agriculture and the mechanic
11 arts," approved July 2, 1862, as well as any land received under s. 24.09 (1) (bm) in
12 exchange for such land.

13 **SECTION 655.** 24.01 (4) of the statutes is amended to read:

14 24.01 (4) "Marathon county lands" embraces all lands acquired by the state
15 pursuant to chapter 22 of the general laws of 1867, as well as any land received under
16 s. 24.09 (1) (bm) in exchange for such land.

17 **SECTION 656.** 24.01 (5) of the statutes is amended to read:

18 24.01 (5) "Normal school lands" embraces all parcels of said "swamp lands"
19 which the legislature has declared or otherwise decided, or may hereafter declare or
20 otherwise decide, were not or are not needed for the drainage or reclamation of the
21 same or other lands, as well as any land received under s. 24.09 (1) (bm) in exchange
22 for such land.

23 **SECTION 657.** 24.01 (7) of the statutes is amended to read:

1 24.01 (7) “School lands” embraces all lands made a part of “the school fund” by
2 article X, section 2, of the constitution, as well as any land received under s. 24.09
3 (1) (bm) in exchange for such land.

4 **SECTION 658.** 24.01 (9) of the statutes is amended to read:

5 24.01 (9) “Swamp lands” embraces all lands which have been or may be
6 transferred to the state pursuant to an act of congress entitled “An act to enable the
7 state of Arkansas and other states to reclaim the swamp lands within their limits,”
8 approved September 28, 1850, or pursuant to an act of congress entitled “An act for
9 the relief of purchasers and locators of swamp and overflowed lands,” approved
10 March 2, 1855, as well as any land received under s. 24.09 (1) (bm) in exchange for
11 such land.

12 **SECTION 659.** 24.01 (10) of the statutes is amended to read:

13 24.01 (10) “University lands” embraces all lands the proceeds of which are
14 denominated “the university fund” by article X, section 6, of the constitution, as well
15 as any land received under s. 24.09 (1) (bm) in exchange for such land.

16 **SECTION 660.** 24.04 (2) of the statutes is amended to read:

17 24.04 (2) DISBURSEMENTS. All expenses necessarily incurred in caring for and
18 selling public lands shall be deducted from the gross receipts of the fund to which the
19 proceeds of the sale of the land will be added. Expenses necessarily incurred in
20 caring for public lands may include expenses for reforestation, erosion and insect
21 control, submerged log monitoring, surveys, appraisals and other land management
22 practices that serve to protect or enhance the interests of the beneficiaries of the trust
23 funds.

24 **SECTION 661.** 24.09 (1) (bm) of the statutes is amended to read:

1 24.09 (1) (bm) The board may exchange part or all of any parcel of public lands
2 for any other land of approximately equal value if the board determines that the
3 exchange will contribute to the consolidation or completion of a block of land,
4 enhance conservation of lands or otherwise be in the public interest. Under this
5 paragraph, an exchange is of “approximately equal value” if the difference in value
6 between the more highly valued land and the less highly valued land does not exceed
7 10% of the value of the more highly valued land. All expenses necessarily incurred
8 in making an exchange under this paragraph shall be deducted from the gross
9 receipts of the fund to which the proceeds of the sale of the exchanged land will be
10 added.

11 **SECTION 662.** 24.60 (1g) of the statutes is amended to read:

12 24.60 (1g) “Distance education” ~~has the meaning given in s. 16.992 (1) (b)~~
13 means instruction that takes place, regardless of the location of a teacher or student,
14 by means of telecommunications or other means of communication, including cable,
15 instructional television fixed service, microwave, radio, satellite, computer,
16 telephone or television.

17 **SECTION 663.** 24.60 (1r) of the statutes is repealed and recreated to read:

18 24.60 (1r) “Educational technology” means technology used in the education
19 or training of any person or in the administration of an elementary or secondary
20 school or a public library.

21 **SECTION 664.** 24.61 (3) (c) 2. a. of the statutes is amended to read:

22 24.61 (3) (c) 2. a. The school board is subject to an order issued by the
23 ~~department of education~~ state superintendent of public instruction under s. 115.33
24 (3) after December 31, 1991, regarding noncompliance with the standard under s.
25 121.02 (1) (i).

1 **SECTION 665.** 24.61 (3) (d) of the statutes is amended to read:

2 24.61 (3) (d) *Reserve for loans for educational technology and distance*
3 *education projects.* Subject to the priority established under par. (c), to the extent
4 practicable, in fiscal years 1996-97 to ~~1999-2000~~ 2002-03, annually the board shall
5 reserve \$15,000,000 for the purposes of giving priority to loans to school districts,
6 counties, municipalities and consortia, other than consortia that include one or more
7 technical college districts, for educational technology and distance education
8 projects ~~under s. 16.992.~~

9 **SECTION 666.** 24.61 (6) of the statutes is repealed.

10 **SECTION 667.** 24.66 (1) (intro.) of the statutes is amended to read:

11 24.66 (1) **FOR ALL MUNICIPALITIES.** (intro.) No trust fund loan may be made
12 unless an application is made to the board under this section. The application shall
13 state the amount of money required, the purpose to which it is to be applied, the times
14 and terms of repayment, whether the loan is sought for an educational technology
15 or distance education project under s. 24.61 (3) (d), ~~and if so, whether the educational~~
16 ~~technology board has approved a grant to pay a portion of the interest on the loan~~
17 ~~under s. 16.992 (3) (b) and,~~ in the case of a cooperative educational service agency,
18 the names of the school districts participating in the distance education project for
19 which the loan is sought. The application shall be accompanied by satisfactory proof:

20 **SECTION 668.** 24.695 of the statutes is repealed.

21 **SECTION 669.** 24.71 (2) of the statutes is amended to read:

22 24.71 (2) **CERTIFIED STATEMENT.** If a school district has a state trust fund loan,
23 the board shall transmit to the school district clerk a certified statement of the
24 amount due on or before October 1 of each year until the loan is paid. The board shall

1 furnish a copy of each certified statement to the state treasurer and the department
2 of education public instruction.

3 **SECTION 670.** 24.78 of the statutes is amended to read:

4 **24.78 Distribution of the common school fund income.** Under article X,
5 section 5, of the constitution the common school fund income shall be distributed to
6 the school districts among the several towns, villages and cities of the state for the
7 support of common schools therein, as provided in ~~s.~~ ss. 44.72 (2) (a) and 43.70.

8 **SECTION 671.** 25.156 (3) of the statutes is amended to read:

9 25.156 (3) The members of the board shall appoint an investment director or
10 the executive assistant to the executive director, internal auditor, chief investment
11 officer, chief financial officer, chief legal counsel or chief risk officer to act as assistant
12 director, except that until the appointment is made by the members of the board, the
13 executive director may temporarily designate the assistant director.

14 **SECTION 672.** 25.156 (4) of the statutes is amended to read:

15 25.156 (4) The members of the board shall promulgate rules restricting the
16 executive director, executive assistant to the executive director, internal auditor,
17 chief investment officer, chief financial officer, chief legal counsel, chief risk officer,
18 investment directors and employes from having financial interest, directly or
19 indirectly, in firms or corporations providing services to the department and
20 governing the receipt of gifts or favors therefrom, and also governing personal
21 investments of all employes including the executive director, executive assistant to
22 the executive director, internal auditor, chief investment officer, chief financial
23 officer, chief legal counsel, chief risk officer and investment directors to prevent
24 conflicts of interest.

25 **SECTION 673.** 25.16 (2) of the statutes is amended to read:

1 25.16 (2) Subject to authorization under s. 16.505, the executive director may
2 appoint ~~one division administrator~~ a chief legal counsel, chief financial officer, chief
3 risk officer and not more than 11 investment directors and shall appoint a chief
4 investment officer and all other employees necessary to carry out the functions of the
5 investment board, except that the investment board shall appoint the internal
6 auditor and shall participate in the selection of the chief investment officer and
7 investment directors and the internal auditor shall appoint his or her staff. The
8 executive director shall appoint all employees outside the classified service, except
9 blue collar and clerical employees. Neither the executive director, the internal
10 auditor, the chief investment officer, the chief legal counsel, the chief financial officer,
11 the chief risk officer, any investment director nor any other employe of the board
12 shall have any financial interest, either directly or indirectly, in any firm engaged in
13 the sale or marketing of real estate or investments of any kind, nor shall any of them
14 render investment advice to others for remuneration.

15 **SECTION 831m.** 25.17 (1) (ae) of the statutes is created to read:

16 25.17 (1) (ae) Arts board endowment fund (s. 25.33);

17 **SECTION 831s.** 25.17 (1) (af) of the statutes is created to read:

18 25.17 (1) (af) Agricultural chemical cleanup fund (s. 25.468);

19 **SECTION 674.** 25.17 (1) (ag) of the statutes is repealed.

20 **SECTION 832e.** 25.17 (1) (d) of the statutes is created to read:

21 25.17 (1) (d) Dry cleaner environmental response fund (s. 25.48);

22 **SECTION 832k.** 25.17 (1) (gm) of the statutes is created to read:

23 25.17 (1) (gm) Historical legacy trust fund (s. 25.72);

24 **SECTION 832m.** 25.17 (1) (gn) of the statutes is created to read:

25 25.17 (1) (gn) Historical society endowment fund (s. 25.73);

1 **SECTION 675.** 25.17 (1) (tm) of the statutes is created to read:

2 25.17 (1) (tm) Support collections trust fund (s. 25.68);

3 **SECTION 676.** 25.17 (1) (xL) of the statutes is created to read:

4 25.17 (1) (xL) Universal service fund (s. 25.95);

5 **SECTION 677.** 25.17 (2) (d) of the statutes is amended to read:

6 25.17 (2) (d) Invest the ~~clean-water~~ environmental improvement fund, and
7 collect the principal and interest of all moneys loaned or invested from the ~~clean~~
8 ~~water~~ environmental improvement fund, as directed by the department of
9 administration under s. 281.59 (2m). In making such investment, the investment
10 board shall accept any reasonable terms and conditions that the department of
11 administration specifies and is relieved of any obligations relevant to prudent
12 investment of the fund, including those set forth under ch. 881.

13 **SECTION 678.** 25.17 (2) (e) of the statutes is created to read:

14 25.17 (2) (e) Invest the transportation infrastructure loan fund, and collect the
15 principal and interest of all moneys loaned or invested from transportation
16 infrastructure loan fund, as directed by the department of administration under s.
17 85.52 (4m). In making such investment, the investment board shall accept any
18 reasonable terms and conditions that the department of administration specifies and
19 is relieved of any obligations relevant to prudent investment of the fund, including
20 those set forth under ch. 881.

21 **SECTION 836m.** 25.17 (3) (b) 11. of the statutes is created to read:

22 25.17 (3) (b) 11. Certificates of deposit of at least \$25,000 issued by solvent
23 financial institutions in this state. The money received from the purchase of the
24 certificates of deposit shall be used by the financial institution for the purpose of
25 making loans to small businesses. The board shall accept applications for the

1 purchase of the certificates of deposit on a continual basis, shall purchase the
2 certificates of deposit on a continual basis and shall actively market the board's
3 program to purchase the certificates of deposit under this subdivision.

4 **SECTION 679.** 25.17 (13m) of the statutes is created to read:

5 25.17 (13m) No later than 45 days after the end of each calendar quarter,
6 submit a report to the department of administration and the cochairpersons of the
7 joint committee on finance detailing all costs and expenses charged to funds under
8 s. 25.18 (1) (a) or (m) during that calendar quarter.

9 **SECTION 680.** 25.17 (14) (intro.) of the statutes is amended to read:

10 25.17 (14) (intro.) ~~The investment board shall, as~~ As of December 31 of each
11 year, make and file with the department of employe trust funds a report of the value
12 of the assets of the fixed retirement investment trust and of the variable retirement
13 investment trust, determined as of that date at market value for the variable
14 retirement investment trust and on the following basis for the fixed retirement
15 investment trust:

16 **SECTION 838g.** 25.17 (14m) 1., 2. and 3. of the statutes are renumbered 25.17
17 (14m) (a), (b) and (c).

18 **SECTION 838j.** 25.17 (14m) (d) of the statutes is created to read:

19 25.17 (14m) (d) The amounts invested in certificates of deposit described under
20 sub. (3) (b) 11.

21 **SECTION 681.** 25.28 of the statutes is repealed.

22 **SECTION 682.** 25.29 (1) (a) of the statutes is amended to read:

23 25.29 (1) (a) Except as provided in s. 25.295, all moneys accruing to the state
24 for or in behalf of the department under chs. 26, 27, 28, 29 and 350, subchs. I and VI
25 of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58

1 and 71.10 (5), including grants received from the federal government or any of its
2 agencies except as otherwise provided by law.

3 **SECTION 683.** 25.29 (1) (b) of the statutes is amended to read:

4 25.29 (1) (b) One percent of all sales and use taxes under s. 77.61 (1) on
5 all-terrain vehicles, boats and snowmobiles collected by the department under ss.
6 23.33, 30.52 (4) and, 350.12 (~~7~~) and 350.122.

7 **SECTION 684.** 25.29 (1) (d) 1. of the statutes is amended to read:

8 25.29 (1) (d) 1. An amount calculated by multiplying the number of
9 snowmobiles registered under s. 350.12 or 350.122 on the last day of February of the
10 previous fiscal year by 50 gallons and multiplying that product by the excise tax
11 imposed under s. 78.01 (1) on the last day of February of the previous fiscal year.

12 **SECTION 685.** 25.29 (1) (dm) of the statutes is amended to read:

13 25.29 (1) (dm) For fiscal year 1991-92 and for each fiscal year thereafter, an
14 amount equal to the estimated all-terrain vehicle gas tax payment. The estimated
15 all-terrain vehicle gas tax payment is calculated by multiplying the sum of the
16 number of all-terrain vehicles registered for public use under s. 23.33 (2) (c) or (2g)
17 and the number of reflectorized plates issued under s. 23.33 (2) (dm) on the last day
18 of February of the previous fiscal year by 25 gallons and multiplying that product by
19 the excise tax imposed under s. 78.01 (1) on the last day of February of the previous
20 fiscal year.

21 **SECTION 847g.** 25.29 (4r) of the statutes, as created by 1997 Wisconsin Act 1,
22 is repealed.

23 **SECTION 847m.** 25.33 of the statutes is created to read:

1 **25.33 Arts board endowment fund.** There is established a separate
2 nonlapsible endowment fund designated as the arts board endowment fund, to
3 consist of:

4 **(1)** All gifts, grants or bequests made to the fund. Notwithstanding s. 20.907
5 (1), the arts board may convert any noncash gift, grant or bequest into cash.

6 **(2)** All moneys transferred to the fund under s. 20.215 (1) (fm).

7 **(3)** The moneys deposited to the fund under s. 44.53 (2) (d).

8 **SECTION 686.** 25.36 (1) of the statutes is amended to read:

9 **25.36 (1)** Except as provided in sub. (2), all moneys appropriated or transferred
10 by law shall constitute the veterans trust fund which shall be used ~~exclusively for the~~
11 ~~purchase of mortgages issued with the proceeds of the 1981 veterans home loan~~
12 ~~revenue bond issuance in an amount sufficient to retire that bond issue or for the~~
13 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z) and (zm),
14 45.01, 45.25, 45.351 (1) ~~and (2)~~, 45.353, 45.356, 45.357, 45.396, 45.397 and 45.43 (7)
15 and administered by the department of veterans affairs, including all moneys
16 received from the federal government for the benefit of veterans or their dependents;
17 all moneys paid as interest on and repayment of loans under the post-war
18 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
19 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
20 under this fund; all moneys paid as expenses for, interest on and repayment of
21 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
22 as expenses for, interest on and repayment of veterans personal loans; the net
23 proceeds from the sale of mortgaged properties related to veterans personal loans;
24 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
25 issuance purchased with moneys in the veterans trust fund; all moneys received from

1 the state investment board under s. 45.356 (9) (b); all moneys received from the
2 veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts
3 of money received by the board of veterans affairs for the purposes of this fund.

4 **SECTION 687.** 25.40 (1) (a) 5m. of the statutes is created to read:

5 25.40 (1) (a) 5m. Fees collected under s. 342.14 (1r) that are deposited in the
6 environmental fund for environmental management.

7 **SECTION 688.** 25.40 (1) (a) 13. of the statutes is created to read:

8 25.40 (1) (a) 13. Moneys received under s. 110.065 that are deposited in the
9 general fund and credited to the appropriation account under s. 20.395 (5) (dh).

10 **SECTION 689.** 25.40 (1) (a) 14. of the statutes is created to read:

11 25.40 (1) (a) 14. Fees received under ss. 85.51 (1) and 348.26 (2) that are
12 deposited in the general fund and credited to the appropriation account under s.
13 20.395 (5) (dg).

14 **SECTION 690.** 25.40 (1) (a) 15. of the statutes is created to read:

15 25.40 (1) (a) 15. Moneys received under s. 85.52 that are deposited in the
16 transportation infrastructure loan fund.

17 **SECTION 852d.** 25.40 (1) (a) 16. of the statutes is created to read:

18 25.40 (1) (a) 16. Moneys received under s. 341.14 (6r) (b) 6. that are deposited
19 in the children's trust fund.

20 **SECTION 852f.** 25.40 (1) (a) 17. of the statutes is created to read:

21 25.40 (1) (a) 17. Moneys received under s. 341.14 (6r) (bg) 2. that are deposited
22 in the general fund and credited under s. 341.14 (6r) (bg) 3. b. to the appropriation
23 under s. 20.525 (1) (gm).

24 **SECTION 852h.** 25.40 (1) (bm) of the statutes is created to read:

25 25.40 (1) (bm) The state rental vehicle fee under subch. XI of ch. 77.

1 **SECTION 854k.** 25.40 (1) (f) of the statutes is renumbered 25.40 (1) (f) (intro.)
2 and amended to read:

3 25.40 (1) (f) (intro.) All federal aid for aeronautics, highways and other
4 transportation purposes made available by any act of congress, subject to applicable
5 federal regulations, except all of the following:

6 **SECTION 854L.** 25.40 (1) (f) 1. and 2. of the statutes are created to read:

7 25.40 (1) (f) 1. Moneys received from the federal government, for the regulation
8 of railroads, that are deposited in the general fund and credited to the appropriation
9 under s. 20.155 (2) (m).

10 2. Moneys received under s. 106.26 that are deposited in the general fund and
11 credited to the appropriation under s. 20.445 (1) (ox).

12 **SECTION 854m.** 25.40 (2) (b) 1g. to 20p. of the statutes are repealed.

13 **SECTION 691.** 25.405 of the statutes is created to read:

14 **25.405 Transportation infrastructure loan fund. (1) DEFINITION.** In this
15 section, “fund” means the transportation infrastructure loan fund.

16 **(2) CREATION.** There is established a separate nonlapsible trust fund
17 designated as the transportation infrastructure loan fund, to consist of:

18 (a) 1. All moneys received from the federal government under P.L. 104-59,
19 section 350, designated for transit projects.

20 2. All moneys received from the federal government under P.L. 104-59, section
21 350, designated for highway projects.

22 (b) All moneys transferred to the fund to meet the requirements for state
23 deposits under P.L. 104-59, section 350.

24 (c) All repayments of principal and payments of interest on loans made under
25 s. 85.52 (3).

1 (d) All moneys received by the fund from the proceeds of the issuance of revenue
2 obligations under ch. 18 for the purpose of s. 85.52.

3 (e) All gifts, grants and bequests to the fund.

4 **(3) SEPARATE ACCOUNTS.** (a) There is established in the fund a transit account
5 consisting of all moneys received under sub. (2) (a) 1., moneys received under sub.
6 (2) (b) designated by the department of transportation for transit projects and
7 moneys received under sub. (2) (e) designated by the department of transportation
8 for transit projects, revenue obligation proceeds under sub. (2) (d) designated for
9 transit projects and all transit account loan repayments under sub. (2) (c).

10 (b) There is established in the fund a highway account consisting of all moneys
11 received under sub. (2) (a) 2., moneys received under sub. (2) (b) designated by the
12 department of transportation for highway projects and moneys received under sub.
13 (2) (e) designated for highway projects, revenue obligation proceeds under sub. (2)
14 (d) designated for highway projects and all highway account loan repayments under
15 sub. (2) (c).

16 (c) The department of administration may establish additional accounts in the
17 fund and, except for the accounts under pars. (a) and (b), may change accounts in the
18 fund. The department of administration shall consult the department of
19 transportation before establishing or changing an account under this paragraph.

20 **SECTION 692.** 25.43 (title) and (1) (intro.) of the statutes are amended to read:

21 **25.43** (title) ~~Clean water~~ **Environmental improvement fund.** (1) (intro.)

22 There is established a separate nonlapsible trust fund designated as the ~~clean water~~
23 environmental improvement fund, to consist of all of the following:

24 **SECTION 693.** 25.43 (1) (am) of the statutes is created to read:

1 25.43 (1) (am) All capitalization grants provided by the federal government
2 under 42 USC 300j-12.

3 **SECTION 694.** 25.43 (1) (b) of the statutes is amended to read:

4 25.43 (1) (b) All state funds appropriated or transferred to the ~~clean-water~~
5 environmental improvement fund to meet the requirements for state deposits under
6 33 USC 1382.

7 **SECTION 695.** 25.43 (1) (bm) of the statutes is created to read:

8 25.43 (1) (bm) All state funds appropriated or transferred to the environmental
9 improvement fund to meet the requirements for state deposits under 42 USC
10 300j-12.

11 **SECTION 696.** 25.43 (1) (c) of the statutes is amended to read:

12 25.43 (1) (c) All other appropriations and transfers of state funds to the ~~clean~~
13 ~~water~~ environmental improvement fund.

14 **SECTION 697.** 25.43 (1) (d) of the statutes is amended to read:

15 25.43 (1) (d) All gifts, grants and bequests to the ~~clean-water~~ environmental
16 improvement fund.

17 **SECTION 698.** 25.43 (1) (e) of the statutes is amended to read:

18 25.43 (1) (e) All repayments of principal and payment payments of interest on
19 loans made from the ~~clean-water~~ environmental improvement fund and on
20 obligations acquired by the department of administration under s. 281.59 (12).

21 **SECTION 699.** 25.43 (1) (f) of the statutes is amended to read:

22 25.43 (1) (f) All moneys received by the ~~clean-water~~ environmental
23 improvement fund from the proceeds of the sale of general or revenue obligations
24 under ch. 18 for the purpose of s. 20.866 (2) (tc) or (td) or 281.59 (4).

25 **SECTION 700.** 25.43 (1) (h) of the statutes is amended to read:

1 25.43 (1) (h) The fees imposed under ~~s. ss.~~ ss. 281.58 (9) (d) and 281.60 (11m).

2 **SECTION 701.** 25.43 (2) (a) of the statutes is amended to read:

3 25.43 (2) (a) There is established in the ~~clean-water~~ environmental
4 improvement fund a clean water fund program federal revolving loan fund account
5 consisting of the capitalization grants under sub. (1) (a) and (b) ~~and, except as~~
6 provided under sub. (2m) (b), all repayments under sub. (1) (e) and (g) of
7 capitalization grants under sub. (1) (a) and (b) and all moneys transferred to the
8 account under sub. (2m) (a).

9 **SECTION 702.** 25.43 (2) (am) of the statutes is created to read:

10 25.43 (2) (am) There is established in the environmental improvement fund a
11 safe drinking water loan program federal revolving loan fund account consisting of
12 the capitalization grants under sub. (1) (am) and (bm), except as provided under sub.
13 (2m) (a), all repayments under sub. (1) (e) of capitalization grants under sub. (1) (am)
14 and (bm) and all moneys transferred to the account under sub. (2m) (b).

15 **SECTION 703.** 25.43 (2) (b) of the statutes is amended to read:

16 25.43 (2) (b) There is established in the ~~clean-water~~ environmental
17 improvement fund a state revolving loan fund account consisting of all moneys in the
18 fund not included in accounts under par. (a), (am) or (c).

19 **SECTION 704.** 25.43 (2) (c) of the statutes is amended to read:

20 25.43 (2) (c) The department of administration may establish and change
21 accounts in the ~~clean-water~~ environmental improvement fund other than those
22 under pars. (a), (am) and (b). The department of administration shall consult the
23 department of natural resources before establishing or changing an account that is
24 needed to administer the ~~program~~ programs under ~~s. ss.~~ ss. 281.58 and, 281.59 and
25 281.61.

1 **SECTION 705.** 25.43 (2m) of the statutes is created to read:

2 25.43 **(2m)** (a) In any year, the governor may transfer an amount that does not
3 exceed 33% of a capitalization grant under sub. (1) (am) provided in that year from
4 the account under sub. (2) (am) to the account under sub. (2) (a).

5 (b) In any year, the governor may transfer an amount that does not exceed 33%
6 of a capitalization grant under sub. (1) (am) provided in that year from the account
7 under sub. (2) (a) to the account under sub. (2) (am).

8 **SECTION 706.** 25.43 (3) of the statutes is amended to read:

9 25.43 **(3)** Except for the purpose of investment as provided in s. 25.17 (2) (d),
10 the ~~clean water~~ environmental improvement fund may be used only for the purposes
11 authorized under ss. 20.320 (1) (r), (s) ~~and, (sm), (t) and (x)~~ and (2) (s) and (x), 20.370
12 ~~(2) (4) (mt) and, (mx), (6) (mu) and (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny),~~
13 20.505 (1) (v) ~~and, (x) and (y), 281.58 and, 281.59, 281.60, 281.61 and 281.62.~~

14 **SECTION 707.** 25.46 (1e) of the statutes is amended to read:

15 25.46 **(1e)** The moneys transferred under s. 20.370 (2) (mu) for environmental
16 ~~repair~~ management.

17 **SECTION 708.** 25.46 (1g) of the statutes is amended to read:

18 25.46 **(1g)** The moneys transferred under s. 20.370 ~~(2) (4)~~ (mw) for ~~groundwater~~
19 environmental management.

20 **SECTION 709.** 25.46 (2) of the statutes is amended to read:

21 25.46 **(2)** The fees imposed under s. 94.64 (4) ~~(an)~~ (a) 4. for ~~groundwater~~
22 environmental management.

23 **SECTION 710.** 25.46 (3) of the statutes is amended to read:

24 25.46 **(3)** The fees imposed under s. 94.65 (6) (a) 4. for ~~groundwater~~
25 environmental management.

1 **SECTION 711.** 25.46 (4) of the statutes is amended to read:

2 25.46 (4) The moneys specified under s. ~~94.68 (4) (b), (bm) and (bt)~~ 94.681 (7)
3 (a) 1. and 2. for ~~groundwater~~ environmental management.

4 **SECTION 712.** 25.46 (4m) of the statutes is amended to read:

5 25.46 (4m) The moneys specified under s. ~~94.68 (4) (e)~~ 94.681 (7) (a) 3. for
6 environmental ~~repair~~ management.

7 **SECTION 713.** 25.46 (4s) of the statutes is amended to read:

8 25.46 (4s) The fees imposed under s. 94.681 ~~(3m) and (4)~~ for environmental
9 ~~repair~~ management.

10 **SECTION 714.** 25.46 (5) of the statutes is amended to read:

11 25.46 (5) The fees imposed under s. 101.14 (5) (a) for ~~groundwater~~
12 environmental management.

13 **SECTION 715.** 25.46 (5e) of the statutes is amended to read:

14 25.46 (5e) All moneys received under s. 281.75 (16) (d) for environmental ~~repair~~
15 management.

16 **SECTION 716.** 25.46 (5m) of the statutes is amended to read:

17 25.46 (5m) The tonnage fees imposed under s. 289.62 (1) that are paid by a
18 nonapproved facility, as defined in s. 289.01 (24), for environmental ~~repair~~
19 management.

20 **SECTION 717.** 25.46 (6) of the statutes is amended to read:

21 25.46 (6) The groundwater fees imposed under s. 289.63 (1) for ~~groundwater~~
22 environmental management.

23 **SECTION 718.** 25.46 (6m) of the statutes is amended to read:

24 25.46 (6m) The well compensation fees imposed under s. 289.63 (1) for
25 environmental ~~repair~~ management.

1 **SECTION 719.** 25.46 (6r) of the statutes is amended to read:

2 25.46 **(6r)** The solid waste capacity fees imposed under ss. 289.63 (1) and 289.65
3 (2) for environmental ~~repair~~ management.

4 **SECTION 720.** 25.46 (7) of the statutes is amended to read:

5 25.46 **(7)** The fees imposed under s. 289.67 (1) for environmental ~~repair~~
6 management.

7 **SECTION 721.** 25.46 (8) of the statutes is amended to read:

8 25.46 **(8)** The fees and surcharges imposed under s. 289.67 (3) and (4) for
9 environmental ~~repair~~ management.

10 **SECTION 722.** 25.46 (9) of the statutes is amended to read:

11 25.46 **(9)** The moneys received from municipalities under s. 292.31 (7) (c) for
12 environmental ~~repair~~ management.

13 **SECTION 723.** 25.46 (10) of the statutes is amended to read:

14 25.46 **(10)** The amounts required to be paid into the environmental fund under
15 s. 292.31 (8) (g) for environmental ~~repair~~ management.

16 **SECTION 724.** 25.46 (10m) of the statutes is repealed.

17 **SECTION 725.** 25.46 (11) of the statutes is renumbered 25.46 (8g) and amended
18 to read:

19 25.46 **(8g)** The moneys received from reimbursements under s. 292.11 (6) (c)
20 1. for environmental ~~repair~~ management.

21 **SECTION 726.** 25.46 (12) of the statutes is renumbered 25.46 (8m).

22 **SECTION 727.** 25.46 (13) of the statutes is renumbered 25.46 (10g).

23 **SECTION 728.** 25.46 (14) of the statutes is renumbered 25.46 (5c) and amended
24 to read:

1 25.46 **(5c)** The moneys collected under s. 145.19 (6) for ~~groundwater~~
2 environmental management.

3 **SECTION 729.** 25.46 (15) of the statutes is renumbered 25.46 (5d) and amended
4 to read:

5 25.46 **(5d)** The fees imposed under s. 281.48 (4s) (d) for ~~groundwater~~
6 environmental management.

7 **SECTION 730.** 25.46 (16) of the statutes is renumbered 25.46 (5g) and amended
8 to read:

9 25.46 **(5g)** The fees imposed under s. 283.31 (7) for ~~groundwater~~ environmental
10 management.

11 **SECTION 731.** 25.46 (17) of the statutes is renumbered 25.46 (7m) and amended
12 to read:

13 25.46 **(7m)** All moneys received from fees under s. 289.67 (2) for environmental
14 ~~repair~~ management.

15 **SECTION 732.** 25.46 (17m) of the statutes is renumbered 25.46 (10j).

16 **SECTION 733.** 25.46 (18) of the statutes is renumbered 25.46 (5j) and amended
17 to read:

18 25.46 **(5j)** All moneys received under s. 283.87 or as a settlement to any action
19 initiated or contemplated under s. 283.87 for environmental ~~repair~~ management.

20 **SECTION 734.** 25.46 (19) of the statutes is created to read:

21 25.46 **(19)** The environmental impact fee imposed under s. 342.14 (1r) for
22 environmental management.

23 **SECTION 735.** 25.465 (1) and (2) of the statutes are amended to read:

24 25.465 **(1)** The fees imposed collected under s. 94.64 ~~(3) (e)~~, ~~(3m) (b)~~, ~~(3r) (a)~~ and
25 (4) (a) and ~~(d)~~ 1.

1 **(2)** The fees imposed collected under s. 94.65 (2) (a), (3) (b) and (6) (a) 1. and
2 **(b).**

3 **SECTION 736.** 25.465 (2m) of the statutes is created to read:

4 25.465 **(2m)** The fees collected under s. 94.66 (4).

5 **SECTION 737.** 25.465 (3) and (4) of the statutes are amended to read:

6 25.465 **(3)** The fees and surcharges ~~specified under s. 94.68 (4) (a) collected~~
7 under s. 94.681 (2), (5) and (6) (a) 3., except as provided in s. 94.681 (7) (a).

8 **(4)** The fees imposed collected under s. 94.685 (3) (a) 1.

9 **SECTION 738.** 25.465 (4m) of the statutes is created to read:

10 25.465 **(4m)** The fees collected under s. 94.702 (3).

11 **SECTION 739.** 25.465 (5) to (8) of the statutes are amended to read:

12 25.465 **(5)** The fees imposed collected under s. 94.703 (3) (a) 1.

13 **(6)** The fees imposed collected under s. 94.704 (3) (a) 1.

14 **(7)** The fees imposed collected under s. 94.705 (4) (b).

15 **(8)** The fees imposed collected under s. 94.72 (5) (b) and (6) (a) and (i).

16 **SECTION 740.** 25.465 (9) of the statutes is repealed.

17 **SECTION 905m.** 25.468 of the statutes is created to read:

18 **25.468 Agricultural chemical cleanup fund.** There is established a
19 separate nonlapsible trust fund designated as the agricultural chemical cleanup
20 fund, to consist of all revenues collected under ss. 94.64 (3r) (b) and (4) (a) 5., 94.681
21 (3) and (6) (a) 4., 94.685 (3) (a) 2., 94.703 (3) (a) 2., 94.704 (3) (a) 2. and 94.73 (5) (e)
22 and (8).

23 **SECTION 741.** 25.47 of the statutes is amended to read:

24 **25.47 Petroleum inspection fund.** There is established a separate
25 nonlapsible trust fund designated as the petroleum inspection fund, to consist of the

1 fees imposed under s. 168.12 (1), the payments under s. 101.143 (4) (h) 1m., the
2 payments under s. 101.143 (5) (a) and the net recoveries under s. 101.143 (5) (c).

3 **SECTION 906e.** 25.48 of the statutes is created to read:

4 **25.48 Dry cleaner environmental response fund.** There is established a
5 separate nonlapsible trust fund designated as the dry cleaner environmental
6 response fund, to consist of all moneys received under ss. 77.9961, 77.9962, 77.9963
7 and 292.65 (6), (8) (j) and (9).

8 **SECTION 907b.** 25.62 of the statutes is amended to read:

9 **25.62 Property tax relief fund.** All moneys transferred from the general
10 fund to the property tax relief fund constitute the property tax relief fund. Moneys
11 in the fund are reserved to provide state property tax relief during the 1997-99 fiscal
12 biennium.

13 **SECTION 908g.** 25.67 (2) of the statutes is renumbered 25.67 (2) (a) (intro.) and
14 amended to read:

15 25.67 (2) (a) (intro.) The fund shall consist of the moneys following:

16 1. Moneys received for the fund under s. 48.982 (2) (d).

17 (b) All moneys in the fund not expended under s. 20.433 (1) (q) shall continue
18 to accumulate indefinitely.

19 **SECTION 908m.** 25.67 (2) (a) 2. of the statutes is created to read:

20 25.67 (2) (a) 2. Moneys received under s. 341.14 (6r) (b) 6.

21 **SECTION 909b.** 25.68 of the statutes is created to read:

22 **25.68 Support collections trust fund.** There is created a separate
23 nonlapsible trust fund designated as the support collections trust fund, to consist of
24 all of the following:

1 **(1)** All moneys received under ss. 767.265 and 767.29 for child or family
2 support, maintenance or spousal support, health care expenses or birth expenses.

3 **(2)** All moneys not specified under sub. (1) that are received under a judgment
4 or order in an action affecting the family, as defined in s. 767.02 (1), by the
5 department of workforce development or its designee.

6 **SECTION 912j.** 25.72 of the statutes is created to read:

7 **25.72 Historical legacy trust fund.** **(1)** There is established a separate
8 nonlapsible trust fund designated as the historical legacy trust fund, to consist of:

9 (a) All moneys received under s. 14.26 (5g) (c) and (e) after September 30, 1998.

10 (b) All moneys transferred under 1997 Wisconsin Act ... (this act), section 9256
11 (1m).

12 (c) All gifts, grants or bequests made to the fund.

13 **(2)** There is established in the historical legacy trust fund a separate account
14 that is designated as the bicentennial account and that consists of the first \$50,000
15 deposited into the fund, and earnings from this money, for the purpose of reserving
16 moneys to be expended between January 1, 2046, and December 31, 2048, to
17 commemorate the 200th anniversary of Wisconsin statehood.

18 **SECTION 912k.** 25.73 of the statutes is created to read:

19 **25.73 Historical society endowment fund.** There is established a separate
20 nonlapsible endowment fund designated as the historical society endowment fund,
21 to consist of:

22 **(1)** All gifts, grants or bequests made to the fund. Notwithstanding s. 20.907
23 (1), the historical society may convert any noncash gift, grant or bequest into cash.

24 **(2)** All moneys transferred to the fund under s. 20.245 (4) (s).

25 **SECTION 742.** 25.75 (3) (b) (intro.) of the statutes is amended to read:

1 25.75 (3) (b) *Expenses*. (intro.) Beginning July 1, ~~1991~~ 1997, no more than an
2 amount equal to ~~15%~~ 10% of gross lottery revenues for each year may be expended
3 to pay the expenses for the operation and administration of the lottery, except that
4 expenses for the operation and administration of the lottery may exceed ~~15%~~ 10% of
5 gross lottery revenues if so approved by the joint committee on finance under s. 13.10.
6 In computing expenses subject to the ~~15%~~ 10% limitation under this paragraph:

7 **SECTION 743.** 25.75 (3) (b) 1. of the statutes is amended to read:

8 25.75 (3) (b) 1. Compensation paid to retailers under s. 565.10 (14) shall not
9 be included ~~regardless of whether the compensation is deducted by the retailer prior~~
10 ~~to transmitting lottery ticket and lottery share revenues to the department of~~
11 ~~revenue.~~

12 **SECTION 744.** 25.75 (3) (d) of the statutes is repealed.

13 **SECTION 745.** 25.95 of the statutes is created to read:

14 **25.95 Universal service fund.** There is established a separate nonlapsible
15 trust fund designated as the universal service fund, to consist of all contributions
16 received under s. 196.218 (3).

17 **SECTION 916m.** 26.08 (2) (a) of the statutes is amended to read:

18 26.08 (2) (a) Except as provided under par. pars. (b) and (c), the department
19 may lease state park land or state forest land for terms not exceeding 15 years.

20 **SECTION 916p.** 26.08 (2) (c) of the statutes is created to read:

21 26.08 (2) (c) The department may lease Kettle Moraine state forest land for the
22 YMCA Camp Matawa for a term not exceeding 30 years.

23 **SECTION 746.** 26.145 of the statutes is created to read:

24 **26.145 Fire suppression aids. (1) GRANTS.** The department shall establish
25 a program to award grants for up to 50% of the cost of acquiring fire resistant clothing

1 for suppressing fires and of acquiring fire suppression supplies, equipment and
2 vehicles.

3 **(2) ELIGIBILITY.** (a) Cities, villages, towns, counties and fire suppression
4 organizations shall be eligible for grants under this section.

5 (b) The department may not award a grant under this section unless the
6 recipient of the grant enters into a written agreement with the department under
7 which the recipient agrees to assist the department in the suppression of forest fires
8 at the department's request.

9 **(3) RULES.** The department shall promulgate rules establishing criteria and
10 procedures for awarding grants under this section. For purposes of this section, the
11 rules shall include a definition of "fire suppression organizations".

12 **(4) SUNSET.** This section does not apply after June 30, 1999.

13 **SECTION 747.** 26.38 of the statutes is created to read:

14 **26.38 Private forest grants. (1)** In this section:

15 (a) "Community" has the meaning given in s. 28.04 (1) (b).

16 (ag) "Forest stewardship management plan" means a plan describing forest
17 stewardship measures to be used on a particular site to achieve multiple natural
18 resource goals.

19 (ar) "Nonindustrial private forest land" means rural land that has existing tree
20 cover or that is suitable for growing trees.

21 (b) "Sustainable forestry" has the meaning given in s. 28.04 (1) (e).

22 **(2m)** (a) The department shall establish a program to award grants for
23 developing and implementing forest stewardship management plans by owners of
24 nonindustrial private forest land. The department shall award the grants only to
25 persons owning 500 acres or less of nonindustrial private forest land in this state.

1 (b) Each owner receiving a grant under this section shall provide a matching
2 contribution in an amount to be determined by the department for that particular
3 grant based on criteria promulgated by rule under sub. (3). The matching
4 contribution may be in the form of money or in-kind goods or services or both.

5 (c) A forest stewardship management plan developed or implemented with a
6 grant under this section shall meet minimum standards that are promulgated by
7 rule under sub. (3) and shall contain practices that protect and enhance all of the
8 following:

9 1. Soil and water quality.

10 2. Endangered, threatened or rare forest communities.

11 3m. Sustainable forestry.

12 4. Habitat for fish and wildlife.

13 5. The recreational, aesthetic and environmental benefits that the forest land
14 provides.

15 (3) The department shall promulgate rules to implement and administer this
16 program, including the criteria for determining the amount of a matching
17 contribution under sub. (2m) (b) and the minimum standards required under sub.
18 (2m) (c).

19 **SECTION 748.** 27.01 (7) (title) of the statutes is amended to read:

20 27.01 (7) (title) VEHICLE ADMISSION; ~~STICKER RECEIPT~~; REQUIREMENT; FEES.

21 **SECTION 749.** 27.01 (7) (b) of the statutes is amended to read:

22 27.01 (7) (b) (title) *Vehicle admission ~~sticker receipt~~; requirement.* Except as
23 provided under par. (c), no person may operate a vehicle in a vehicle admission area
24 unless the vehicle has a vehicle admission ~~sticker receipt~~ affixed to it or otherwise
25 displayed as provided under par. (e).

1 **SECTION 750.** 27.01 (7) (c) (intro.) of the statutes is amended to read:

2 27.01 (7) (c) (title) *Vehicle admission sticker receipt; exemptions.* (intro.) No
3 vehicle admission ~~sticker~~ receipt is required for:

4 **SECTION 751.** 27.01 (7) (c) 8. of the statutes is amended to read:

5 27.01 (7) (c) 8. Any vehicle towed behind or carried on another vehicle. The
6 department may issue a special permit for a towed or carried vehicle in order to
7 determine compliance with and facilitate enforcement of the vehicle admission
8 ~~sticker~~ receipt requirement; or

9 **SECTION 752.** 27.01 (7) (d) of the statutes is amended to read:

10 27.01 (7) (d) (title) *Issuance of vehicle admission stickers receipts.* An annual
11 vehicle admission ~~sticker~~ receipt shall be issued by the department and is valid for
12 the calendar year for which it is issued. An annual vehicle admission ~~sticker~~ receipt
13 may not be issued by the department for a motor bus. A daily vehicle admission
14 ~~sticker~~ receipt shall be issued by the department, shall state the date for which it is
15 issued and is effective only for the date issued.

16 **SECTION 753.** 27.01 (7) (e) (title) of the statutes is amended to read:

17 27.01 (7) (e) (title) *Affixing Displaying the vehicle admission sticker receipt.*

18 **SECTION 754.** 27.01 (7) (e) of the statutes is renumbered 27.01 (7) (e) 1. and
19 amended to read:

20 27.01 (7) (e) 1. The annual vehicle admission ~~sticker~~ receipt and the daily
21 vehicle admission ~~sticker~~ receipt shall be affixed by its own adhesive to the interior
22 surface of the lower left-hand corner of the windshield of the vehicle or shall be
23 displayed as authorized under a rule promulgated under subd. 2.

24 **SECTION 755.** 27.01 (7) (e) 2. of the statutes is created to read:

1 27.01 (7) (e) 2. The department may promulgate a rule that authorizes different
2 methods of displaying a vehicle admission receipt, other than the method specified
3 in subd. 1.

4 **SECTION 756.** 27.01 (7) (f) (title) of the statutes is amended to read:

5 27.01 (7) (f) (title) *Resident vehicle admission stickers receipts; fees.*

6 **SECTION 757.** 27.01 (7) (f) 1. of the statutes is amended to read:

7 27.01 (7) (f) 1. Except as provided in par. (gm), the fee for an annual vehicle
8 admission ~~sticker~~ receipt is ~~\$18~~ \$17.50 for each vehicle which has Wisconsin
9 registration plates, except that no fee is charged for a ~~sticker~~ receipt issued under s.
10 29.1475 (6).

11 **SECTION 758.** 27.01 (7) (f) 2. of the statutes is amended to read:

12 27.01 (7) (f) 2. Except as provided in subds. 3. and 4. and par. (gm) 4., the fee
13 for a daily vehicle admission ~~sticker~~ receipt is ~~\$5~~ \$4.85 for any vehicle which has
14 Wisconsin registration plates.

15 **SECTION 759.** 27.01 (7) (f) 3. of the statutes is amended to read:

16 27.01 (7) (f) 3. The fee for a daily vehicle admission ~~sticker~~ receipt for a motor
17 bus that has Wisconsin registration plates is ~~twice the amount of the fee specified in~~
18 ~~subd. 2.~~ \$9.85.

19 **SECTION 760.** 27.01 (7) (f) 4. of the statutes is amended to read:

20 27.01 (7) (f) 4. Notwithstanding subd. 3., the fee for a daily vehicle admission
21 ~~sticker~~ receipt for a motor bus which primarily transports residents from nursing
22 homes located in this state is ~~\$3.50~~ \$3.35, for any motor bus which has Wisconsin
23 registration plates.

24 **SECTION 761.** 27.01 (7) (g) (title) of the statutes is amended to read:

25 27.01 (7) (g) (title) *Nonresident vehicle admission stickers receipts; fees.*

1 **SECTION 762.** 27.01 (7) (g) 1. of the statutes is amended to read:

2 27.01 (7) (g) 1. Except as provided in par. (gm), the fee for an annual vehicle
3 admission ~~sticker receipt~~ is ~~\$25~~ \$24.50 for any vehicle which has a registration plate
4 or plates from another state, except that no fee is charged for a ~~sticker receipt~~ issued
5 under s. 29.1475 (6).

6 **SECTION 763.** 27.01 (7) (g) 2. of the statutes is amended to read:

7 27.02 (7) (g) 2. Except as provided in subds. 3. and 4., the fee for a daily vehicle
8 admission ~~sticker receipt~~ for any vehicle which has a registration plate or plates from
9 another state is ~~\$7~~ \$6.85.

10 **SECTION 764.** 27.01 (7) (g) 3. of the statutes is amended to read:

11 27.01 (7) (g) 3. The fee for a daily vehicle admission ~~sticker receipt~~ for a motor
12 bus that has a registration plate or plates from another state is ~~twice the amount~~
13 ~~specified in subd. 2.~~ \$13.85.

14 **SECTION 765.** 27.01 (7) (g) 4. of the statutes is amended to read:

15 27.01 (7) (g) 4. Notwithstanding subd. 3., the fee for a daily vehicle admission
16 ~~sticker receipt~~ for a motor bus which primarily transports residents from nursing
17 homes located in this state is ~~\$6~~ \$5.85, for any motor bus which has a registration
18 plate or plates from another state.

19 **SECTION 766.** 27.01 (7) (gm) (title) of the statutes is amended to read:

20 27.01 (7) (gm) (title) *Reduced fee vehicle admission stickers receipts.*

21 **SECTION 767.** 27.01 (7) (gm) 1. of the statutes is amended to read:

22 27.01 (7) (gm) 1. ~~Notwithstanding~~ Instead of the fees under pars. (f) 1. and (g)
23 1., the department shall charge an individual ~~50% of the applicable fee under par.~~
24 ~~(f) 1. or (g) 1.~~ \$8.50 or \$12, respectively, for an annual vehicle admission ~~sticker~~
25 ~~receipt~~ if the individual applying for the ~~sticker receipt~~ or a member of his or her

1 household owns a vehicle for which a current annual vehicle admission ~~sticker~~
2 receipt has been issued for the applicable fee under par. (f) 1. or (g) 1.

3 **SECTION 768.** 27.01 (7) (gm) 2. of the statutes is repealed.

4 **SECTION 769.** 27.01 (7) (gm) 3. of the statutes is amended to read:

5 27.01 (7) (gm) 3. Notwithstanding par. (f) 1., the fee for an annual vehicle
6 admission ~~sticker~~ receipt for a vehicle that has Wisconsin registration plates and
7 that is owned by a resident senior citizen, as defined in s. 29.01 (12m), is \$9 \$8.50.

8 **SECTION 770.** 27.01 (7) (gm) 4. of the statutes is amended to read:

9 27.01 (7) (gm) 4. Notwithstanding par. (f) 2., the fee for a daily vehicle
10 admission ~~sticker~~ receipt for a vehicle that has Wisconsin registration plates and
11 that is owned by a resident senior citizen, as defined in s. 29.01 (12m), is \$3 \$2.85.

12 **SECTION 771.** 27.01 (7) (gr) of the statutes is created to read:

13 27.01 (7) (gr) *Issuing fees.* The department shall collect an issuing fee of 50
14 cents for each annual vehicle admission receipt issued and an issuing fee of 15 cents
15 for each daily vehicle admission receipt issued.

16 **SECTION 772.** 27.01 (7) (h) of the statutes is amended to read:

17 27.01 (7) (h) (title) *Use of vehicle admission sticker receipt and issuing fees.* All
18 moneys collected ~~from the sale of annual vehicle admission stickers and daily vehicle~~
19 ~~admission stickers as fees under pars. (g) to (gr) and sub. (7m) (b) that are not~~
20 retained by agents appointed under sub. (7m) (a) shall be paid within one week into
21 the state treasury, credited to the conservation fund and used for state parks, state
22 recreation areas, recreation areas in state forests and the Bong area lands.

23 **SECTION 773.** 27.01 (7m) of the statutes is created to read:

1 27.01 (7m) COLLECTION; AGENTS; VEHICLE ADMISSION AND ISSUING FEES. (a) The
2 department may appoint agents who are not employes of the department to issue
3 vehicle admission receipts and collect the vehicle admission fees under sub. (7).

4 (b) An agent appointed under par. (a) shall collect the applicable issuing fee
5 specified in sub. (7) (gr). The agent may retain the issuing fees to compensate the
6 agent for the agent's services in issuing the receipts.

7 (c) The department may promulgate rules regulating the activities of persons
8 who are authorized as agents under this subsection.

9 **SECTION 774.** 27.01 (8m) (title) of the statutes is amended to read:

10 27.01 (8m) (title) COLLECTION; AGENTS; HERITAGE HILL STATE PARK; STATE TRAILS.

11 **SECTION 775.** 27.01 (8m) (c) of the statutes is amended to read:

12 27.01 (8m) (c) The department shall regulate may promulgate rules regulating
13 the activities of agents under this subsection ~~in a manner similar to s. 29.09.~~

14 **SECTION 776.** 27.01 (11) (a) of the statutes is amended to read:

15 27.01 (11) (a) *Authorization.* The department may establish and operate a
16 campground reservation system ~~at any of the state parks or for~~ state forest
17 campgrounds and in state parks, state forests and other lands under the
18 department's supervision and control. The department may participate with owners
19 of private campgrounds in a cooperative reservation system.

20 **SECTION 777.** 27.01 (11) (b) of the statutes is created to read:

21 27.01 (11) (b) *Rules.* The department shall promulgate rules for the operation
22 of the campground reservation system. The rules shall include all of the following:

23 1. The authority to refuse to accept campground reservation applications
24 before a certain date or to treat applications received before that date as if they had
25 been made on that date.

1 2. The authority to give reservations for each year until all of the available sites
2 in a campground that are open for reservations for a given date have been reserved.

3 **SECTION 948m.** 27.01 (11) (cm) of the statutes is created to read:

4 27.01 (11) (cm) *Contracts*. 1. The department may enter into a contract with
5 another party to operate the campground reservation system that the department
6 establishes under par. (a). Before entering into such a contract, the department shall
7 first notify the joint committee on finance in writing of the proposed contract. If the
8 cochairpersons of the committee do not notify the department within 14 working
9 days after the date of the department's notification that the committee has scheduled
10 a meeting to review the proposed contract, the department may enter into the
11 proposed contract. If, within 14 working days after the date of the department's
12 notification, the cochairpersons of the committee notify the department that the
13 committee has scheduled a meeting to review the proposed contract, the department
14 may enter into the proposed contract only upon approval of the committee.

15 2. A contract entered into under this paragraph shall require that the
16 department retain \$1 of each reservation fee collected.

17 **SECTION 778.** 27.01 (11) (d) of the statutes is repealed.

18 **SECTION 779.** 27.01 (11) (e) of the statutes is repealed.

19 **SECTION 780.** 27.01 (11) (f) of the statutes is repealed.

20 **SECTION 781.** 27.01 (11) (g) of the statutes is repealed.

21 **SECTION 782.** 27.01 (11) (h) of the statutes is repealed.

22 **SECTION 954m.** 27.014 (1) (a) of the statutes is amended to read:

23 27.014 (1) (a) If the department finds a vehicle in a vehicle admission area, as
24 defined in s. 27.01 (7) (a) 3., that does not have a valid ~~sticker~~ receipt affixed to it or
25 otherwise displayed as authorized under s. 27.01 (7) (e) and the department cannot

1 locate the operator of the vehicle, the owner of the vehicle shall be presumed liable
2 for a violation of s. 27.01 (7) (b).

3 **SECTION 783.** 27.065 (10) (a) of the statutes is amended to read:

4 27.065 (10) (a) The special improvement bonds herein mentioned shall be equal
5 liens against all lots, parts of lots or parcels of land against which special
6 assessments have been made, without priority one over another, which liens shall
7 take precedence of all other claims or liens thereon, except a lien under s. 292.31 (8)
8 (i), ~~292.41 (6) (d)~~ or 292.81, and when issued shall transfer to the holders thereof all
9 the right, title and interest of such county in and to the assessment made on account
10 of the improvement mentioned therein and the liens thereby created, with full power
11 to enforce the collection thereof by foreclosure in the manner mortgages on real
12 estate are foreclosed. The time of redemption therefrom shall be fixed by the court,
13 and a copy of the bond foreclosed may be filed as a part of the judgment roll in said
14 action in lieu of the original thereof.

15 **SECTION 960m.** 29.01 (2s) of the statutes is created to read:

16 29.01 (2s) "Farm-raised fish" means a fish that is reared on a fish farm and
17 that has not been introduced, stocked or planted into the wild or a fishing preserve
18 or that has not escaped into the wild or a fishing preserve.

19 **SECTION 960n.** 29.01 (2w) of the statutes is created to read:

20 29.01 (2w) "Fish farm" has the meaning given in s. 95.60 (1) (a), except that
21 "fish farm" does not include a state or municipal fish hatchery.

22 **SECTION 960p.** 29.01 (3) of the statutes is amended to read:

23 29.01 (3) "Fishing" includes taking, capturing, killing, or fishing for fish of any
24 variety in any manner but does not include taking, capturing, killing or fishing for

1 farm-raised fish. When the word “fish” is used as a verb, it shall have the same
2 meaning as the word “fishing” as defined herein.

3 **SECTION 960q.** 29.01 (3b) of the statutes is created to read:

4 29.01 (3b) “Fishing preserve” means a natural body of water that is part of a
5 fish farm, that is surrounded by land that is owned or leased only by the persons
6 owning the fish farm and in which fishing is permitted.

7 **SECTION 960r.** 29.02 (3m) of the statutes is amended to read:

8 29.02 (3m) This section does not permit the seizure by the department, or
9 prohibit the possession or sale, of farm-raised deer or farm-raised fish.

10 **SECTION 967m.** 29.087 of the statutes is created to read:

11 **29.087 Agreements to retire licenses. (1)** Beginning on the effective date
12 of this subsection [revisor inserts date], the department may not enter into any
13 agreement to make payments to persons holding approvals issued under s. 29.134,
14 29.135, 29.136, 29.137, 29.165, 29.166, 29.17, 29.33, 29.34, 29.343, 29.344, 29.36,
15 29.37, 29.38, 29.52, 29.544, 29.547, 29.573, 29.574, 29.575, 29.578 or 29.585 in
16 exchange for the retirement of the approval or for the temporary or permanent
17 cessation of any activity authorized under the approval.

18 **(2)** Notwithstanding sub. (1), an agreement entered into by the department
19 before the effective date of this subsection [revisor inserts date], to make
20 payments to persons holding commercial fishing licenses in exchange for the
21 retirement of the licenses or for the permanent or temporary cessation of commercial
22 fishing shall remain valid except that no moneys may be expended from the
23 conservation fund to make payments under the agreement.

24 **SECTION 967n.** 29.087 (1) of the statutes, as created by 1997 Wisconsin Act
25 (this act), is amended to read:

1 29.087 (1) Beginning on the effective date of this subsection [revisor inserts
2 date], the department may not enter into any agreement to make payments to
3 persons holding approvals issued under s. 29.134, 29.135, 29.136, 29.137, 29.165,
4 29.166, 29.17, 29.33, 29.34, 29.343, 29.344, 29.36, 29.37, 29.38, ~~29.52~~, 29.544, 29.547,
5 29.573, 29.574, 29.575, 29.578 or 29.585 in exchange for the retirement of the
6 approval or for the temporary or permanent cessation of any activity authorized
7 under the approval.

8 **SECTION 784.** 29.09 (1m) of the statutes is amended to read:

9 **29.09 (1m) CONDITIONS AND RESTRICTIONS ON LICENSES AND OTHER APPROVALS.** A
10 hunting, trapping or fishing approval may be issued only to and obtained only by a
11 natural person entitled to the approval. Except as provided under sub. (12) (a), a
12 resident hunting, trapping or fishing approval may be issued only to a person who
13 presents to the ~~county clerk or issuing agent~~ or the department definite proof of his
14 or her identity and that he or she is a resident. No more than one of the same series
15 of approval may be issued to the same person in any year. Except as provided under
16 s. 29.33 (2) (d), no person may transfer his or her approval or permit the use of any
17 approval by any other person and no person while hunting, trapping or fishing may
18 use or carry any approval issued to another person. ~~No~~ Except as authorized by rules
19 promulgated under sub. (3m) (a) 2., no person may obtain a hunting, trapping or
20 fishing approval for another person. No approval authorizing hunting may be issued
21 to any person who is prohibited from obtaining this type of approval under s. 29.226
22 or 29.227 (1) (c).

23 **SECTION 785.** 29.09 (3) (a) of the statutes is amended to read:

24 **29.09 (3) (a) *Date; expiration.*** Each license or stamp issued under this chapter
25 shall state for what period the license or stamp is effective and the date of expiration.

1 **SECTION 786.** 29.09 (3m) of the statutes is created to read:

2 **29.09 (3m) FORMS OF APPROVALS.** (a) *Department rules.* The department shall
3 promulgate rules regulating the issuance of approvals. The rules shall include all
4 of the following:

5 1. The signature requirements, if any, for each type of approval.

6 2. The conditions, if any, under which a person may be issued an approval for
7 another person.

8 3. The authorized forms for stamps, which may include facsimiles, and the
9 methods of attaching stamps to or imprinting stamps on other approvals issued
10 under this chapter.

11 **SECTION 787.** 29.09 (3r) of the statutes is created to read:

12 **29.09 (3r) ISSUANCE OF APPROVALS BY DEPARTMENT AND BY AGENTS.** (a) In issuing
13 approvals under this section, the department may do any of the following for each
14 type of approval:

15 1. Directly issue the approvals.

16 2. Appoint, as an agent of the department, the clerk of one or more counties to
17 issue the approvals.

18 3. Appoint persons who are not employes of the department to issue the
19 approvals as agents of the department.

20 (b) The clerk of each county appointed under par. (a) 2. may accept the
21 appointment.

22 (c) The department shall promulgate rules for each type of approval under this
23 chapter that specify which persons appointed under par. (a) shall issue that type of
24 approval.

1 (d) The department may promulgate rules regulating the activities of persons
2 appointed under par. (a) 2. and 3.

3 **SECTION 788.** 29.09 (4) of the statutes is amended to read:

4 29.09 (4) **DUPLICATES.** If any license, permit, certificate or card is lost, the
5 person to whom the license, permit, certificate or card was issued may apply to the
6 department for a duplicate, submitting an affidavit proving loss. The department
7 may accept information in a form other than an affidavit. The department shall
8 make an inquiry and investigation as it deems necessary. If the department is
9 satisfied that the ~~facts are as stated in the affidavit~~ loss has been proven, the
10 department may issue a duplicate license, permit, certificate or card to the applicant.
11 Back tags and other tags issued with a license, permit, certificate or card are parts
12 of the license, permit, certificate or card and loss of any part is deemed to be loss of
13 the entire license, permit, certificate or card. Upon applying for a duplicate ~~approval~~
14 license, permit, certificate or card, the applicant shall surrender all parts of the
15 original ~~approval~~ remaining in his or her possession to the department. No duplicate
16 stamp may be issued and if a stamp is lost, the person to whom it was issued is
17 required to apply and pay the regular fee in order to receive a new stamp.

18 **SECTION 789.** 29.09 (5) of the statutes is renumbered 29.09 (3m) (b) and
19 amended to read:

20 29.09 (3m) (b) *Blanks.* The department shall prepare, procure the printing of
21 and supply all necessary blanks for approvals issued under this chapter and related
22 applications. ~~Approval blanks and applications may be numbered consecutively, at~~
23 ~~the time of printing, in a separate series for each kind of approval. Each license blank~~
24 ~~shall be provided with a corresponding stub numbered with the serial number of the~~
25 ~~license. Each requisition for the printing of approval blanks shall specify any serial~~

1 ~~numbers to be printed on the blanks. The department or a county clerk may issue~~
2 ~~approvals only on blanks supplied by the department for approvals.~~

3 **SECTION 790.** 29.09 (6) of the statutes is repealed.

4 **SECTION 791.** 29.09 (7) of the statutes is repealed.

5 **SECTION 792.** 29.09 (7m) of the statutes is repealed.

6 **SECTION 793.** 29.09 (8) of the statutes is amended to read:

7 29.09 (8) RECORD OF APPROVALS ISSUED. The department shall keep a complete
8 record of all approvals issued. ~~The department is accountable for all unused~~
9 ~~approval blanks.~~

10 **SECTION 794.** 29.09 (8m) (b) of the statutes is amended to read:

11 29.09 (8m) (b) A person holding a current fishing license issued under this
12 chapter and a trolling permit or a permit issued under sub. (9) (c) 1. may fish or troll
13 in the waters of this state using an electric motor with no more than 36 pounds of
14 thrust, notwithstanding any ordinances enacted under s. 30.77 (3) that prohibit the
15 use of motor boats on navigable waters.

16
17 **SECTION 795.** 29.09 (9m) (a) 9. of the statutes is created to read:

18 29.09 (9m) (a) 9. Sturgeon fishing permit.

19 **SECTION 796.** 29.09 (9r) (c) of the statutes is amended to read:

20 29.09 (9r) (c) Any fees collected under this subsection shall be deposited in the
21 conservation fund and credited to the appropriation account under s. 20.370 (1) ~~(Lu)~~
22 (9) (hu).

23 **SECTION 797.** 29.09 (10) (a) of the statutes is amended to read:

24 29.09 (10) (a) *Collection of issuing fee.* ~~A person authorized to issue~~ Any person,
25 including the department ,who issues any license or stamp ~~prescribed by~~ under this

1 chapter shall collect, in addition to the statutory license or stamp fee, an issuing fee
2 for each license and each stamp the person issued. A person appointed under sub.
3 (3r) (a) 2. or 3. may retain the amounts specified in par. (c) to compensate for services
4 in issuing the license or stamp.

5 **SECTION 798.** 29.09 (10) (c) of the statutes is amended to read:

6 29.09 (10) (c) (title) ~~Nonpublic issuing~~ Issuing agents. ~~Deputies~~ A person
7 ~~appointed by county clerks, other than county employes, and deputies appointed by~~
8 ~~the department, other than state employes, are entitled to~~ under sub. (3r) (a) 2. or
9 3. may retain 50 cents of each issuing fee for licenses and 15 cents of each issuing fee
10 for stamps.

11 **SECTION 799.** 29.09 (11) of the statutes is repealed.

12 **SECTION 800.** 29.09 (12) (a) of the statutes is amended to read:

13 29.09 (12) (a) *Certain resident licenses may be issued to students and members*
14 *of the armed forces.* Notwithstanding sub. (1m) and s. 29.14 (1) (a), the department
15 ~~and the county clerk of each county shall issue a resident fishing license, resident~~
16 ~~small game hunting license or resident deer hunting license to a qualified student~~
17 ~~or qualified member of the armed forces applying for the license. A qualified student~~
18 ~~is a person who exhibits proof that he or she is a registered full-time undergraduate~~
19 ~~student in residence at a public or private college or university located in this state~~
20 ~~and offering a bachelor's degree or that he or she is a citizen of a foreign country~~
21 ~~temporarily residing in this state while attending a high school located in this state~~
22 ~~or an agricultural short course at the university of Wisconsin system. A qualified~~
23 ~~member of the armed forces is a person who exhibits proof that he or she is in active~~
24 ~~service with the U.S. armed forces and that he or she is stationed in this state.~~

25 **SECTION 801.** 29.09 (12) (b) of the statutes is amended to read:

1 29.09 (12) (b) *Resident armed forces fishing license.* An annual fishing license
2 shall be issued by the department ~~or a county clerk~~ to any member of the U.S. armed
3 forces applying for this license who exhibits proof that he or she is in active service
4 with the armed forces and that he or she is a resident on furlough or leave.

5 **SECTION 802.** 29.09 (12) (c) of the statutes is amended to read:

6 29.09 (12) (c) *Resident armed forces small game hunting license.* A small game
7 hunting license shall be issued by the department ~~or by a county clerk~~ to any member
8 of the U.S. armed forces applying for this license who exhibits proof that he or she
9 is in active service with the armed forces and that he or she is a resident on furlough
10 or leave.

11 **SECTION 803.** 29.09 (13) of the statutes is amended to read:

12 29.09 (13) STAMPS; ARTWORK. The department shall may design and produce
13 waterfowl hunting stamps, pheasant hunting stamps, wild turkey hunting stamps,
14 inland waters trout stamps and Great Lakes trout and salmon stamps. The
15 department may select artwork for stamps through a contest or otherwise may
16 acquire original artwork for stamps.

17 **SECTION 804.** 29.092 (3r) (b) of the statutes is amended to read:

18 29.092 (3r) (b) All moneys collected under par. (a) shall be deposited into the
19 account under s. 20.370 ~~(1) (is)~~ (3) (is).

20 **SECTION 996m.** 29.092 (8) (title) of the statutes is amended to read:

21 29.092 (8) (title) ~~BAIT DEALER AND FISH HATCHERY LICENSES.~~

22 **SECTION 996n.** 29.092 (8) (c) of the statutes is repealed.

23 **SECTION 996p.** 29.092 (8) (d) of the statutes is repealed.

24 **SECTION 996q.** 29.092 (8) (e) of the statutes is repealed.

25 **SECTION 996r.** 29.092 (8) (f) of the statutes is repealed.

1 **SECTION 805.** 29.092 (13m) (a) of the statutes is amended to read:

2 29.092 (**13m**) (a) The processing fee for an application for a hunter's choice deer
3 hunting permit, a bonus deer hunting permit, a wild turkey hunting license, a
4 Canada goose hunting permit, a sharp-tailed grouse hunting permit, a bobcat
5 hunting and trapping permit, an otter trapping permit ~~or~~ a fisher trapping permit
6 or a sturgeon fishing permit is \$2.75.

7 **SECTION 806.** 29.092 (16) of the statutes is amended to read:

8 29.092 (**16**) FEES HELD IN TRUST. All fees collected under this section for
9 approvals issued under this chapter that are required to be remitted to the
10 department shall be held in trust for the state. Any person who collects, possesses
11 or manages fees for approvals acts in a fiduciary capacity for the state.

12 **SECTION 1000g.** 29.093 (8) (title) of the statutes is amended to read:

13 29.093 (**8**) (title) BAIT DEALER AND FISH HATCHERY LICENSES.

14 **SECTION 1000h.** 29.093 (8) (a) (title) of the statutes is repealed.

15 **SECTION 1000i.** 29.093 (8) (a) of the statutes is renumbered 29.093 (8).

16 **SECTION 1000j.** 29.093 (8) (b) of the statutes is repealed.

17 **SECTION 807.** 29.095 (2) of the statutes is amended to read:

18 29.095 (**2**) A senior citizen recreation card entitles the holder to exercise all of
19 the combined rights and privileges conferred by a resident small game hunting
20 license, a wild turkey hunting license, a wild turkey hunting stamp and a resident
21 fishing license, subject to all duties, conditions, limitations and restrictions
22 prescribed under this chapter and by department order. ~~The card permits any A~~
23 person may operate any vehicle, except a motor bus, as defined in s. 340.01 (31),
24 ~~having a card holder as an occupant to enter in~~ any vehicle admission area under s.
25 27.01 (7) without having an admission ~~sticker~~ receipt affixed to it ~~the vehicle or~~

1 otherwise displayed and without paying a fee if the vehicle has as an occupant a card
2 holder who can present the card upon demand in the vehicle admission area. The
3 card permits a card holder to enter Heritage Hill state park or a state trail without
4 paying an admission fee.

5 **SECTION 808.** 29.10 of the statutes is amended to read:

6 **29.10 Resident small game hunting license.** A resident small game
7 hunting license shall be issued subject to s. 29.09 by the department ~~or by a county~~
8 ~~clerk~~ to any resident applying for this license. The resident small game hunting
9 license does not authorize the hunting of bear, deer or wild turkey.

10 **SECTION 809.** 29.102 (1) (a) of the statutes is amended to read:

11 29.102 (1) (a) *Requirement.* Except as provided under par. (c), no person may
12 hunt waterfowl unless he or she is issued a conservation patron license or unless he
13 or she is issued a waterfowl hunting stamp which is ~~affixed by the stamp's adhesive~~
14 ~~to,~~ in the manner required by the rule promulgated under s. 29.09 (3m) (a) 3., is
15 attached to or imprinted on the person's hunting license which authorizes the
16 hunting of small game or to the person's sports license.

17 **SECTION 810.** 29.102 (1) (b) of the statutes is amended to read:

18 29.102 (1) (b) *Issuance.* The waterfowl hunting stamp shall be issued by the
19 department ~~and its agents and by county clerks~~ subject to s. 29.09. ~~The waterfowl~~
20 ~~hunting stamp shall be designed and produced by the department as provided under~~
21 ~~s. 29.09 (13).~~

22 **SECTION 811.** 29.1025 (1) (a) of the statutes is amended to read:

23 29.1025 (1) (a) Except as provided in pars. (b) to (d), no person may hunt
24 pheasant unless he or she has a valid conservation patron license, or has a valid
25 pheasant hunting stamp ~~affixed by the stamp's adhesive to~~ which, in the manner

1 required by the rule promulgated under s. 29.09 (3m) (a) 3., is attached to or
2 imprinted on the person's hunting license which authorizes the hunting of small
3 game or to the person's sports license.

4 **SECTION 812.** 29.1025 (2) of the statutes is amended to read:

5 29.1025 (2) ISSUANCE. The pheasant hunting stamp shall be issued by the
6 department ~~or a county clerk~~ subject to s. 29.09. ~~The department shall design and~~
7 ~~produce pheasant hunting stamps as provided under s. 29.09 (13).~~

8 **SECTION 813.** 29.103 (2) (b) 1. of the statutes is amended to read:

9 29.103 (2) (b) 1. No person may hunt wild turkey unless he or she has a valid
10 wild turkey hunting license and a valid wild turkey hunting stamp ~~stapled or affixed~~
11 ~~by the stamp's adhesive to~~ attached to or imprinted on the person's wild turkey
12 hunting license in the manner required by the rule promulgated under s. 29.09 (3m)
13 (a) 3.

14 **SECTION 814.** 29.103 (2) (b) 2. of the statutes is amended to read:

15 29.103 (2) (b) 2. If the department establishes a wild turkey hunting zone
16 where wild turkey hunting is permitted under sub. (6), no person may hunt wild
17 turkeys in that wild turkey hunting zone unless the person is issued a wild turkey
18 hunting license that is valid for that zone and that has a valid wild turkey hunting
19 stamp ~~attached in the manner required in subd. 1~~ or imprinted in the manner
20 required by the rule promulgated under s. 29.09 (3m) (a) 3.

21 **SECTION 1009j.** 29.103 (4) (a) of the statutes is amended to read:

22 29.103 (4) (a) (title) *Preference Cumulative preference system.* If the
23 department requires wild turkey hunting licenses and the number of applications for
24 wild turkey hunting licenses exceeds the number of available wild turkey hunting

1 licenses, the department shall issue wild turkey hunting licenses according to the
2 cumulative preference system under this subsection.

3 **SECTION 1009L.** 29.103 (4) (b) (title) and 1. of the statutes are amended to read:

4 29.103 (4) (b) (title) ~~Landowner preference~~ Qualified resident landowners. 1.

5 ~~If the department requires wild turkey hunting licenses, the~~ The department shall
6 ~~give~~ create a first preference category in the issuance of these wild turkey hunting
7 licenses to applicants ~~applying under the landowner preference system~~ who are
8 qualified resident landowners. The number of licenses issued under this section
9 paragraph for a season for an established wild turkey hunting zone may not exceed
10 30% of all licenses issued for that season ~~in~~ for that zone.

11 **SECTION 1009n.** 29.103 (4) (b) 2. of the statutes is amended to read:

12 29.103 (4) (b) 2. ~~A qualified resident landowner may apply for a wild turkey~~
13 ~~hunting license under the landowner preference system.~~ A For purposes of subd. 1.,
14 a qualified resident landowner is a resident who owns at least 50 acres in one parcel
15 in an established wild turkey hunting zone and who agrees to allow other persons
16 to hunt wild turkeys on that land if those persons first obtain permission to hunt from
17 the landowner. If more than one individual is the landowner of a single parcel of land,
18 only one individual may be considered a qualified resident landowner.

19 **SECTION 1009p.** 29.103 (4) (b) 3. of the statutes is amended to read:

20 29.103 (4) (b) 3. A qualified resident landowner may assign his or her eligibility
21 to apply for a wild turkey hunting license under ~~the landowner preference system~~
22 this paragraph as a qualified resident landowner to a family member, to an operator
23 or to a family member of the operator. The department may specify the procedures
24 and forms which are required to be followed and completed to effect this assignment.
25 After this assignment, the assignee may apply for a wild turkey hunting license

1 under the landowner preference system this paragraph as a qualified resident
2 landowner and the qualified resident landowner who assigned his or her eligibility
3 may not, notwithstanding subd. 2 so apply.

4 **SECTION 1009r.** 29.103 (4) (c) (intro.) and 1. (intro.) of the statutes are
5 consolidated, renumbered 29.103 (4) (c) (intro.) and amended to read:

6 29.103 (4) (c) (title) *Other preferences* Second preference. (intro.) ~~If the~~
7 ~~department requires wild turkey hunting licenses, the~~ The department shall give,
8 ~~in the issuance of these~~ create a 2nd preference category in issuing wild turkey
9 hunting licenses: 1. Second preference to resident applicants who in a previous
10 season applied for but who were not issued wild turkey hunting licenses:

11 **SECTION 1009s.** 29.103 (4) (c) 1. a. of the statutes is renumbered 29.103 (4) (c)
12 1.

13 **SECTION 1009t.** 29.103 (4) (c) 1. b. of the statutes is renumbered 29.103 (4) (c)
14 2.

15 **SECTION 1009v.** 29.103 (4) (c) 2. of the statutes is renumbered 29.103 (4) (cg)
16 and amended to read:

17 29.103 (4) (cg) (title) *Third preference.* ~~Third~~ The department shall create a 3rd
18 preference category in issuing wild turkey hunting licenses to all other resident
19 applicants.

20 **SECTION 1009w.** 29.103 (4) (c) 3. of the statutes is renumbered 29.103 (4) (cm)
21 and amended to read:

22 29.103 (4) (cm) (title) *Fourth preference.* ~~Fourth~~ The department shall create
23 a 4th preference category in issuing wild turkey hunting licenses to nonresident
24 applicants who are not resident applicants.

25 **SECTION 1009y.** 29.103 (4) (cr) of the statutes is created to read:

1 29.103 (4) (cr) *Cumulative preference.* 1. In issuing licenses under the 2nd
2 preference category under this subsection, the department shall give, within that
3 preference category, a preference point to each applicant for each previous
4 corresponding season for which the person applied but was not issued a wild turkey
5 hunting license. The department shall create subcategories for each point total and
6 place each applicant in the applicable subcategory. The department shall rank the
7 subcategories according to the number of preference points received, giving higher
8 priority to those subcategories with more points than those with fewer points.
9 Applicants who fail to apply at least once during any 3 consecutive years shall lose
10 all previously accumulated preference points.

11 2. If the number of applicants within a preference category or a subcategory
12 under this subsection exceeds the number of wild turkey hunting licenses available
13 in the category or subcategory, the department shall select at random within the
14 category or subcategory the applicants to be issued the licenses.

15 **SECTION 815.** 29.103 (5) (a) of the statutes is amended to read:

16 29.103 (5) (a) *Issuance.* The wild turkey hunting stamp shall be issued by the
17 department ~~or a county clerk~~ subject to s. 29.09. ~~The department shall design and~~
18 ~~produce wild turkey hunting stamps as provided under s. 29.09 (13).~~

19 **SECTION 816.** 29.104 (1) of the statutes is amended to read:

20 29.104 (1) A resident archer hunting license shall be issued subject to s. 29.09
21 by the department ~~or by a county clerk~~ to any resident applying for this license.

22 **SECTION 817.** 29.104 (3) of the statutes is amended to read:

23 29.104 (3) The department ~~or county clerk~~ shall issue to each person who is
24 issued a resident archer hunting license a deer tag and a back tag in the form and
25 numbered as required by the department.

1 **SECTION 818.** 29.105 (1) of the statutes is amended to read:

2 29.105 (1) ISSUANCE. A resident deer hunting license shall be issued subject to
3 s. 29.09 by the department ~~or by a county clerk~~ to any resident applying for this
4 license.

5 **SECTION 819.** 29.105 (3) of the statutes is amended to read:

6 29.105 (3) DEER TAG AND BACK TAG. The department ~~or county clerk~~ shall issue
7 to each person who is issued a resident deer hunting license a deer tag and a back
8 tag in the form and numbered as required by the department.

9 **SECTION 1017g.** 29.107 (4) of the statutes is amended to read:

10 29.107 (4) (title) ~~CONTINUOUS~~ CUMULATIVE PREFERENCE SYSTEM; ~~RANDOM~~
11 ~~SELECTION~~. If the number of qualified applicants for a type of special deer hunting
12 permit in a deer management area exceeds the number of such available special
13 permits, the department shall issue those special permits for that deer management
14 area according to the ~~continuous~~ cumulative preference system established under
15 ~~this subsection and sub. (5). If the number of qualified applicants exceeds the~~
16 ~~number of special permits available in a preference category, the department shall~~
17 ~~select at random the applicants to be issued special permits.~~

18 **SECTION 1017k.** 29.107 (5) (b) of the statutes is amended to read:

19 29.107 (5) (b) *Second preference*. The department shall create a 2nd preference
20 category in issuing special deer hunting permits to resident applicants who applied
21 for but were not issued special permits for a given deer management area for the
22 ~~prior~~ previous season. Within this preference category, the department shall give a
23 preference point to each applicant for each ~~consecutive preceding~~ previous season in
24 which the person applied for but was not issued a special permit for that deer
25 management area. The department shall create subcategories for each point total

1 and place each applicant in the applicable subcategory. The department shall rank
2 the subcategories according to the number of points received, giving higher priority
3 to those subcategories with more points than those with fewer points. Applicants
4 who fail to apply at least once during any 3 consecutive years shall lose all previously
5 accumulated preference points.

6 **SECTION 1017m.** 29.107 (5) (d) of the statutes is created to read:

7 29.107 (5) (d) *Random selection.* If the number of applicants within a
8 preference category or a subcategory under this subsection exceeds the number of
9 special deer hunting permits available in the category or subcategory, the
10 department shall select at random within the category or subcategory the applicants
11 to be issued the permits.

12 **SECTION 1017r.** 29.1085 (3) (b) of the statutes, as affected by 1997 Wisconsin
13 Act 1, is amended to read:

14 29.1085 (3) (b) *Cumulative preference system; random selection.* If the number
15 of qualified applications for Class A bear licenses exceeds the number of available
16 licenses, the department shall select applicants to be issued Class A bear licenses
17 based upon a cumulative preference system. This system shall establish preference
18 categories for those applicants who applied for but who were not issued Class A bear
19 licenses or bear harvest permits under s. 29.1085 (3) (b), 1993 stats., in the previous
20 season, with the highest preference category for those who have the most higher
21 priority given to those categories with more preference points than those with fewer
22 preference points. The department shall give a preference point to each applicant
23 who applies for a given season and who is not selected or who is selected but declines
24 to pay the required fee for a Class A bear license. Applicants who fail to apply at least
25 once during any 3 consecutive years shall lose all previously accumulated preference

1 points. ~~The~~ If the number of applicants within a preference category exceeds the
2 number of Class A bear licenses available in the category, the department shall select
3 at random the applicants to be issued ~~Class A bear~~ licenses within each the
4 preference category.

5 **SECTION 1017rm.** 29.1085 (3) (c) 2. of the statutes, as affected by 1997
6 Wisconsin Act 1, is amended to read:

7 29.1085 (3) (c) 2. A Class B bear license shall be issued subject to s. 29.09 by
8 the department ~~or by a county clerk~~ to any resident who applies for this license and
9 who pays the required fee.

10 **SECTION 820.** 29.11 of the statutes is amended to read:

11 **29.11 Nonresident annual small game hunting license.** A nonresident
12 annual small game hunting license shall be issued subject to s. 29.09 by the
13 department ~~or by a county clerk~~ to any nonresident applying for this license. The
14 nonresident annual small game hunting license authorizes the hunting of small
15 game during the appropriate open season but does not authorize the hunting of deer,
16 bear, wild turkey or fur-bearing animals.

17 **SECTION 821.** 29.112 of the statutes is amended to read:

18 **29.112 Nonresident 5-day small game hunting license.** A nonresident
19 5-day small game hunting license shall be issued subject to s. 29.09 by the
20 department ~~or by a county clerk~~ to any nonresident applying for this license. The
21 nonresident 5-day small game hunting license authorizes the hunting of small game
22 for which there is an open season during the 5-day period for which it is issued but
23 does not authorize the hunting of deer, bear, wild turkey or fur-bearing animals.

24 **SECTION 822.** 29.113 (1) of the statutes is amended to read:

1 29.113 (1) ISSUANCE. A nonresident deer hunting license shall be issued subject
2 to s. 29.09 by the department ~~or by a county clerk~~ to any nonresident applying for this
3 license.

4 **SECTION 823.** 29.113 (3) of the statutes is amended to read:

5 29.113 (3) DEER TAG AND BACK TAG. The department ~~or county clerk~~ shall issue
6 to each person who is issued a nonresident deer hunting license a deer tag and a back
7 tag in the form and numbered as required by the department.

8 **SECTION 824.** 29.114 (1) of the statutes is amended to read:

9 29.114 (1) ISSUANCE. A nonresident bear hunting license shall be issued subject
10 to s. 29.09 by the department ~~or by a county clerk~~ to any nonresident applying for this
11 license.

12 **SECTION 825.** 29.116 of the statutes is amended to read:

13 **29.116 Nonresident fur-bearing animal hunting license.** A nonresident
14 fur-bearing animal hunting license shall be issued subject to s. 29.09 by the
15 department ~~or a county clerk~~ to any nonresident applying for this license. The
16 nonresident fur-bearing animal hunting license authorizes the hunting of skunk,
17 raccoon, fox, weasel, opossum, coyote and wildcat during the appropriate open
18 season but does not authorize the hunting of other fur-bearing animals, other small
19 game, deer or bear.

20 **SECTION 826.** 29.117 (1) of the statutes is amended to read:

21 29.117 (1) ISSUANCE. A nonresident archer hunting license shall be issued
22 subject to s. 29.09 by the department ~~or by a county clerk~~ to any nonresident applying
23 for this license.

24 **SECTION 827.** 29.117 (3) of the statutes is amended to read:

1 29.117 (3) DEER TAG AND BACK TAG. The department ~~or county clerk~~ shall issue
2 to each person who is issued a nonresident archer hunting license a deer tag and a
3 back tag in the form and numbered as required by the department.

4 **SECTION 828.** 29.13 (1) (a) of the statutes is amended to read:

5 29.13 (1) (a) *Issuance.* A trapping license shall be issued subject to s. 29.09 by
6 the department ~~or by a county clerk~~ to any resident applying for this license.

7 **SECTION 1034m.** 29.135 (8) of the statutes is created to read:

8 29.135 (8) EXEMPTION. This section does not apply to fish produced in a state
9 or municipal fish hatchery or to farm-raised fish.

10 **SECTION 829.** 29.136 (7m) (a) of the statutes is amended to read:

11 29.136 (7m) (a) The department shall issue a taxidermy school permit to a
12 person who applies for the permit; who, on August 15, 1991, holds a valid taxidermist
13 permit issued under this section; and who, on August 15, 1991, operates a taxidermy
14 school approved by the ~~department of education~~ educational approval board under
15 s. ~~38.51~~ 39.51.

16 **SECTION 1039c.** 29.136 (7m) (b) of the statutes is amended to read:

17 29.136 (7m) (b) A taxidermy school permit authorizes the holder of the permit
18 to purchase muskellunge, bass, bluegill, sunfish, crappie, rock bass or northern pike
19 that are not farm-raised fish, or the ~~carcass~~ carcasses of these fish, from persons who
20 caught the fish and to resell the fish only to students enrolled in a taxidermy course
21 at the taxidermy school operated by the purchaser. For purposes of this paragraph,
22 a taxidermy course may not include a correspondence course in taxidermy.

23 **SECTION 1040h.** 29.137 (8) of the statutes is amended to read:

1 29.137 (8) This section does not apply to bait minnows produced in a private
2 state or municipal fish hatchery licensed under s. 29.52 or to minnows that are
3 farm-raised fish.

4 **SECTION 830.** 29.138 of the statutes is created to read:

5 **29.138 Fishing approvals issued by the Lac du Flambeau band. (1)**

6 DEFINITIONS. In this section:

7 (a) “Band” means the Lac du Flambeau band of Lake Superior Chippewa.

8 (b) “Reservation” means the territory within the boundaries of the Lac du
9 Flambeau reservation that were in existence on April 10, 1996.

10 **(2) AUTHORIZATION FOR ISSUANCE.** The band may issue one or more types of
11 fishing approvals that are equivalent to one or more of the the following types of
12 approvals by authorizing the same types of fishing by the same persons and in the
13 same bodies of water:

14 (a) Nonresident annual fishing licenses.

15 (b) Nonresident 15-day fishing licenses.

16 (c) Nonresident 4-day fishing licenses.

17 (d) Nonresident annual family fishing licenses.

18 (e) Nonresident 15-day family fishing licenses.

19 (f) Nonresident 2-day sports fishing licenses.

20 (g) Resident annual fishing licenses.

21 (h) Resident 2-day sports fishing licenses.

22 (i) Husband and wife fishing licenses.

23 (j) Inland waters trout stamps.

24 **(3) REQUIREMENTS FOR ISSUANCE; FEES; PERIODS OF VALIDITY.** (a) For any approval
25 issued under this section, the band shall collect the same amount that would be

1 collected for the equivalent approval under s. 29.092, including the issuing fee under
2 s. 29.092 (15). The band shall retain all of the fees collected under this paragraph.

3 (b) The band may not issue or sell approvals under this section in conjunction
4 with discount coupons or as part of a promotion or other merchandising offer.

5 (c) For any approval issued under this section, the period of validity shall be
6 the same as it would be for the equivalent approval under s. 29.093.

7 (d) The band may issue duplicates only for the approvals that it issues under
8 this section.

9 (e) The band may issue approvals under this section only to applicants who
10 appear in person on the reservation.

11 **(4) ISSUANCE; PROCESSING; RECORDS.** (a) The band shall prepare, procure the
12 printing of and supply all necessary approval blanks and applications for approvals
13 issued under this section. Approval blanks and applications used under this section
14 shall be numbered consecutively, at the time of printing, in a separate series for each
15 kind of approval. Each license blank issued under this section shall be provided with
16 a corresponding stub or carbon numbered with the serial number of the license. Each
17 requisition for the printing of such approval blanks shall specify any serial numbers
18 to be printed on the blanks.

19 (b) Each license issued under this section shall bear on its face the signature
20 of the licensee, the date of issuance and the signature of the issuing agent. All
21 licenses shall be issued in English and in ink.

22 (c) Before June 1 annually, the band shall submit a report to the department
23 notifying it of the number of each type of approval that the band issued for the period
24 beginning on April 1 of the previous year and ending on March 31 of the year in which
25 the report is submitted.

1 (d) For law enforcement purposes, persons issuing approvals under this section
2 shall make available for inspection by the department during normal business hours
3 their records of all approvals issued, including copies of all licenses issued.

4 (e) The band shall ensure that a record of each approval issued under this
5 section, including a copy of each license issued, is retained for at least 2 years after
6 the date of expiration of the license.

7 (f) Sections 29.09 (2), (3) (b), (3m) (b), (4), (8) and (10) (b) and (c) and 29.092 (3r)
8 do not apply to any approval that may be issued under this section.

9 **(5) RESTRICTIONS ON APPROVALS.** A person who is fishing under the authority of
10 an approval issued under this section shall be subject to the same conditions,
11 limitations and restriction as are imposed on the equivalent approval issued under
12 s. 29.14, 29.145, 29.146. 29.147 or 29.149, including bag limits, size limits, rest days
13 and closed seasons.

14 **(6) APPLICABILITY.** This section does not apply unless the department and the
15 band have in effect a written agreement, approved by the joint committee on finance,
16 under which the band agrees to comply with subs. (2) to (4) and that contains all of
17 the following terms:

18 (a) The manner in which the band will limit its treaty-based right to fish
19 outside the reservation.

20 (b) A requirement that the fees collected by the band under sub. (3) (a) be used
21 only for fishery management within the reservation.

22 **SECTION 831.** 29.139 of the statutes is created to read:

23 **29.139 Department approvals issued on the Lac du Flambeau**
24 **reservation. (1) DEFINITIONS.** In this section:

25 (a) "Band" means the Lac du Flambeau band of Lake Superior Chippewa.

1 (b) "Reservation" means the territory within the boundaries of the Lac du
2 Flambeau reservation that were in existence on April 10, 1996.

3 (2) AUTHORIZATION. The band may elect to issue one or more of the following
4 types of approvals, subject to s. 29.09, as an agent of the department:

5 (a) Nonresident annual fishing licenses.

6 (b) Nonresident 15-day fishing licenses.

7 (c) Nonresident 4-day fishing licenses.

8 (d) Nonresident annual family fishing licenses.

9 (e) Nonresident 15-day family fishing licenses.

10 (f) Nonresident 2-day sports fishing licenses.

11 (g) Resident annual fishing licenses.

12 (h) Resident 2-day sports fishing licenses.

13 (i) Husband and wife fishing licenses.

14 (j) Inland waters trout stamps.

15 (k) Resident sports licenses.

16 (L) Nonresident sports licenses.

17 (3) FEES; ISSUANCE. (a) The band shall collect the fee for an approval issued
18 under sub. (2) in the same amount as is collected by the department for the approval,
19 including the issuing fee. Except as provided in par. (b), the band shall retain the
20 entire fee that it collects, including the issuing fee.

21 (b) For a resident or nonresident sports license, the band shall retain only the
22 amount that is equal to the fee for an annual fishing license plus the issuing fee and
23 shall remit the balance to the department.

1 (c) For a resident or nonresident sports license, in addition to the fees collected
2 under par. (a), the band shall collect the wildlife damage surcharge and remit it to
3 the department.

4 (d) The band may issue approvals under this section only to applicants who
5 appear in person on the reservation.

6 **(4) REVENUES FROM ISSUANCE OF DEPARTMENT APPROVALS ON THE RESERVATION BY**
7 **OTHERS.** (a) Annually, the department may pay to the band an amount for the
8 issuance of the approvals specified in sub. (2) (a) to (L) within the reservation.

9 (b) If the department decides that it will make the payment under par. (a), it
10 shall calculate the total amount of the payment to equal the sum of the following:

11 1. The amount in fees received by the department from the issuance of the
12 approvals specified in sub. (2) (a) to (j) during the preceding year by issuing agents
13 other than the band at locations within the reservation.

14 2. An amount calculated by multiplying the number of resident and
15 nonresident sports licenses issued during the preceding year by issuing agents other
16 than the band at locations within the reservation by the amount of the fee for an
17 annual fishing license, including the portion of the issuing fee for an annual fishing
18 license that the department receives.

19 **(5) APPLICABILITY.** This section does not apply unless the department and the
20 band have in effect a written agreement, approved by the joint committee on finance,
21 under which the band agrees to comply with subs. (2) and (3) and that contains all
22 of the following terms:

23 (a) The manner in which the band will limit its treaty-based right to fish
24 outside the reservation.

1 (b) A requirement that the fees collected and retained by the band under sub.
2 (3) be used only for fishery management within the reservation.

3 **SECTION 832.** 29.14 (1) (a) of the statutes is amended to read:

4 29.14 (1) (a) *Requirement.* Except as provided under pars. (b) and (c) or s.
5 29.155 (1g) and (1h), except for persons with resident licenses under s. 29.09 (12) (a)
6 and except as otherwise specifically provided by another section of this chapter, no
7 nonresident may fish in the waters of this state unless a valid nonresident fishing
8 license is issued to the person subject to s. 29.09 by the department ~~or by a county~~
9 ~~clerk.~~

10 **SECTION 833.** 29.14 (2) of the statutes is amended to read:

11 29.14 (2) NONRESIDENT ANNUAL FISHING LICENSE. The department ~~or a county~~
12 ~~clerk~~ shall issue a nonresident annual fishing license, subject to s. 29.09, to any
13 nonresident who applies for this license.

14 **SECTION 834.** 29.14 (3) of the statutes is amended to read:

15 29.14 (3) NONRESIDENT 15-DAY LICENSE. The department ~~or a county clerk~~ shall
16 issue a nonresident 15-day fishing license, subject to s. 29.09, to any nonresident
17 who applies for this license.

18 **SECTION 835.** 29.14 (4) of the statutes is amended to read:

19 29.14 (4) NONRESIDENT 4-DAY FISHING LICENSE. The department ~~or a county clerk~~
20 shall issue a nonresident 4-day fishing license, subject to s. 29.09, to any nonresident
21 who applies for this license.

22 **SECTION 836.** 29.14 (5) of the statutes is amended to read:

23 29.14 (5) NONRESIDENT ANNUAL FAMILY FISHING LICENSE. The department ~~or a~~
24 ~~county clerk~~ shall issue a nonresident annual family fishing license, subject to s.

1 29.09, to any nonresident who applies for this license. This license entitles the
2 husband, wife and any minor children to fish under this license.

3 **SECTION 837.** 29.14 (6) of the statutes is amended to read:

4 29.14 (6) NONRESIDENT 15-DAY FAMILY LICENSE. The department ~~or a county clerk~~
5 shall issue a nonresident 15-day family fishing license, subject to s. 29.09, to any
6 nonresident who applies for this license. This license entitles the husband, wife and
7 any minor children to fish under this license.

8 **SECTION 838.** 29.14 (7) (a) of the statutes is amended to read:

9 29.14 (7) (a) *Issuance.* The department ~~or a county clerk~~ shall issue a
10 nonresident 2-day sports fishing license, subject to s. 29.09, to any nonresident who
11 applies for this license.

12 **SECTION 839.** 29.14 (7) (c) of the statutes is amended to read:

13 29.14 (7) (c) *Use of fees.* The department shall deposit receipts from the sale
14 of nonresident 2-day sports fishing licenses under this subsection in the
15 conservation fund. The department shall credit 50% of these receipts to the
16 appropriation under s. 20.370 ~~(1) (ku)~~ (4) (ku).

17 **SECTION 840.** 29.145 (1) (a) of the statutes is amended to read:

18 29.145 (1) (a) *Requirement.* Except as provided under pars. (b) and (c) and ss.
19 29.155 (1g) and (1h) and 29.156 and except as specifically provided otherwise by
20 another section of this chapter, no resident may fish in the waters of this state unless
21 a valid resident fishing license is issued to the person subject to s. 29.09 by the
22 department ~~or by a county clerk~~ or unless the person is issued a valid license, permit
23 ~~or card~~ approval which authorizes fishing or entitles the holder to the rights and
24 privileges of a fishing license.

25 **SECTION 1059d.** 29.145 (1) (c) of the statutes is amended to read:

1 29.145 (1) (c) *Exception; residents using nets for nongame fish.* No fishing
2 license is required for any resident to set, place or use any landing net, dip net,
3 minnow seine or minnow dip net in order to fish for fish other than game fish.

4 **SECTION 841.** 29.145 (2) (a) of the statutes is amended to read:

5 29.145 (2) (a) A resident annual fishing license shall be issued subject to s.
6 29.09 by the department ~~or by a county clerk~~ to a resident of the state applying for
7 this license.

8 **SECTION 842.** 29.145 (3) (a) of the statutes is amended to read:

9 29.145 (3) (a) *Issuance.* The department ~~or a county clerk~~ shall issue a resident
10 2-day sports fishing license, subject to s. 29.09, to any resident who applies for this
11 license.

12 **SECTION 843.** 29.145 (3) (c) of the statutes is amended to read:

13 29.145 (3) (c) *Use of fees.* The department shall deposit receipts from the sale
14 of resident 2-day sports fishing licenses under this subsection in the conservation
15 fund. The department shall credit 50% of these receipts to the appropriation under
16 s. 20.370 ~~(1) (ku)~~ (4) (ku).

17 **SECTION 844.** 29.146 of the statutes is amended to read:

18 **29.146 Husband and wife fishing licenses.** A combined husband and wife
19 resident fishing license shall be issued subject to s. 29.09 by the department ~~or a~~
20 ~~county clerk~~ to residents applying for this license. This license confers upon both
21 husband and wife the privileges of resident fishing licenses issued under s. 29.145.

22 **SECTION 845.** 29.147 (1) of the statutes is amended to read:

23 29.147 (1) A resident sports license shall be issued subject to s. 29.09 by the
24 department ~~or by a county clerk~~ to any resident who is over the age of 12 years, a U.S.
25 citizen, and who applies for this license and pays the minimum fee. A nonresident

1 sports license shall be issued subject to s. 29.09 by the department ~~or by a county~~
2 ~~clerk~~ to any person who is not a resident and who meets these requirements.

3 **SECTION 846.** 29.1475 (3) of the statutes is amended to read:

4 29.1475 (3) AUTHORIZATION; ADMISSION TO STATE PARKS AND RELATED AREAS. A
5 ~~conservation patron license permits any person may operate a vehicle, except a~~
6 ~~motor bus, as defined in s. 340.01 (31), having a conservation patron license holder~~
7 ~~as an occupant to enter in~~ any vehicle admission area under s. 27.01 (7) without
8 having an admission ~~sticker~~ receipt affixed to it the vehicle or otherwise displayed
9 and without paying a fee if the vehicle has as an occupant a conservation patron
10 license holder who can present the license upon demand in the vehicle admission
11 area. The conservation patron license permits the license holder to enter Heritage
12 Hill state park or a state trail without paying an admission fee.

13 **SECTION 847.** 29.1475 (6) of the statutes is amended to read:

14 29.1475 (6) (title) ADMISSION ~~STICKER~~ RECEIPT. At the same time the department
15 issues a conservation patron license, it may issue an annual resident or nonresident
16 vehicle admission ~~sticker~~ receipt or a special ~~sticker~~ receipt for admission to state
17 parks and similar areas. Alternatively or in addition, the department may issue an
18 annual resident or nonresident vehicle admission ~~sticker~~ receipt or a special ~~sticker~~
19 receipt for admission to state parks and similar areas to a person who has a
20 conservation patron license on location at the state park or similar area. A person
21 who is issued a ~~sticker~~ receipt under this subsection shall affix the ~~sticker~~ receipt by
22 its own adhesive to the interior surface of the lower left-hand corner of the
23 windshield of the vehicle. ~~A sticker or otherwise display it as authorized under a rule~~
24 promulgated under s. 27.01 (7) (e) 2. A receipt issued under this section is not
25 considered part of a conservation patron license for the purpose of issuing a duplicate

1 and no. No duplicate sticker shall receipt may be issued for a receipt that is affixed
2 by its own adhesive to a windshield unless the license holder provides evidence that
3 the vehicle upon which the ~~sticker~~ receipt is affixed is no longer usable or that the
4 vehicle was transferred to another person and the license holder presents the
5 original ~~sticker~~ receipt or remnants of it to the department. Section 29.09 (4) applies
6 to the issuance of a duplicate receipt that is displayed as authorized under the rule
7 promulgated under s. 27.01 (7) (e) 2.

8 **SECTION 848.** 29.148 (1m) (intro.) of the statutes is amended to read:

9 29.148 **(1m)** (intro.) ~~A~~ Subject to s. 29.09 and any limit imposed under s.
10 29.174 (2) (eg), a sturgeon spearing license shall be issued subject to s. 29.09 by the
11 department or by a county clerk to any person applying for this license who:

12 **SECTION 849.** 29.148 (1m) (intro.) of the statutes, as affected by 1997 Wisconsin
13 Act (this act), section 848, is amended to read:

14 29.148 **(1m)** (intro.) Subject to s. 29.09 and any limit imposed under s. 29.174
15 (2) (eg), a sturgeon spearing license shall be issued by the department ~~or by a county~~
16 ~~clerk~~ to any person applying for this license who:

17 **SECTION 850.** 29.148 (2) of the statutes is amended to read:

18 29.148 **(2)** The sturgeon spearing license shall be accompanied by sturgeon
19 carcass tags in the quantity to correspond with the season bag limit for spearing rock
20 or lake sturgeon established by the department. The serial numbers of these tags
21 shall be entered on the license by the person issuing agent the license or by the
22 department.

23 **SECTION 851.** 29.148 (3) of the statutes is amended to read:

24 29.148 **(3)** A sturgeon spearing license authorizes the spearing of rock or lake
25 sturgeon subject to any limit imposed under s. 29.174 (2) (eg) and only during the

1 open season for spearing these sturgeon established by the department. No person
2 may fish for sturgeon by means of a spear unless the person is issued a conservation
3 patron license or unless the person is issued a sturgeon spearing license. The
4 conservation patron license or the sturgeon spearing license shall be carried on the
5 person of the licensee at all times while fishing for sturgeon by means of a spear.

6 **SECTION 852.** 29.149 (2) of the statutes is amended to read:

7 29.149 (2) REQUIREMENT. Except as provided under sub. (4), no person may fish
8 for trout in inland trout waters unless he or she is issued a conservation patron
9 license or unless he or she is issued an inland waters trout stamp which is ~~affixed by~~
10 ~~the stamp's adhesive to~~ attached to or imprinted on the person's fishing license or
11 sports license in the manner required by the rule promulgated under s. 29.09 (3m)
12 (a) 3.

13 **SECTION 853.** 29.149 (3) of the statutes is amended to read:

14 29.149 (3) ISSUANCE. The department ~~or a county clerk~~ shall issue an inland
15 waters trout stamp subject to s. 29.09 to each person holding or applying for a fishing
16 license under s. 29.09 (12) (a), 29.14 (2) to (6), 29.145 (1c) to (2) or 29.146 or a sports
17 license under s. 29.147 if the person uses or intends to use the license for trout fishing
18 in inland trout waters of the state. ~~The trout stamp shall be designed and produced~~
19 ~~by the department as provided under s. 29.09 (13).~~

20 **SECTION 854.** 29.149 (5) of the statutes is amended to read:

21 29.149 (5) USE OF MONEYS FROM FEES. The department shall expend the receipts
22 from the sale under this section of inland waters trout stamps on improving and
23 maintaining trout habitat in inland trout waters, conducting trout surveys in inland
24 trout waters and administering this section.

25 **SECTION 855.** 29.15 (2) of the statutes is amended to read:

1 29.15 (2) REQUIREMENT. No person may fish for trout or salmon in the outlying
2 trout and salmon waters of the state unless the person is issued a resident or
3 nonresident 2-day sports fishing license, unless the person is issued a conservation
4 patron license under s. 29.1475 or unless the person is issued a Great Lakes trout
5 and salmon stamp which is ~~affixed by the stamp's adhesive to~~ attached to or
6 imprinted on the person's fishing license or sports license in the manner required by
7 the rule promulgated under s. 29.09 (3m) (a) 3.

8 **SECTION 856.** 29.15 (3) of the statutes is amended to read:

9 29.15 (3) ISSUANCE. The Great Lakes trout and salmon stamp shall be issued
10 subject to s. 29.09 by the department ~~or a county clerk~~ to any person holding or
11 applying for a fishing license under s. 29.09 (12) (a), 29.14 (2) to (7), 29.145 (1c) to (2)
12 or 29.146 or a sports license under s. 29.147. ~~The department shall design and~~
13 ~~produce Great Lakes trout and salmon stamps as provided under s. 29.09 (13).~~

14 **SECTION 1085b.** 29.174 (title) of the statutes is amended to read:

15 **29.174 (title) Conservation of fish and game; powers and duties of**
16 **department.**

17 **SECTION 1085c.** 29.174 (2) (c) 1. (intro.) of the statutes is renumbered 29.174
18 (2) (c) (intro.).

19 **SECTION 1085d.** 29.174 (2) (c) 1. a. of the statutes is renumbered 29.174 (2) (c)
20 1.

21 **SECTION 1085e.** 29.174 (2) (c) 1. b. of the statutes is renumbered 29.174 (2) (c)
22 2.

23 **SECTION 1085f.** 29.174 (2) (c) 1. c. of the statutes is renumbered 29.174 (2) (c)
24 3.

25 **SECTION 1085g.** 29.174 (2) (c) 2. of the statutes is repealed.

1 **SECTION 1085k.** 29.174 (2) (cm) 1. (intro.) of the statutes is renumbered 29.174
2 (2) (cm) (intro.).

3 **SECTION 1085L.** 29.174 (2) (cm) 1. a. of the statutes is renumbered 29.174 (2)
4 (cm) 1.

5 **SECTION 1085m.** 29.174 (2) (cm) 1. b. of the statutes is renumbered 29.174 (2)
6 (cm) 2.

7 **SECTION 1085p.** 29.174 (2) (cm) 2. of the statutes is repealed.

8 **SECTION 857.** 29.174 (2) (eg) of the statutes is created to read:

9 29.174 (2) (eg) The department may limit the number of persons fishing for
10 sturgeon by hook and line or by spear, or both, and may limit the maximum harvest
11 of sturgeon in any area.

12 **SECTION 858.** 29.174 (2) (em) of the statutes is amended to read:

13 29.174 (2) (em) The department may impose any of the limitations under pars.
14 (d) to ~~(e)~~ (eg) by establishing a system for the issuance of permits.

15 **SECTION 1087g.** 29.174 (2) (er) of the statutes is created to read:

16 29.174 (2) (er) If the department decides to limit the number of hunters or
17 trappers taking Canada geese, sharp-tailed grouse, fishers, otters, bobcats or
18 sturgeon by issuing permits and if the number of persons seeking the permits
19 exceeds the number of available permits, the department shall issue the permits
20 according to a cumulative preference system established by the department. The
21 department shall give a preference point to each applicant for each previous season
22 for which the applicant applied but was not issued a permit. The system shall
23 establish preference categories for these applicants, with higher priority given to
24 those categories with more points than those with fewer points. Applicants who fail
25 to apply at least once during any 3 consecutive years shall lose all previously

1 accumulated preference points. If the number of applicants within a preference
2 category or a subcategory under this subsection exceeds the number of permits
3 available in the category or subcategory, the department shall select at random
4 within the category or subcategory the applicants to be issued the permits.

5 **SECTION 1087m.** 29.174 (4m) of the statutes is created to read:

6 29.174 (4m) The department shall promulgate rules to establish standards for
7 tolerable levels of damage caused by deer living in the wild to crops on agricultural
8 land, including commercial seedings, orchard trees and nursery stock. The
9 department shall use the standards in setting goals for managing the deer herd.

10 **SECTION 1098m.** 29.226 (4) of the statutes is created to read:

11 29.226 (4) A person who is subject to sub. (1) may prove compliance with sub.
12 (1) when submitting an application for an approval authorizing hunting by
13 presenting any of the following:

14 (a) His or her certificate of accomplishment issued under s. 29.225.

15 (b) An approval authorizing hunting that was issued to him or her under this
16 chapter within 365 days before submitting the application.

17 (c) An approval authorizing hunting that was issued to him or her under this
18 chapter for a hunting season that ended within 365 days before submitting the
19 application.

20 **SECTION 1103m.** 29.286 (3) of the statutes is created to read:

21 29.286 (3) This section does not apply to any net or trap used to take, catch or
22 kill farm-raised fish.

23 **SECTION 1103p.** 29.29 (5) (title) of the statutes is repealed and recreated to
24 read:

25 29.29 (5) (title) EXCEPTIONS.

1 **SECTION 1103q.** 29.29 (5) of the statutes is renumbered 29.29 (5) (a).

2 **SECTION 1103r.** 29.29 (5) (b) of the statutes is created to read:

3 29.29 (5) (b) This section does not apply to toxicants placed in the waters of a
4 fish farm or a state or municipal fish hatchery that are necessary to the operation
5 of the fish farm or fish hatchery.

6 **SECTION 1103u.** 29.30 (3) of the statutes is created to read:

7 29.30 (3) EXEMPTION. This section does not apply to any net, trap, snare, hook,
8 setline or other device used to take, catch or kill farm-raised fish.

9 **SECTION 859.** 29.34 (4) (c) of the statutes is amended to read:

10 29.34 (4) (c) The department ~~or the county clerk~~ shall issue net tags to the
11 licensee at the time of issuing the net license.

12 **SECTION 860.** 29.343 (1) of the statutes is amended to read:

13 29.343 (1) A slat net license authorizing the taking of commercial fish through
14 the use of slat nets in that part of the Mississippi river over which this state has
15 jurisdiction between the Minnesota-Iowa boundary line extended and the
16 Wisconsin-Illinois boundary line extended ~~may~~ shall be issued subject to s. 29.09 by
17 the ~~county clerk of a county bordering these waters~~ department to any resident who
18 applies for this license.

19 **SECTION 861.** 29.343 (5) of the statutes is amended to read:

20 29.343 (5) ~~Except as herein provided slat net licenses shall be issued to any~~
21 ~~resident applying therefor and shall be subject to s. 29.09, except that they shall be~~
22 ~~issued by the county clerk of the counties bordering on such waters.~~ A sufficient
23 supply of slat net tags shall be furnished ~~such county clerks~~ by the department to
24 persons issuing approvals under this section.

25 **SECTION 862.** 29.36 (1) of the statutes is amended to read:

1 29.36 (1) A set or bank pole license authorizing the use of not to exceed 5 set
2 or bank poles for taking, catching or killing fish in the inland waters of the state
3 where the use of setlines is permitted shall be issued subject to s. 29.09 by the
4 department ~~or the county clerk of the county where the set or bank poles are intended~~
5 ~~to be used to any resident of the state applying for this license.~~

6 **SECTION 863.** 29.36 (2) of the statutes is amended to read:

7 29.36 (2) No set or bank pole shall be used unless there is securely attached
8 thereto a metal tag stamped with the number of the license covering the same. Tags
9 shall be furnished by the department ~~to the county clerk, or agents of the same or of~~
10 ~~the department and by such agency to the licensee at the time of issuing the license.~~

11 **SECTION 864.** 29.37 (1) of the statutes is amended to read:

12 29.37 (1) A setline license authorizing the use of setlines and hooks in inland
13 waters in the manner determined by the department for taking, catching or killing
14 fish shall be issued subject to s. 29.09 by the department ~~or the county clerk of the~~
15 ~~county bordering on the waters where the setlines are intended and permitted to be~~
16 ~~used to any resident of the state applying for this license.~~

17 **SECTION 865.** 29.37 (3) (b) of the statutes is amended to read:

18 29.37 (3) (b) The department ~~or the county clerk~~ shall issue setline tags to the
19 licensee at the time of issuing the setline license.

20 **SECTION 1119k.** 29.42 (4) of the statutes is amended to read:

21 29.42 (4) (title) FARM-RAISED DEER AND FISH. This section does not permit the
22 seizure by the department, or prohibit the possession or sale, of farm-raised deer or
23 farm-raised fish.

24 **SECTION 1119m.** 29.43 (5) (b) of the statutes is amended to read:

1 29.43 (5) (b) Subsections (1) to (4) do not apply to the possession,
2 transportation, delivery or receipt of farm-raised deer or farm-raised fish.

3 **SECTION 1119p.** 29.44 (3) of the statutes is amended to read:

4 29.44 (3) Subsection (1) does not apply to the possession, transportation,
5 delivery or receipt of farm-raised deer or farm-raised fish.

6 **SECTION 1119s.** 29.47 (7) (title) of the statutes is repealed and recreated to read:

7 29.47 (7) (title) EXEMPTIONS.

8 **SECTION 1119t.** 29.47 (7) of the statutes is renumbered 29.47 (7) (a).

9 **SECTION 1119u.** 29.47 (7) (b) of the statutes is created to read:

10 29.47 (7) (b) This section does not apply to the transportation, delivery, receipt
11 or shipping of farm-raised fish.

12 **SECTION 1119w.** 29.48 (1m) of the statutes is amended to read:

13 29.48 (1m) Subsection (1) does not apply to farm-raised deer or farm-raised
14 fish.

15 **SECTION 1119x.** 29.48 (3) of the statutes is amended to read:

16 29.48 (3) The eggs from trout and salmon that are not farm-raised fish and that
17 are lawfully taken and possessed, when removed from the fish under this chapter are
18 exempted from this section if removed from the fish. The whole fish shall be taken
19 to the buyer of the eggs and the eggs removed in the presence of the buyer. The fish
20 carcass shall be legally disposed of.

21 **SECTION 1120c.** 29.49 (1) (a) (intro.) of the statutes is amended to read:

22 29.49 (1) (a) (intro.) ~~Except as provided in s. 29.52, no~~ No innkeeper, manager
23 or steward of any restaurant, club, hotel, boarding house, tavern, logging camp or
24 mining camp may sell, barter, serve or give, or cause to be sold, bartered, served or
25 given to the guests or boarders thereof:

1 **SECTION 1120e.** 29.49 (3) of the statutes is amended to read:

2 29.49 (3) EXEMPTION. This section does not apply to the meat from farm-raised
3 deer or from farm-raised fish.

4 **SECTION 1120g.** 29.50 (title) of the statutes is repealed.

5 **SECTION 1120h.** 29.50 of the statutes is renumbered 29.53 (3) (b) and amended
6 to read:

7 29.53 (3) (b) ~~Nothing in the foregoing provisions concerning the protection of~~
8 ~~wild animals shall affect the operation of state hatcheries, the removal of fish which~~
9 ~~have died from natural causes or the removal of deleterious fish by the department~~
10 ~~or under its authority; or the propagation or transportation, collecting and~~
11 ~~transplanting of fish or fish fry by state authority; nor the transportation of fish into~~
12 ~~or through this state or out of it by the commissioners of fisheries of other states or~~
13 ~~of the United States; nor the operation of private fish hatcheries, or the propagation~~
14 ~~of fish in private waters, or the transportation and sale of fish therefrom as~~
15 ~~hereinafter provided; but the The department, or its agents and employes, shall may~~
16 ~~not furnish fish or fry from state hatcheries to private ponds, private clubs,~~
17 ~~corporations or preserves, and shall may not introduce, stock or plant them in the~~
18 ~~waters of the state where the general public is not allowed the rights and privileges~~
19 ~~enjoyed by any individual.~~

20 **SECTION 1120j.** 29.51 (title) of the statutes is amended to read:

21 **29.51** (title) ~~State propagation~~ **Propagation of fish; removal of fish.**

22 **SECTION 1120k.** 29.51 (1) of the statutes is renumbered 29.51 (1m), and 29.51
23 (1m) (intro.) and (e), as renumbered, are amended to read:

1 29.51 (1m) (title) STATE FISH HATCHERIES; FISH MANAGEMENT BY STATE. (intro.)

2 The department shall have general charge of the following matters for operating
3 state fish hatcheries, and all necessary powers therefor, namely:

4 (e) The Subject to s. 95.60, the receiving from the U.S. commissioners of
5 fisheries, from the commissioners of fisheries of other states or from other persons
6 of all ~~spawn, fry~~ fish eggs or fish donated to the state or purchased, and in the most
7 practical ways, by exchange or otherwise, to procure, receive, distribute and dispose
8 of ~~spawn~~ fish eggs and fish; to make contracts and carry on the same for the
9 transportation of fish cars, cans, departmental officers and employes by land or
10 water as is most advantageous to the state; and to take such other measures as in
11 their judgment best promotes the abundant supply of food fishes in the waters of the
12 state.

13 **SECTION 1120m.** 29.51 (1b) of the statutes is created to read:

14 29.51 (1b) DEFINITION. In this section, “waters of the state” has the meaning
15 given in s. 29.53 (1) (b) and (c).

16 **SECTION 1120n.** 29.51 (2) of the statutes is amended to read:

17 29.51 (2) TRANSPLANTATION OF FISH. The department may take or cause to be
18 taken fish at any time of the year from any waters of the state for stocking other
19 waters ~~or for the purpose of securing eggs for artificial propagation of the state.~~
20 These fish ~~or eggs~~ may be taken only under a special permit issued by the department
21 and only in the presence of the department or its wardens. This permit shall specify
22 the kinds of fish that may be taken and the manner in which they may be taken. ~~This~~
23 ~~permit is subject to the conditions that the holder pay for the services of and furnish~~
24 ~~free transportation and meals on his or her boat to a competent person approved by~~

1 ~~the department to spawn the fish and fertilize the eggs and that the eggs are~~
2 ~~delivered at the place designated by the department.~~

3 **SECTION 1120p.** 29.51 (3) of the statutes is amended to read:

4 29.51 (3) (title) DELIVERY OF SPAWN FISH EGGS. Any person fishing in any waters
5 of ~~this~~ the state shall deliver, on demand, to the department or its wardens or
6 authorized agents, all kinds of fish, during the spawning season, for the purpose of
7 being stripped of their eggs and milt; and the person receiving them shall,
8 immediately after having stripped the fish, return them to the person from whom
9 received. Any such person shall permit the department, or its wardens, or
10 authorized agents to enter any boats, docks, grounds or other places where such fish
11 may be, for the purpose of stripping the same while alive, and shall render such
12 assistance as may be necessary to expedite the work of mixing the eggs and milt for
13 proper impregnation.

14 **SECTION 1120q.** 29.51 (4) of the statutes is amended to read:

15 29.51 (4) (title) REMOVAL OF SPAWN FISH EGGS OR FISH FROM STATE. No person shall
16 may remove any fish eggs or live fish from this state ~~except as authorized by law,~~
17 unless a permit therefor has been issued to the person by the department. This
18 subsection does not apply to farm-raised fish.

19 **SECTION 1120r.** 29.51 (5) of the statutes is amended to read:

20 29.51 (5) (title) ~~UNLAWFUL FISHING BY EMPLOYEES~~ FISHING FOR PROPAGATION
21 PURPOSES. No ~~employee of the department, and no other~~ person, while engaged in
22 catching wild fish from the public waters of the state for purposes of artificial
23 propagation, shall may take or have possession or control of any ~~kind of~~ fish other
24 than those that the person ~~has been directed, by the department, to take therefrom~~

1 is authorized to possess or control under the person's approval authorizing fishing
2 or that the person is otherwise authorized by the department to possess or control.

3 **SECTION 1120v.** 29.513 (5) of the statutes is created to read:

4 29.513 (5) A person using a navigable lake that is completely landlocked to rear
5 farm-raised fish is exempt from the requirement of a permit under this section.

6 **SECTION 1120x.** 29.52 of the statutes is repealed.

7 **SECTION 1124c.** 29.521 of the statutes is created to read:

8 **29.521 Waters used in private fish hatcheries.** Any area of water or water
9 supply used as part of a private fish hatchery licensed under s. 29.52, 1995 stats., on
10 the day before the effective date of this section [revisor inserts date], may continue
11 to be used as part of a fish farm in the same manner and to the same extent that the
12 area or supply was used on the day before the effective date of this section [revisor
13 inserts date].

14 **SECTION 1124e.** 29.53 of the statutes is created to read:

15 **29.53 Stocking of fish. (1)** In this section:

16 (a) "Fish" includes fish eggs.

17 (b) "Waters of the state" does not include any of the following:

18 1. An artificial body of water.

19 2. A natural body of water that is used as part of a state or municipal fish
20 hatchery.

21 3. A natural body of water that is used as part of a fish farm, except as provided
22 in par. (c).

23 (c) Notwithstanding par. (b) 3., "waters of the state" includes a fishing preserve.

24 **(2)** (a) No person may introduce, stock or plant any fish in the waters of the
25 state unless all of the following apply:

- 1 1. The person has a permit issued by the department.
- 2 2. The person is in compliance with the applicable requirements under s. 95.60
- 3 (2) and (3) or the fish are acquired from a person who is in compliance with the
- 4 applicable requirements.

5 (b) A person applying for a permit under this section shall submit a written

6 application to the department.

7 (c) This subsection does not apply to introduction, stocking or planting of fish

8 by the department.

9 **(3)** (a) The department may not introduce, stock or plant any fish in the waters

10 of the state unless the department is in compliance with the health certificate

11 requirements under s. 95.60 (2) and (3) or the fish are acquired from a person who

12 is in compliance with the applicable requirements under s. 95.60 (2) and (3).

13 **(4)** For the purposes of issuing permits under this section and for introducing,

14 stocking or planting of fish by the department, the department:

15 (a) Shall accept the certification performed under s. 95.60 (3) concerning the

16 health of the fish and may not require that any additional testing, inspection or

17 investigation be performed concerning the health of the fish.

18 (b) May regulate the species of fish, the number of fish and the sites where the

19 fish will be introduced, planted or stocked.

20 **SECTION 1124g.** 29.535 (title) of the statutes is amended to read:

21 **29.535** (title) **Introduction of wild animals other than fish.**

22 **SECTION 1124h.** 29.535 (1) (a) 1. of the statutes is amended to read:

23 29.535 **(1)** (a) 1. Importing into the state any fish, ~~spawn or any other~~ wild

24 animal other than fish or their eggs for the purpose of introducing, stocking or

25 planting that fish, ~~spawn or~~ wild animal.

1 **SECTION 1124i.** 29.535 (1) (a) 2. of the statutes is amended to read:

2 29.535 (1) (a) 2. Introducing, stocking or planting any fish, ~~spawn or other wild~~
3 animal other than fish or their eggs.

4 **SECTION 1124j.** 29.535 (1) (c) of the statutes is amended to read:

5 29.535 (1) (c) Permits for introducing, stocking or planting under par. (a) 2.
6 shall be issued by the department only after investigation and inspection of the fish,
7 ~~spawn or other wild animals~~ as the department determines necessary.

8 **SECTION 1124k.** 29.535 (1) (d) of the statutes is repealed.

9 **SECTION 1124L.** 29.535 (1) (e) of the statutes is repealed.

10 **SECTION 1124m.** 29.535 (1) (f) of the statutes is renumbered 29.51 (3m) and
11 amended to read:

12 29.51 (3m) (title) DESTRUCTION OF FISH EGGS OR FISH. The department may seize
13 or destroy, or both, any fish or ~~spawn thereof~~ fish eggs that are in the waters of the
14 state and that are found to be infected with any disease organisms as are designated
15 by the department.

16 **SECTION 1124n.** 29.535 (2) (a) of the statutes is amended to read:

17 29.535 (2) (a) Importing into the state any fish, ~~spawn or any other wild animal~~
18 other than fish or their eggs for the purpose of introducing, stocking or planting that
19 fish, ~~spawn or~~ wild animal.

20 **SECTION 1124p.** 29.535 (2) (b) of the statutes is amended to read:

21 29.535 (2) (b) Introducing, stocking or planting any fish, ~~spawn or other wild~~
22 animal other than fish or their eggs.

23 **SECTION 1124q.** 29.535 (3) of the statutes is renumbered 29.53 (5) and amended
24 to read:

1 29.53 (5) ~~This~~ The requirement of being issued a permit under this section shall
2 not apply to civic organizations, organizations operating newspapers or television
3 stations or promoters of sport shows when and in connection with publicly showing
4 or exhibiting or giving demonstrations with brook, brown or rainbow trout for
5 periods of not to exceed 10 days. Brook, brown or rainbow trout used for such
6 purposes shall be obtained only from resident ~~Class A or Class B private fish~~
7 ~~hatchery operators licensed under s. 29.52 (4).~~ Such private fish hatchery operators
8 persons who are in compliance with s. 95.60 (2) and (3). A person introducing,
9 stocking or planting trout or their eggs under this subsection shall keep a record of
10 ~~all brook, brown or rainbow~~ the number and type of all trout introduced in, stocked
11 or planted, or delivered for introduction, stocking or planting, in any public waters
12 of the state and shall make a report of such introduction or delivery for such
13 introduction of these records to the department on or before December 31 of each year
14 on forms furnished by the department.

15 **SECTION 1124t.** 29.536 (5) of the statutes is created to read:

16 29.536 (5) Any fish or fish eggs brought into this state that will be stocked in
17 a municipal fish hatchery are subject to the permitting and certificate requirements
18 under s. 95.60 (2) and (3).

19 **SECTION 1126e.** 29.55 (2m) of the statutes is amended to read:

20 29.55 (2m) Subsections (1) and (2) do not apply to farm-raised deer or
21 farm-raised fish.

22 **SECTION 1126m.** 29.572 (1) of the statutes is amended to read:

23 29.572 (1) No person shall cause, authorize or permit any lands or waters to
24 be posted with signs of any kind indicating that such lands or waters are licensed

1 under s. ~~29.52~~ or ss. 29.573 to 29.578 unless such lands and waters are in fact so
2 licensed.

3 **SECTION 1138m.** 29.585 (2) (a) of the statutes is amended to read:

4 29.585 (2) (a) In this section, “wild animal” means any mammal, fish or bird
5 of a wild nature as distinguished from domestic animals under the common law or
6 under the statutes whether or not the mammal, fish or bird was bred or reared in
7 captivity, but does not include deer of the genus *dama*, *cervus* or *rangifer* or
8 farm-raised fish.

9 **SECTION 1139e.** 29.59 (1) (f) of the statutes is amended to read:

10 29.59 (1) (f) Notwithstanding s. 29.01 (14), “wild animal” means any
11 undomesticated mammal or bird, but does not include farm-raised deer or
12 farm-raised fish.

13 **SECTION 1139g.** 29.59 (5) (a) of the statutes is amended to read:

14 29.59 (5) (a) The department may refuse to investigate under sub. (3) (a) if the
15 person making the complaint refuses to ~~participate in any available~~ accept or
16 implement any wildlife damage abatement ~~program administered~~ measures offered
17 by the department under s. 29.598 (4) or refuses to follow other reasonable
18 abatement measures recommended by the department ~~or by the county in which the~~
19 ~~property is located if the county participates in a wildlife damage abatement~~
20 ~~program~~.

21 **SECTION 1139m.** 29.59 (5) (b) of the statutes is amended to read:

22 29.59 (5) (b) Before taking action under sub. (3) (b) or (4), the department may
23 require the person making the complaint to ~~participate in~~ accept or implement any
24 ~~available~~ wildlife damage abatement ~~program administered~~ measures offered by the

1 department under s. 29.598 (4) or to follow other reasonable abatement measures
2 recommended by the department.

3 **SECTION 1139r.** 29.598 of the statutes is repealed and recreated to read:

4 **29.598 Wildlife damage claim and abatement program. (1) DEFINITION.**

5 In this section, “wildlife damage” means damage caused to crops on agricultural
6 land, including seedings, orchard trees and nursery stock, to apiaries or to livestock
7 by any of the following noncaptive wild animals:

8 (a) Deer.

9 (b) Bear.

10 (c) Geese.

11 (d) Turkey.

12 (e) Sandhill crane.

13 (f) Coyote.

14 **(2) DEPARTMENT POWERS AND DUTIES. (a) Administration.** The department shall
15 administer the wildlife damage claim and abatement program.

16 **(b) Rules.** To maximize the cost-effectiveness of the wildlife damage claim and
17 abatement program, the department shall promulgate rules to establish eligibility
18 requirements and funding requirements. The department shall also promulgate
19 rules to establish all of the following:

20 1. Authorized wildlife damage abatement measures and methods for
21 implementing and paying for these abatement measures.

22 2. Claim and application forms and procedures.

23 3. Procedures and standards for damage estimates.

24 4. A methodology for proration of payments for wildlife damage claims.

25 5. Procedures for record keeping, audits and inspections.

1 (c) *Rules; certification of wildlife damage estimators.* The department shall
2 establish and maintain a system for certifying wildlife damage estimators. The
3 department shall establish training requirements and qualifications for wildlife
4 damage estimators and shall provide or certify educational programs for this
5 purpose.

6 **(3) WILDLIFE DAMAGE CLAIMS.** (a) *Persons eligible.* An owner or lessee of land,
7 a person who controls land or an owner of an apiary or livestock may submit a wildlife
8 damage claim.

9 (b) *Claim requirements.* A claimant under par. (a) shall do all of the following:

10 1. Submit the claim on a claim form approved by the department.

11 2. Obtain from a wildlife damage estimator certified under sub. (2) (c) an
12 estimate of the wildlife damage and a certification as to whether the damaged crops,
13 apiary or livestock were managed in accordance with normal agricultural practices
14 and submit the certification and estimate with the claim form.

15 (c) *Eligibility requirements.* The department shall approve a wildlife damage
16 claim if it finds all of the following:

17 1. That the wildlife damage estimator certifies that the crops, apiary or
18 livestock were managed in accordance with normal agricultural practices.

19 2. That the form, contents and timing of the claim comply with the
20 requirements of this section and rules promulgated under this section.

21 3. That the claim was filed within 14 days after the time that the wildlife
22 damage first occurred.

23 4. That the claimant agrees to accept any wildlife damage abatement measures
24 offered by the department under sub. (4) (c).

1 (d) *Payment of claims.* 1. The department shall pay wildlife damage claims
2 based on the amount claimed if the claim meets all of the requirements of par. (c).
3 The amount paid for a wildlife damage claim shall be 80% of the amount claimed and
4 the maximum amount of any claim shall be \$25,000.

5 2. The department shall pay wildlife damage claims no later than June 1 of the
6 calendar year after the claim is submitted.

7 (e) *Proration.* For a given fiscal year, if the total amount remaining under the
8 appropriation under s. 20.370 (5) (fq) after making the payments required under sub.
9 (4) is insufficient to pay the total amount payable in wildlife damage claims under
10 par. (d), the department shall prorate the payments for the damage claims.

11 **(4) WILDLIFE DAMAGE ABATEMENT.** (a) *Persons eligible.* An owner or lessee of
12 land, a person who controls land or an apiary or livestock owner is eligible for wildlife
13 damage abatement assistance under this subsection.

14 (b) *Abatement requests.* A person who is eligible under par. (a) may request that
15 the department approve wildlife damage abatement measures and may apply for
16 funding for the approved measures.

17 (c) *Abatement for wildlife damage claims.* 1. The department may offer wildlife
18 damage abatement measures to any person who is eligible under par. (a) as a
19 condition for receiving a claim payment under sub. (3).

20 2. If a person refuses to accept the wildlife damage abatement measures offered
21 by the department under subd. 1., the person may not receive a claim payment under
22 sub. (3) for the land, apiaries or livestock that would have been subject to the
23 abatement measures.

24 (d) *Payment.* The department may offer or approve only those wildlife damage
25 abatement measures that are cost-effective in relation to the wildlife damage claim

1 payments that would be paid if the wildlife damage abatement measures are not
2 implemented. The department shall provide funding for the entire cost of any
3 wildlife damage abatement measures implemented under this subsection.

4 **(5) LAND REQUIRED TO BE OPEN TO HUNTING; PENALTIES.** (a) *Requirements.* A
5 person who receives wildlife damage abatement assistance or wildlife damage claim
6 payments and any other person who owns, leases or controls the land where the
7 wildlife damage occurred shall permit hunting of the wild animals causing the
8 wildlife damage on that land and on contiguous land under the same ownership,
9 lease or control. In order to satisfy the requirement to permit hunting under this
10 subsection, the land shall be open to hunting during the appropriate open season.
11 The department, shall determine the acreage of land suitable for hunting. This
12 subsection does not prohibit a person who owns, leases or occupies land on which
13 wildlife damage occurs and who does not have the authority to control entry on the
14 land for the purposes of hunting from receiving wildlife damage abatement
15 assistance or wildlife damage claim payments.

16 (b) *Penalties.* If any person who is required to permit hunting on land as
17 required under par. (a) fails to do so, the person is liable for all of the following:

- 18 1. Repayment of any money paid for a wildlife damage claim.
- 19 2. Payment of the cost of any abatement funding or measures paid for by the
20 department under this section.
- 21 3. Payment of the costs to the department for reviewing and approving the
22 wildlife damage claim or abatement measure or abatement funding and the costs to
23 the department in investigating the failure to permit hunting on the land.

24 **(6) AMOUNT OF FUNDING.** In each fiscal year, the department shall submit to the
25 joint committee on finance a proposal for the amount of funds to be expended under

1 the wildlife damage claim and abatement program. The department may not expend
2 any moneys in any fiscal year for the program until the joint committee on finance
3 has approved the proposal for that fiscal year. The department may request the joint
4 committee on finance to amend the amount of any expenditure approved under this
5 subsection for a fiscal year and the committee may thereafter approve a revised
6 amount for expenditure in that fiscal year.

7 (7) REVIEW. The department's determination of the amount of wildlife damage,
8 the amount of a wildlife damage claim or the requirements for and funding of wildlife
9 damage abatement measures shall be treated as final decisions for purposes of
10 review.

11 (8) RECORDS; ENTRY TO LAND. (a) *Records*. A person receiving wildlife damage
12 abatement assistance or wildlife damage claim payments and a wildlife damage
13 estimator shall retain all records as required by the department and make them
14 available to the department for inspection at reasonable times.

15 (b) *Entry to land*. The department may enter and inspect, at reasonable times,
16 any land for which a wildlife damage claim has been submitted or for which wildlife
17 damage abatement measures have been implemented.

18 (c) *Responsibilities*. No person may refuse entry or access to or withhold
19 records from the department under this subsection. No person may obstruct or
20 interfere with an inspection by the department. The department, if requested, shall
21 furnish to the person a report setting forth all of the factual findings by the
22 department that relate to the inspection.

23 (9) AUDITS. The department shall conduct random audits of claims paid and
24 abatement measures offered or approved under this section. The department shall
25 conduct audits of all claims submitted by and payments made under sub. (3) to

1 department employes or wildlife damage estimators certified under sub. (2) (c) and
2 of all abatement measures for the benefit of crops, livestock or apiaries owned or
3 controlled by these employes or damage estimators for which funding was provided
4 under sub. (4).

5 **(10) NEGLIGENCE; FRAUD; PENALTIES.** (a) *Joint and several liability.* For a given
6 claim or request for wildlife damage claim payments or abatement funding under the
7 wildlife damage claim and abatement program, if the person filing the claim or
8 requesting the funding or the wildlife damage estimator negligently makes, or
9 causes to be made, a false statement or representation of a material fact in making
10 the claim or request, the person and the wildlife damage estimator are jointly and
11 severally liable for all of the following:

12 1. Repayment of any money paid to the person filing the claim.

13 2. Payment of the cost of any abatement funding or measures paid for by the
14 department under this section.

15 3. Payment of the costs to the department for reviewing and approving the
16 wildlife damage claim or abatement measure or abatement funding and the costs to
17 the department in investigating and determining whether a false statement or
18 representation was made.

19 (b) *Fraud.* No person may knowingly make or cause to be made any false
20 statement or representation of material fact under the wildlife damage claim and
21 abatement program.

22 (c) *Fraud; penalties.* A court finding a person to be in violation of par. (b) may
23 order any of the following:

24 1. That the person make any of the payments under par. (a) 1. to 3.

1 2. That the person pay a forfeiture equal to 2 times the total amount of wildlife
2 damage claim payments received and the value of any wildlife abatement measures
3 implemented, plus an amount not to exceed \$1,000.

4 3. The revocation of the person's privileges or approvals under s. 29.99 (12) if
5 the person violating par. (b) owns, leases or controls land, or owns livestock or
6 apiaries, to which the false statement or representation relates.

7 4. That the person be prohibited from receiving any benefits under the wildlife
8 damage claim and abatement program for a period of 10 years commencing after the
9 day that the false statement or representation occurred.

10 (d) *Penalties; fraud; damage estimators.* The department shall revoke the
11 certification under sub. (2) (c) of a wildlife damage estimator whom a court finds to
12 be in violation of par. (b).

13 (e) *Other liability.* Any person who owns, leases or controls land or owns
14 livestock or apiaries for which a benefit was received in violation of par. (b) is not
15 eligible for any benefits under the wildlife damage claim and abatement program for
16 a period of 10 years commencing after the day on which the false statement or
17 representation occurred, regardless of whether the person knew or should have
18 known of the false statement or misrepresentation.

19 **(11) ANNUAL REPORT.** (a) *Contents.* The department shall prepare an annual
20 report concerning wildlife damage and the wildlife damage claim and abatement
21 program, including a summary of each of the following:

- 22 1. All of the wildlife damage believed to have occurred in the state.
23 2. The wildlife damage claims that were submitted under this section.
24 3. The wildlife damage abatement measures that were offered or approved
25 under this section.

1 4. The percentage of the total number of submitted wildlife damage claims that
2 are rejected for failure to meet the requirements of the program.

3 5. The percentage of the total number of wildlife damage claims for which the
4 amount of the payment to the claimant was prorated under sub. (3) (e).

5 (b) *Submission; distribution.* 1. The department shall submit the report under
6 this subsection no later than January 1 of each year for distribution to the
7 appropriate standing committee of the legislature in the manner provided under s.
8 13.172 (3). Except as provided in subd. 2., the report shall cover the 12-month period
9 ending on the October 31 that immediately precedes the date of the report.

10 2. The report that is submitted before January 1, 1999, shall cover the
11 10-month period ending on October 31, 1998.

12 **SECTION 1139s.** 29.60 (2g) of the statutes is created to read:

13 **29.60 (2g)** Subsections (1) and (2) do not apply to toxicants placed in the waters
14 of a fish farm or a state or municipal fish hatchery that are necessary to the operation
15 of the fish farm or fish hatchery.

16 **SECTION 1139t.** 29.62 (4) of the statutes is created to read:

17 **29.62 (4)** This section does not apply to farm-raised fish.

18 **SECTION 1139u.** 29.623 of the statutes is amended to read:

19 **29.623 Control of detrimental fish.** When the department finds that any
20 species of fish is detrimental to any of the waters of the state it may, by rule, designate
21 such species of fish and specify the waters in which such fish are found to be
22 detrimental. Thereupon the department may remove such fish from the waters
23 specified or cause them to be removed therefrom. This section does not apply to
24 farm-raised fish.

25 **SECTION 1139v.** 29.645 of the statutes is amended to read:

1 **29.645 Larceny of game.** A person who, without permission of the owner,
2 molests, disturbs or appropriates any wild animal or its carcass that has been
3 lawfully reduced to possession by another shall forfeit not less than \$1,000 nor more
4 than \$2,000. This section does not apply to farm-raised deer or farm-raised fish.

5 **SECTION 1139vv.** 29.65 (1) (intro.) of the statutes is amended to read:

6 29.65 (1) (intro.) The department may bring a civil action in the name of the
7 state for the recovery of damages against any person ~~unlawfully~~ killing, wounding,
8 catching, taking, trapping, ~~or having unlawfully in possession or possessing in~~
9 violation of this chapter any of the following named protected wild animals, birds,
10 or fish, or any part of an animal, bird or fish, and the sum assessed for damages for
11 each wild animal, bird, or fish shall be not less than the amount stated in this section:

12 **SECTION 1139w.** 29.99 (15) of the statutes is amended to read:

13 29.99 (15) In any prosecution under this section it is not necessary for the state
14 to allege or prove that the animals were not farm-raised deer, farm-raised fish or
15 domesticated animals; that they were not taken for scientific purposes, or that they
16 were taken or in possession or under control without a required approval. The person
17 claiming that these animals were farm-raised deer, farm-raised fish or
18 domesticated animals, that they were taken for scientific purposes or that they were
19 taken or in possession or under control under the required approval, has the burden
20 of proving these facts.

21 **SECTION 866.** 30.277 (3) (k) of the statutes is created to read:

22 30.277 (3) (k) Whether the project is related to brownfields redevelopment, as
23 defined in s. 23.09 (19) (a) 1.

24 **SECTION 867.** 30.277 (6) of the statutes is amended to read:

1 30.277 (6) RULES. The department shall promulgate rules for the
2 administration of this section, including rules that specify the weight to be assigned
3 to each criterion under sub. (3) and the minimum number of criteria under sub. (3)
4 in which an applicant must perform satisfactorily in order to be awarded a grant.
5 In specifying the weight to be assigned to the criteria under sub. (3), the department
6 shall assign the greatest weight to the criterion under sub. (3) (k).

7 **SECTION 1139x.** 30.28 (2) (c) of the statutes is repealed.

8 **SECTION 868.** 30.28 (2r) of the statutes is created to read:

9 30.28 (2r) FEE FOR EXPEDITED SERVICE. (a) The department, by rule, may charge
10 a supplemental fee for a permit or approval that is in addition to the fee charged
11 under this section if all of the following apply:

12 1. The applicant requests in writing that the permit or approval be issued
13 within a time period that is shorter than the time limit under the rule promulgated
14 under par. (b) for that type of permit or approval.

15 2. The department verifies that it will be able to comply with the request.

16 (b) If the department promulgates a rule under par. (a), the rule shall contain
17 a time limit for each type of permit or approval classified under sub. (2) (a) for
18 determining whether the department will grant the permit or approval.

19 **SECTION 1142m.** 30.45 (7) (b) of the statutes is amended to read:

20 30.45 (7) (b) A sign erected by the state or municipality in charge of a highway,
21 or by a person authorized under s. 86.19 (7).

22 **SECTION 869.** 30.52 (3m) (b) of the statutes is amended to read:

23 30.52 (3m) (b) All moneys collected under par. (a) shall be deposited into the
24 account under s. 20.370 (1) ~~(is)~~ (3) (is).

25 **SECTION 870.** 30.541 (3) (d) 2. d. of the statutes is amended to read:

1 30.541 (3) (d) 2. d. The limit in subd. 2. c. does not apply if the surviving spouse
2 proceeds under s. 867.03 (1) (1g) and the total value of the decedent's solely owned
3 property in the state, including boats transferred under this subdivision, does not
4 exceed \$10,000.

5 **SECTION 1144m.** 30.77 (3) (ac) (intro.) of the statutes is amended to read:

6 30.77 (3) (ac) (intro.) Except as provided under s. ss. 33.455 (3) (b) and 33.58
7 (3) (b), no ordinance that pertains to the equipment, use or operation of a boat on an
8 inland lake is valid unless one of the following occurs:

9 **SECTION 1144q.** 30.92 (4) (b) 2. of the statutes is amended to read:

10 30.92 (4) (b) 2. a. The department may cost-share, with the approval of the
11 commission, with a qualified lake association or an affected governmental unit,
12 including itself, at a rate of up to 50% of any construction, acquisition, rehabilitation,
13 feasibility study or other project costs or any combination of these costs, for the
14 recreational boating project if the costs are the type that qualify for funding under
15 this section.

16 c. The department may pay, with the approval of the commission, an additional
17 10% of the costs of a construction project if the municipality conducts a boating safety
18 enforcement and education program approved by the department.

19 **SECTION 1144r.** 30.92 (4) (b) 2. b. of the statutes is created to read:

20 30.92 (4) (b) 2. b. The department, with the approval of the commission, may
21 increase the maximum cost-share rate under subd. 2. a. from 50% to 80% if the
22 commission determines that the recreational boating project is a project of statewide
23 or regional significance.

24 **SECTION 1144s.** 30.92 (4) (b) 2m. of the statutes is created to read:

1 30.92 (4) (b) 2m. The qualified lake association or governmental unit that
2 cost–shares under subd. 2. may make its contribution in matching funds or in–kind
3 contributions or both.

4 **SECTION 871.** 30.92 (4) (b) 8. bn. of the statutes is created to read:

5 30.92 (4) (b) 8. bn. Acquisition of capital equipment that is necessary to collect
6 and remove floating trash and debris from a waterway.

7 **SECTION 872.** 30.92 (4m) of the statutes is created to read:

8 30.92 (4m) LAKE SUPERIOR HARBOR OF REFUGE. The department, with the
9 approval of the commission, may expend an amount to pay up to 100% of the eligible
10 costs for the construction of a harbor of refuge along the Lake Superior shoreline.
11 Notwithstanding sub. (4) (b) 4., the project costs may include the acquisition of land.
12 Notwithstanding sub. (4) (a), the department may expend directly the amount
13 authorized under this subsection even though Lake Superior is not an inland lake
14 without a public access facility. Notwithstanding sub. (4) (b) 2., the department need
15 not contribute any moneys to match the amount expended from the appropriation
16 under s. 20.370 (5) (cq). The amount expended under this subsection shall be
17 considered an expenditure for a Great Lakes project. This project need not be placed
18 on the priority list under sub. (3) (a).

19 **SECTION 1146g.** 30.92 (5) of the statutes is renumbered 30.92 (5) (a).

20 **SECTION 1146h.** 30.92 (5) (b) of the statutes is created to read:

21 30.92 (5) (b) For purposes of sub. (4) (b) 2. b., the department shall promulgate
22 rules to be used to determine whether a recreational boating project is a recreational
23 boating project of statewide or regional significance.

24 **SECTION 873.** 30.94 (6m) of the statutes is amended to read:

1 30.94 **(6m)** STATE AID. Notwithstanding s. 30.92 (4) (a), the department shall
2 provide in each fiscal year funds from the appropriation under s. 20.370 ~~(5) (hu)~~ (9)
3 (ju) to the commission for the management, operation, restoration and repair of the
4 Fox River navigational system if Brown County, Calumet County, Fond du Lac
5 County, Outagamie County and Winnebago County contribute matching funds for
6 the management and operation of the Fox River navigational system.

7 **SECTION 1147d.** 31.385 (2) (a) of the statutes is renumbered 31.385 (2) (a) 1.
8 and amended to read:

9 31.385 **(2)** (a) 1. ~~State~~ Except as provided in subd. 2., state financial assistance
10 is limited to no more than 50% of the cost of a particular project involving dam
11 maintenance, repair, modification, abandonment or removal and no more than
12 \$200,000 of in state financial assistance for a particular project.

13 **SECTION 1147e.** 31.385 (2) (a) 2. of the statutes is created to read:

14 31.385 **(2)** (a) 2. For a project involving dam maintenance, repair, modification,
15 abandonment or removal where at least 66% of the property affected by the water
16 impounded by the dam is owned by the state and property that is owned by the state
17 and that is within the impoundment area of the dam would be significantly devalued
18 by the dam's removal, state financial assistance is limited to no more than 90% of the
19 cost of the project and no more than \$350,000 in state financial assistance for the
20 project.

21 **SECTION 1147f.** 31.385 (2) (ag) of the statutes is created to read:

22 31.385 **(2)** (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least
23 \$250,000 shall be used for projects to remove dams that are less than 15 feet wide
24 and that create impoundments of 50 acre-feet of water or less. A project under this
25 paragraph may include restoring the stream or river that was dammed.

1 **SECTION 1147g.** 31.385 (2) (ar) of the statutes is created to read:

2 31.385 (2) (ar) Of the amounts appropriated under s. 20.866 (2) (tL), at least
3 \$100,000 shall be used for the removal of abandoned dams.

4 **SECTION 874.** 31.39 (2r) of the statutes is created to read:

5 31.39 (2r) FEE FOR EXPEDITED SERVICE. (a) The department, by rule, may charge
6 a supplemental fee for a permit or approval that is in addition to the fee charged
7 under this section if all of the following apply:

8 1. The applicant requests in writing that the permit or approval be issued
9 within a time period that is shorter than the time limit promulgated under par. (b)
10 for that type of permit or approval.

11 2. The department verifies that it will be able to comply with the request.

12 (b) If the department promulgates a rule under par. (a), the rule shall contain
13 a time limit for each type of permit or approval classified under sub. (2) (a) for
14 determining whether the department will grant the permit or approval.

15 **SECTION 1148p.** 33.001 (2) (b) of the statutes is amended to read:

16 33.001 (2) (b) A state effort of research, analysis, planning and financing, and
17 a local effort undertaken by districts ~~and~~, the Dane county lakes and watershed
18 commission and the Illinois Fox River commission of planning and plan
19 implementation are necessary and desirable and that the districts should be formed
20 by persons directly affected by the deteriorated condition of inland waters and
21 willing to assist financially, or through other means, in remedying lake problems.

22 **SECTION 1148t.** Subchapter VI of chapter 33 [precedes 33.53] of the statutes
23 is created to read:

24

CHAPTER 33

1 SUBCHAPTER VI

2 ILLINOIS FOX RIVER COMMISSION

3 **33.53 Definitions.** In this subchapter:4 (1) "Board of commissioners" means the board of commissioners of the
5 commission.6 (2) "Commission" means the Illinois Fox River commission created under s.
7 33.54 (1).

8 (3) "Commissioner" means a member of the board of commissioners.

9 (4) "County" means Racine County or Waukesha County.

10 (5) "County board" means the county board of a county.

11 (6) "Municipality" means any city, village or town.

12 (7) "River municipality" means any of the following municipalities that is
13 located in a county:

14 (a) The city of Waukesha.

15 (b) The town of Waukesha.

16 (c) The village of Waterford.

17 (d) The town of Waterford.

18 (e) The village of Big Bend.

19 (f) The town of Vernon.

20 (g) The town of Mukwonago.

21 (h) The village of Mukwonago.

22 **33.54 Creation, funding.** (1) There is created an Illinois Fox River
23 commission. The board of commissioners shall govern the commission. A county or
24 river municipality may appropriate money to the commission. The commission may
25 solicit gifts, grants and other aid, to perform the functions in this subchapter.

1 (2) The department shall set aside in fiscal year 1997-98, from the
2 appropriation under s. 20.370 (5) (cq), \$300,000 for an engineering study, and the
3 selective dredging, of the Illinois Fox River as specified by the commission's
4 implementation plan under s. 33.59 (2) (a). For purposes of s. 30.92 (4) (b) 6., moneys
5 expended from the appropriation under s. 20.370 (5) (cq) for the study and dredging
6 under this subsection shall be considered as amounts expended for projects
7 considered necessary without regard to location.

8 **33.55 Board of commissioners; composition.** (1) The board of
9 commissioners shall consist of the following persons, all of whom shall be residents
10 of the county:

- 11 (a) The county executive of Racine County or his or her designee.
12 (b) The county executive of Waukesha County or his or her designee.
13 (c) The mayor of the city of Waukesha or his or her designee.
14 (d) The town board chairperson of the town of Waukesha or his or her designee.
15 (e) The village president of the village of Waterford or his or her designee.
16 (f) The town board chairperson of the town of Waterford or his or her designee.
17 (g) The village president of the village of Big Bend or his or her designee.
18 (h) The town board chairperson of the town of Vernon or his or her designee.
19 (i) The town board chairperson of the town of Mukwonago or his or her
20 designee.
21 (j) The village president of the village of Mukwonago or his or her designee.
22 (k) Two residents of the town of Waterford, who shall be appointed by the town
23 board.
24 (L) Two residents of the town of Vernon, who shall be appointed by the town
25 board.

1 (m) One resident of the village of Big Bend, who shall be appointed by the
2 village board.

3 (n) One representative from the southeastern Wisconsin regional planning
4 commission, who shall be appointed by the chairperson of the commission.

5 (o) One representative from the department of natural resources, who shall be
6 appointed by the secretary of natural resources.

7 **(2)** (a) If a commissioner listed under sub. (1) (a) to (j) is an elected official, his
8 or her term on the commission runs concurrently with his or her term in office. If the
9 elected official resigns from the commission during his or her term in office, the
10 elected official shall appoint a designee to take his or her place on the commission
11 within 90 days of his or her resignation.

12 (b) If a commissioner listed under sub. (1) (a) to (j) is appointed to the
13 commission by an elected official, as the designee of an elected official, his or her term
14 on the commission begins on the 3rd Tuesday in April of the year in which the
15 commissioner is appointed and ends on the 3rd Tuesday in April in the 3rd year
16 following the year in which the commissioner is appointed. Vacancies occurring
17 during the term of the designee of an elected official shall be filled within 90 days of
18 the vacancy by another designee who is appointed by the elected official, or the
19 elected official may become the commissioner.

20 (c) The term of a commissioner appointed by a town or village board under sub.
21 (1) (k) to (m) begins on the 3rd Tuesday in April of the year in which the commissioner
22 is appointed and ends on the 3rd Tuesday in April in the 2nd year following the year
23 in which the commissioner is appointed. Vacancies occurring during the term of the
24 appointee shall be filled by the town or village board within 90 days of the vacancy.

1 (d) The term of a commissioner appointed under sub. (1) (n) or (o) begins on the
2 3rd Tuesday in April of the year in which the commissioner is appointed and ends
3 on the 3rd Tuesday in April in the 3rd year following the year in which the
4 commissioner is appointed. Vacancies occurring during the term of the appointee
5 shall be filled by the appointing authority within 90 days of the vacancy.

6 (3) Nine commissioners shall constitute a quorum for the transaction of
7 business.

8 (4) The board of commissioners shall meet at least quarterly, and at other times
9 on the call of the chairperson or on the petition of 5 commissioners.

10 (5) Any action by the board of commissioners requires the affirmative vote of
11 a majority of the members present and voting.

12 (6) Annually, the board of commissioners shall elect a chairperson, vice
13 chairperson and secretary from its members, and these officers shall have the
14 following duties:

15 (a) The chairperson shall preside at all meetings and all public hearings held
16 by the board of commissioners.

17 (b) The vice chairperson shall preside at any meeting or any public hearing held
18 by the board of commissioners at which the chairperson is unable to preside.

19 (c) The secretary shall keep minutes of all meetings of the board of
20 commissioners and hearings held by it.

21 **33.56 Board of commissioners; duties.** The board of commissioners shall
22 do all of the following:

23 (1) Initiate and coordinate surveys and research projects for the purpose of
24 gathering data relating to the surface waters and groundwaters of the Illinois Fox
25 River basin that are located in a river municipality.

1 **(2)** Maintain a liaison with agencies of the federal, state and local governments
2 and other organizations that are involved in programs or projects designed to
3 protect, rehabilitate and manage water resources.

4 **(3)** Develop a public information and education program on issues related to
5 the surface waters and groundwaters of the Illinois Fox River basin that are located
6 in a river municipality.

7 **(4)** To the greatest extent practicable, encourage and utilize the Wisconsin
8 conservation corps and volunteers for appropriate projects.

9 **33.57 Board of commissioners; powers.** The board of commissioners may
10 do all of the following:

11 **(1)** Develop and implement plans, projects or programs to do any of the
12 following:

13 (a) Improve the water quality and the scenic, economic and environmental
14 value of the surface waters and the groundwaters of the Illinois Fox River basin that
15 are located in a river municipality.

16 (b) Protect or enhance the recreational use of the navigable waters of the
17 Illinois Fox River basin that are located in a river municipality.

18 (c) Coordinate and integrate, for efficient and effective cost management, any
19 county programs or projects for the waters of the county that relate to any of the
20 following:

21 1. Surface water and groundwater quality of the Illinois Fox River basin that
22 is located in a river municipality.

23 2. The recreational use of and public access to navigable waters of the Illinois
24 Fox River basin that is located in a river municipality.

1 3. Water safety and boating regulations for the Illinois Fox River basin that is
2 located in a river municipality.

3 **(2)** Develop and propose to the county board programs or projects to make
4 improvements to the navigable waters in the Illinois Fox River basin that is located
5 in a river municipality, including constructing and maintaining public boat
6 launching facilities, maintaining park or other open natural areas adjacent to the
7 navigable waters, implementing shoreline maintenance requests, maintaining and
8 improving locks and dredging waterways.

9 **(3)** Create advisory committees as it considers necessary to apprise the board
10 of commissioners of the information necessary to implement its duties and powers.
11 The advisory committees may include representatives of the following: fishing
12 groups; farmers; businesses; riparian and other real property owners; industry
13 groups; public bodies; sailing clubs; boating clubs; environmentalists; scientists;
14 conservationists; hunters; and water skiing, diving and other sports clubs.

15 **(4)** Adopt any rules necessary to implement the duties and powers granted to
16 the board of commissioners.

17 **33.58 Regulation proposed by board of commissioners. (1) ORDINANCES**
18 **AND LOCAL REGULATIONS.** The board of commissioners may propose to a county board
19 or to the governing body of a river municipality that is a city or a village the adoption,
20 modification or rescission of any ordinance or local regulation relating to boating,
21 recreation or safety upon the navigable waters of the Illinois Fox River basin that is
22 located in a river municipality.

23 **(2) MINIMUM STANDARDS.** The board of commissioners may propose to a county
24 board or to the governing body of a river municipality that is a city or a village
25 minimum standards for local regulations and ordinances for municipalities and the

1 county to protect and rehabilitate the water quality of the surface waters and
2 groundwaters of the Illinois Fox River basin that are located in a river municipality.

3 (3) ADOPTION BY COUNTY BOARD. (a) A county board may adopt a minimum
4 standard, an ordinance or a local regulation, or a modification to or rescission of a
5 standard, an ordinance or a local regulation, as proposed by the board of
6 commissioners under sub. (1) or (2).

7 (b) Notwithstanding s. 30.77 (3) (a), an ordinance, local regulation or minimum
8 standard as adopted by a county board under this section shall apply to the county
9 and to any municipality partially or totally within the county and shall supersede
10 any less restrictive and conflicting provision of a minimum standard, ordinance or
11 local regulation adopted by a municipality.

12 **33.59 Implementation plan.** (1) The board of commissioners shall develop
13 an implementation plan by April 1, 1998, and shall submit the plan to the
14 department of natural resources, the county planning agency, the chairperson of the
15 county board and the county executive of the county by April 1, 1998.

16 (2) With regard to the Illinois Fox River basin that is located in a river
17 municipality, the implementation plan shall include all of the following:

18 (a) A plan for, including the method of payment for, an engineering study to
19 determine areas for selective dredging, including the dredging of selective shallow
20 areas of the impoundment area in Waterford.

21 (b) A plan for clearing channels of fallen trees and other debris.

22 (c) A water use plan.

23 (d) A plan for operating the Waterford Dam with a winter drawdown level.

24 (e) A plan for streambank erosion protection.

25 (f) A plan for automating the Waterford Dam with upstream sensors.

1 (g) A plan for maintenance, protection and improvement of shorelines, banks
2 and beds of navigable waters.

3 (h) A plan for access to shoreline recreational areas and facilities.

4 (i) Water safety, navigational and boating regulations.

5 **(3)** Within 3 months after the implementation plan is developed and submitted
6 under sub. (1), the department and the designated planning agencies under s. 281.51
7 that cover each county shall evaluate the implementation plan to determine whether
8 it is consistent with the criteria for water quality planning under s. 281.51 and
9 whether the plan is adequate to:

10 (a) Protect and rehabilitate the water quality of the surface waters and the
11 groundwaters of the Illinois Fox River basin that are located in a river municipality.

12 (b) Protect and enhance the recreational use of the navigable waters of the
13 Illinois Fox River basin that are located in a river municipality.

14 (c) Increase water and boating safety on the navigable waters of the Illinois Fox
15 River basin that are located in a river municipality.

16 **33.60 Budget proposals.** (1) (a) The commission's fiscal year shall be a
17 calendar year. Annually, the board of commissioners shall prepare a proposed
18 budget for the commission's activities, plans, programs or projects under this
19 subchapter.

20 (b) The budget shall include all of the following elements:

21 1. A list of all anticipated revenue from all sources during the upcoming year.

22 2. A list of all proposed appropriations for each activity and reserve account for
23 the upcoming year.

24 3. Actual revenues and expenditures for the preceding year, if applicable.

25 4. Actual revenue and expenditures for the current year.

1 5. Estimated revenues and expenditures for the balance of the current year.

2 6. A list, by fund, of all anticipated unexpended or unappropriated balances and
3 all surpluses.

4 (c) The commission shall publish as class 1 notice under ch. 985 in Racine
5 County and in Waukesha County, at least 15 days before the public hearing, a
6 summary of the budget, a notice of the place where a copy of the budget is located for
7 public inspection and a notice of the time and place for a public hearing on the budget.

8 (d) The summary required under par. (c) shall include all of the following for
9 the proposed budget, for the budget in effect and for the budget of the preceding year,
10 if applicable:

11 1. All expenditures, by major expenditure category.

12 2. All revenues, by major revenue source.

13 3. Any financing source and use not included under subds. 1. and 2.

14 4. All beginning and year-end fund balances.

15 **(2)** Not less than 15 days after publication of the summary of the budget and
16 of the notices required under sub. (1) (c), the board of commissioners shall hold a
17 public hearing at the time and place specified in the notice. At the hearing, any
18 resident or taxpayer of a county shall have the opportunity to be heard on the
19 proposed budget. The budget hearing may be adjourned from time to time. At the
20 hearing, the board of commissioners may adopt changes to the budget.

21 **(3)** After the public hearing, the board of commissioners shall submit the
22 proposed budget to Racine County and to Waukesha County for incorporation into
23 each county's budget to be subject to any review procedures that apply to a county
24 budget under ss. 59.60 and 65.90.

1 **33.61 Continued expenditure level by county and municipalities.** A
2 county or a municipality within a county may not reduce, in any fiscal year, its
3 expenditures relating to environmental control of land surfaces below the
4 expenditures it made in the fiscal year ending in 1998 if the county or the
5 municipality makes the expenditures for the purposes of protecting or rehabilitating
6 the quality of the surface waters and the groundwaters of the Illinois Fox River basin
7 that are located in a river municipality. These expenditures include spending for
8 erosion control, for construction site control, for environmental control of
9 agricultural land and for conservation programs or projects but do not include
10 extraordinary or nonrecurring expenses for these purposes.

11 **SECTION 875.** 35.24 (1) (a) of the statutes is amended to read:

12 35.24 (1) (a) The Blue Book shall contain the biographies and pictures of state
13 officers, senators and representatives to the assembly and officers of each house,
14 information pertaining to the organization of Wisconsin state government, and
15 statistical and other information of the same general character as that heretofore
16 published, but so selected and condensed as will limit the number of pages to 1,000
17 or less. In making such selection the legislative reference bureau is directed to
18 consult freely with the ~~secretary of education~~ state superintendent of public
19 instruction and the director of the historical society, and insofar as possible, make
20 the book useful for civics classes in schools.

21 **SECTION 876.** 35.81 (1) of the statutes is amended to read:

22 35.81 (1) "Division" means the division for libraries and community learning
23 in the department of ~~education~~ public instruction.

24 **SECTION 877.** 35.82 (1) of the statutes is amended to read:

1 35.82 (1) The state historical society, the legislative reference bureau and the
2 reference and loan library of the department of ~~education~~ public instruction are
3 designated as state document depository libraries and shall receive state documents
4 delivered under s. 35.83 (3).

5 **SECTION 878.** 35.83 (3) (c) of the statutes is amended to read:

6 35.83 (3) (c) The reference and loan library of the department of ~~education~~
7 public instruction, one copy.

8 **SECTION 1154m.** 35.84 (figure) line 22. of the statutes is created to read:

9 35.84 (figure) 22. Integrated Legislative Information System Staff.

10	Column A Statutes, Hard Covers; s. 35.18	1
11	Column B Statutes, Soft Covers; s. 35.18	1
12	Column C Annotations; s. 35.23	1
13	Column D Laws of Wisconsin; s. 35.15	1

14 **SECTION 879.** 35.86 (1) of the statutes is amended to read:

15 35.86 (1) The director of the historical society may procure the exchange of
16 public documents produced by federal, state, county, local and other agencies as may
17 be desirable to maintain or enlarge its historical, literary and statistical collections,
18 and may make such distributions of public documents, with or without exchange, as
19 may accord with interstate or international comity. The state law librarian shall
20 procure so many of such exchanges as the state law librarian is authorized by law
21 to make, and the department of health and family services, commission of banking,
22 department of ~~education~~ public instruction, legislative reference bureau, and the
23 legislative council staff, may procure by exchange such documents from other states
24 and countries as may be needed for use in their respective offices. Any other state
25 agency wishing to initiate a formal exchange program in accordance with this section

1 may do so by submitting a formal application to the department and by otherwise
2 complying with this section.

3 **SECTION 1156ad.** 36.09 (1) (e) of the statutes is amended to read:

4 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
5 each institution; a dean for each center; the state geologist; the director of the
6 laboratory of hygiene; the director of the psychiatric institute; the state cartographer
7 ~~with the advice of the land information board~~; and the requisite number of officers,
8 other than the vice presidents, associate vice presidents and assistant vice
9 presidents of the system; faculty; academic staff and other employes and fix the
10 salaries, subject to the limitations under par. (j) and ss. 20.923 (4), (4m) and (5) and
11 230.12 (3) (e), the duties and the term of office for each. The board shall fix the
12 salaries, subject to the limitations under par. (j) and ss. 20.923 (4), (4m) and (5) and
13 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice
14 president and assistant vice president of the system. No sectarian or partisan tests
15 or any tests based upon race, religion, national origin or sex shall ever be allowed or
16 exercised in the appointment of the employes of the system.

17 **SECTION 880.** 36.09 (1) (j) of the statutes is renumbered 36.09 (1) (j) 1. and
18 amended to read:

19 36.09 (1) (j) 1. Except where such matters are a subject of bargaining with a
20 certified representative of a collective bargaining unit under s. 111.91, the board
21 shall establish salaries for persons not in the classified staff prior to July 1 of each
22 year for the next fiscal year, and shall designate the effective dates for payment of
23 the new salaries. In the first year of the biennium, payments of the salaries
24 established for the preceding year shall be continued until the biennial budget bill
25 is enacted. If the budget is enacted after July 1, payments shall be made following

1 enactment of the budget to satisfy the obligations incurred on the effective dates, as
2 designated by the board, for the new salaries, subject only to the appropriation of
3 funds by the legislature and s. 20.928 (3). ~~This paragraph does not limit the~~
4 ~~authority of the board to establish salaries for new appointments.~~

5 2. The board may not increase the salaries of employes specified in ss. 20.923
6 (5) and (6) (m) and 230.08 (2) (d) under ~~this paragraph subd. 1.~~ unless the salary
7 increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board
8 authorizes the salary increase to correct salary inequities under par. (h), to fund job
9 reclassifications or promotions, or to recognize competitive factors. If the cost of any
10 salary increase granted to an employe specified in s. 20.923 (5) or (6) (m) or 230.08
11 (2) (d) to correct a salary inequity or to recognize competitive factors would otherwise
12 be chargeable in whole or in part to any appropriation made to the board from general
13 purpose revenue, the cost of that adjustment may be charged to the appropriation
14 under s. 20.285 (1) (im).

15 3. The board may not increase the salary of any position identified in s. 20.923
16 (4) (j) or (4m) under ~~this paragraph subd. 1~~ unless the salary increase conforms to
17 the compensation plan for executive salary group positions as approved under s.
18 230.12 (3) (b) or the board authorizes the salary increase to correct a salary inequity
19 or to recognize competitive factors. ~~The granting of salary increases to recognize~~
20 ~~competitive factors does not obligate inclusion of the annualized amount of the~~
21 ~~increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums.~~
22 If the cost of any salary increase granted to an employe specified in s. 20.923 (4) (j)
23 or (4m) to correct a salary inequity or to recognize competitive factors would
24 otherwise be chargeable in whole or in part to any appropriation made to the board

1 from general purpose revenue, the cost of that adjustment may be charged to the
2 appropriation under s. 20.285 (1) (im).

3 4. No later than October 1 of each year, the board shall report to the joint
4 committee on finance and the departments of administration and employment
5 relations concerning the amounts of any salary increases granted to correct a salary
6 inequity or to recognize competitive factors under subds. 2. and 3., and the
7 institutions at which they are granted, for the 12-month period ending on the
8 preceding June 30.

9 **SECTION 881.** 36.11 (3) (d) 1. of the statutes is amended to read:

10 36.11 (3) (d) 1. Except as provided in subd. 2., the board shall require that a \$~~28~~
11 \$35 fee accompany each application for admittance from persons seeking admittance
12 to any school within the system as new freshmen or as transfer students from outside
13 the system. The board may exempt from the fee under this subdivision, on the basis
14 of financial need, a maximum of 5% of the applications in any school year.

15 **SECTION 882.** 36.11 (3) (d) 2. of the statutes is amended to read:

16 36.11 (3) (d) 2. The board shall require that a \$~~38~~ \$45 fee accompany each
17 application for admittance to a graduate school, law school or medical school within
18 the system.

19 **SECTION 883.** 36.11 (6) (c) of the statutes is amended to read:

20 36.11 (6) (c) By April 10, ~~1996~~ 1998, and annually thereafter, the board shall
21 develop and submit to the ~~education commission~~ higher educational aids board for
22 its review under s. 39.285 (1) a proposed formula for the awarding of grants under
23 s. 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming
24 academic year to students enrolled in the system.

25 **SECTION 1162g.** 36.11 (6m) of the statutes is created to read:

1 36.11 **(6m)** FINANCIAL AID FROM TUITION AND FEES. (a) In the first fiscal year of
2 a fiscal biennium, the board shall ensure that 20% of the amount expended under s.
3 20.285 (1) (im) as a result of s. 20.285 (2) (i) 1. b. is awarded as financial aid to those
4 students enrolled in the system who are eligible for Wisconsin higher education
5 grants under s. 39.435.

6 (b) In the 2nd fiscal year of a fiscal biennium, the board shall ensure that 20%
7 of the amount expended under s. 20.285 (1) (im) as a result of s. 20.285 (2) (i) 1. c. is
8 awarded as financial aid to those students enrolled in the system who are eligible for
9 Wisconsin higher education grants under s. 39.435.

10 (c) The board shall distribute financial aid under pars. (a) and (b) using the
11 same methodology that is used to distribute Wisconsin higher education grants
12 under s. 39.435.

13 (d) This subsection does not apply after June 30, 1999.

14 **SECTION 1162m.** 36.11 (33) of the statutes is created to read:

15 36.11 **(33)** REPORT ON MANAGEMENT AND STAFF POSITIONS. (a) The board shall
16 categorize each position in the system as either a management position or a staff
17 position. The board shall define “management” and “staff” for the purposes of this
18 paragraph.

19 (b) By January 1, 1998, and annually thereafter by January 1, the board shall
20 submit a report to the joint committee on finance that includes all of the following:

- 21 1. The definitions of “management” and “staff” used by the board under par. (a).
- 22 2. A list of the position titles in each category.
- 23 3. The criteria used by the board to categorize the positions.
- 24 4. The current number of authorized positions in each category at each campus.

25 **SECTION 1162r.** 36.11 (34) of the statutes is created to read:

1 36.11 (34) MATHEMATICS PROGRAMS EVALUATION. From the appropriation under
2 s. 20.285 (1) (a), annually the board shall allocate \$25,000 to the University of
3 Wisconsin-Milwaukee for the purpose of evaluating a pilot mathematics program
4 conducted by the school district operating under ch. 119. This subsection does not
5 apply after June 30, 2003.

6 **SECTION 884.** 36.25 (12) (c) of the statutes is amended to read:

7 36.25 (12) (c) The institute shall investigate medical and social conditions
8 which directly or indirectly result in state care; develop and promote measures to
9 relieve and prevent the need for state care; undertake special education and training;
10 and generally seek by research and investigation to prevent conditions which result
11 in state care. The institute shall render, under mutual agreement, services to the
12 state institutions under the jurisdiction of the department of health and family
13 services and the department of ~~education~~ public instruction. Such state institutions
14 are open to the institute for research and training.

15 **SECTION 1164ad.** 36.25 (12m) (intro.) of the statutes is amended to read:

16 36.25 (12m) STATE CARTOGRAPHER. (intro.) ~~In coordination and consultation~~
17 ~~with the land information board, the~~ The state cartographer shall:

18 **SECTION 1165m.** 36.25 (29m) (a) of the statutes is amended to read:

19 36.25 (29m) (a) Assist the environmental education board in addressing
20 statewide teacher training needs in environmental education and in administering
21 grants under s. 36.54 (2).

22 **SECTION 885.** 36.25 (29m) (b) of the statutes is amended to read:

23 36.25 (29m) (b) Assist the department of ~~education~~ public instruction to
24 periodically assess and report to the environmental education board on the
25 environmental literacy of this state's teachers and students.

1 **SECTION 886.** 36.25 (29m) (e) of the statutes is amended to read:

2 36.25 **(29m)** (e) Assist the department of education public instruction and
3 cooperative educational service agencies to assist school districts in conducting
4 environmental education needs assessments.

5 **SECTION 1167d.** 36.25 (30g) of the statutes is amended to read:

6 36.25 **(30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall
7 establish in the extension, ~~in cooperation with the recycling market development~~
8 ~~board,~~ a program of education and technical assistance related to recycling market
9 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~
10 solid waste scrap brokers, dealers and processors; business entities that use or could
11 use recovered materials or that produce or could produce products from recovered
12 materials and persons who provide support services to those business entities; and
13 the general public.

14 **SECTION 887.** 36.25 (38) of the statutes is created to read:

15 36.25 **(38)** EDUCATIONAL TECHNOLOGY PROJECTS. (a) In this subsection,
16 “educational technology” has the meaning given in s. 44.70 (3).

17 (b) The board shall use the moneys appropriated under s. 20.285 (1) (cm) for
18 the following purposes:

- 19 1. The student information system.
- 20 2. The development of system technology infrastructure.
- 21 3. The development of curricula to train students enrolled in the schools of
22 education in the use of educational technology in primary and secondary schools.
- 23 4. To provide professional development in the use of educational technology for
24 primary and secondary school teachers.
- 25 5. To provide faculty with educational technology and to train faculty in its use.

1 6. To pay the department of administration for telecommunications services
2 provided under s. 16.973 (1).

3 **SECTION 1168m.** 36.27 (3) (g) of the statutes is amended to read:

4 36.27 (3) (g) The board may shall remit nonresident tuition and fees, in whole
5 or part, to resident and nonresident graduate students who are fellows or who are
6 employed within the system as faculty, instructional academic staff or assistants
7 with an appointment equal to at least 33% of a full-time equivalent position.

8 **SECTION 888.** 36.27 (4) (a) of the statutes is amended to read:

9 36.27 (4) (a) In the 1993-94 to ~~1996-97~~ 1998-99 academic years, the board may
10 annually exempt from nonresident tuition, but not from incidental or other fees, up
11 to 200 students enrolled at the University of Wisconsin-Parkside as juniors or
12 seniors in programs identified by that institution as having surplus capacity and up
13 to 150 students enrolled at the University of Wisconsin-Superior in programs
14 identified by that institution as having surplus capacity.

15 **SECTION 889.** 36.27 (4) (c) of the statutes is repealed.

16 **SECTION 890.** 36.27 (4) (cm) of the statutes is repealed.

17 **SECTION 891.** 36.27 (4) (e) of the statutes is repealed.

18 **SECTION 1172m.** 36.27 (5) of the statutes is created to read:

19 36.27 (5) FEE STATEMENT. (a) In this subsection, "state funds" means the total
20 amount of general purpose revenue appropriated under s. 20.285 in any fiscal year.

21 (b) The board shall ensure that every student's bill for academic fees or
22 nonresident tuition includes the following statement: "The legislature and the
23 governor have authorized \$.... in state funds for the University of Wisconsin System
24 during the academic year. This amount represents an average subsidy of \$.... from

1 the taxpayers of Wisconsin for each student enrolled in the University of Wisconsin
2 System.”

3 (c) The board shall calculate the average subsidy for the purpose of the fee
4 statement under par. (b) by dividing state funds in the appropriate fiscal year by the
5 number of full-time equivalent students enrolled in the system in the most recent
6 fall semester.

7 **SECTION 1173e.** 36.46 (1) of the statutes is renumbered 36.46 (1) (a) and
8 amended to read:

9 36.46 (1) (a) The board may not accumulate any auxiliary reserve funds from
10 student fees ~~unless the fees and for any institution, or for the centers in aggregate,~~
11 in an amount that exceeds an amount equal to 15% of the previous fiscal year's total
12 revenues from student segregated fees and auxiliary operations funded from student
13 fees for that institution, or for the centers in aggregate, unless the reserve funds are
14 approved by the secretary of administration and the joint committee on finance
15 under this section subsection. A request by the board for such approval for any
16 ~~academic~~ fiscal year shall be filed by the board with the secretary of administration
17 and the cochairpersons of the joint committee on finance no later than July 10
18 ~~preceding that~~ September 15 of that fiscal year. The request shall include a plan
19 specifying the amount of reserve funds the board wishes to accumulate and the
20 purposes to which the reserve funds would be applied, if approved. Within 14
21 working days of receipt of the request, the secretary of administration shall notify
22 the cochairpersons of the joint committee on finance in writing of whether the
23 secretary proposes to approve the fees ~~or~~ reserve fund accumulation.

24 **SECTION 1173m.** 36.46 (2) of the statutes is renumbered 36.46 (1) (b) and
25 amended to read:

1 **36.46 (1)** (b) Notwithstanding ~~sub. (1) par. (a)~~, if, within 14 working days after
2 the date of the secretary’s notification, the cochairpersons of the committee do not
3 notify the secretary that the committee has scheduled a meeting for the purpose of
4 reviewing the secretary’s proposed action, the proposed fees ~~may be levied and the~~
5 ~~proposed~~ reserve funds may be accumulated. If, within 14 working days after the
6 date of the secretary’s notification, the cochairpersons of the committee notify the
7 secretary that the committee has scheduled a meeting for the purpose of reviewing
8 the secretary’s proposed action, the proposed fees ~~may not be levied and the proposed~~
9 reserve funds may not be accumulated unless the committee approves that action.

10 **SECTION 1173s.** 36.46 (2) of the statutes is created to read:

11 **36.46 (2)** (a) The board shall promulgate rules that do all of the following:

12 1. Define “one-time, fixed-duration costs” and “student-related activity” for
13 the purpose of s. 20.285 (1) (kp).

14 2. Establish criteria for the board to use in determining whether to approve
15 requests to transfer moneys under s. 20.285 (1) (h).

16 (b) The board may not transfer moneys from the appropriation account under
17 s. 20.285 (1) (h) to the appropriation account under s. 20.285 (1) (kp) unless the
18 transfer is approved by the joint committee on finance under this paragraph. The
19 board shall submit a request for such approval to the cochairpersons of the joint
20 committee on finance. If the cochairpersons of the committee do not notify the board
21 that the committee has scheduled a meeting for the purpose of reviewing the
22 proposed transfer within 14 working days after the date of the board’s request, the
23 board may transfer the moneys. If, within 14 working days after the date of the
24 board’s request, the cochairpersons of the committee notify the board that the
25 committee has scheduled a meeting for the purpose of reviewing the proposed

1 transfer, the board may not transfer the moneys until the committee approves the
2 transfer.

3 (c) By September 1, 1998, and annually by September 1 thereafter, the board
4 shall submit to the joint committee on finance a report on the requests to transfer
5 moneys from the appropriation account under s. 20.285 (1) (h) to the appropriation
6 account under s. 20.285 (1) (kp) that were received by the board in the previous fiscal
7 year. For each request, the report shall identify the campus that submitted the
8 request, the amount of the request, the revenue source of the moneys requested, the
9 purpose for which the moneys were to be used and whether the board approved the
10 request.

11 **SECTION 892.** 36.51 (2) of the statutes is amended to read:

12 36.51 (2) Any center or institution approved by the board may establish a
13 system to provide the opportunity for authorized elderly persons to participate in its
14 meal program. If a center or institution desires to establish such a service, it shall
15 develop a plan for the provision of food services for elderly persons and submit the
16 plan to the board. Annually, the board shall notify the department of ~~education~~
17 public instruction of the approved centers and institutions.

18 **SECTION 893.** 36.51 (6) of the statutes is amended to read:

19 36.51 (6) The center or institution may file a claim with the department of
20 ~~education~~ public instruction for reimbursement for reasonable expenses incurred,
21 excluding capital equipment costs, but not to exceed 15% of the cost of the meal or
22 50 cents per meal, whichever is less. Any cost in excess of the lesser amount may be
23 charged to participants. If the department of ~~education~~ public instruction approves
24 the claim, it shall certify that payment is due and the state treasurer shall pay the
25 claim from the appropriation under s. 20.255 (2) (cn).

1 **SECTION 894.** 36.51 (7) of the statutes is amended to read:

2 36.51 (7) All meals served must meet the approval of the board, which shall
3 establish minimum nutritional standards and reasonable expenditure limits
4 consistent with the standards and limits established by the ~~department of education~~
5 state superintendent of public instruction under s. 115.345 (6). The board shall give
6 special consideration to the dietary problems of elderly persons in formulating a
7 nutritional plan. However, no center or institution may be required to provide
8 special foods for individual persons with allergies or medical disorders.

9 **SECTION 895.** 38.04 (7m) of the statutes is amended to read:

10 38.04 (7m) FINANCIAL AIDS. By April 10, ~~1996~~ 1998, and annually thereafter,
11 the board shall develop and submit to the ~~education commission~~ higher educational
12 aids board for its review under s. 39.285 (1) a proposed formula for the awarding of
13 grants under s. 39.435, except for grants awarded under s. 39.435 (2) or (5), for the
14 upcoming academic year to students enrolled in the technical colleges.

15 **SECTION 896.** 38.04 (11) (a) 2. of the statutes is amended to read:

16 38.04 (11) (a) 2. In consultation with the ~~department of education~~ state
17 superintendent of public instruction, the board shall establish, by rule, a uniform
18 format for district boards to use in reporting the number of pupils attending district
19 schools under ss. 118.15 (1) (b), (cm) and (d) and ~~118.37~~ 118.55 (7r) and in reporting
20 pupil participation in technical preparation programs under s. 118.34, including the
21 number of courses taken for advanced standing in the district's associate degree
22 program and for technical college credit. ~~The format shall be identical to the format~~
23 ~~established by the department of education under s. 115.28 (38).~~

24 **SECTION 897.** 38.04 (21) of the statutes is created to read:

1 38.04 (21) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT. Annually by
2 the 3rd Monday in February the board shall submit a report to the department of
3 administration, department of public instruction and department of workforce
4 development, and to the legislature under s. 13.172 (2). The report shall specify all
5 of the following by school district:

6 (a) The number of pupils who attended district schools under ss. 118.15 (1) (b),
7 (cm) and (d) and 118.55 (7r) in the previous school year.

8 (b) The type and number of credits earned by the pupils.

9 (c) The number of persons who applied for admission to a technical college in
10 the previous school year, who previously earned technical college credit under s.
11 118.55 (7r) and who applied for admission within one year of graduating from high
12 school.

13 (d) The courses given in high schools for which a pupil may receive technical
14 college credit and the number of pupils enrolled in the courses for technical college
15 credit in the previous school year.

16 (e) Any other information considered relevant by the board.

17 **SECTION 898.** 38.04 (26) of the statutes is amended to read:

18 38.04 (26) TECHNICAL PREPARATION PROGRAMS. In consultation with the
19 ~~department of education~~ state superintendent of public instruction, the board shall
20 approve courses for technical preparation programs under s. 118.34. By July 1, 1994,
21 and annually thereafter by July 1, the board shall publish a list of the approved
22 courses that indicates the schools in which each course is taught and the credit
23 equivalency available in each district for each course.

24 **SECTION 899.** 38.12 (8) (a) of the statutes is amended to read:

1 38.12 **(8)** (a) The district boards shall actively coordinate, with the department
2 of education public instruction and the school boards, the responsibility for providing
3 vocational training to pupils attending high school and for providing education to
4 persons who have dropped out of high school.

5 **SECTION 900.** 38.14 (3) (am) of the statutes is created to read:

6 38.14 **(3)** (am) If a district board contracts with a school board to provide youth
7 apprenticeship instruction to pupils enrolled in the school district, the district board
8 may not charge the school board an amount that is greater than the technical college
9 district's direct instructional costs associated with providing the instruction.

10 **SECTION 901.** 38.22 (1) (intro.) of the statutes is amended to read:

11 38.22 **(1)** (intro.) Except as provided in subs. (1m) and (1s) and s. ~~118.37~~ 118.55
12 (7r), every person who is at least the age specified in s. 118.15 (1) (b) is eligible to
13 attend ~~the schools of a district~~ a technical college if the person is:

14 **SECTION 902.** 38.24 (1s) of the statutes is renumbered 38.24 (1s) (intro.) and
15 amended to read:

16 38.24 **(1s)** ADDITIONAL FEES. (intro.) A district board may establish and charge
17 a fee in addition to the fees under sub. (1m) for a any of the following:

18 (a) A court-approved alcohol or other drug abuse education program offered to
19 individuals under s. 48.245 (2) (a) 4., 48.345 (13) (b), 938.245 (2) (a) 4., 938.32 (1g)
20 (b), 938.34 (6r) (b) or (14s) (b) 3., 938.343 (10) (c) or 938.344 (2g) (a).

21 **SECTION 903.** 38.24 (1s) (b) of the statutes is created to read:

22 38.24 **(1s)** (b) A short-term, professional development, vocational-adult
23 seminar or workshop offered to individuals who are employed in a related field. The
24 additional fee may not exceed an amount equal to the full cost of the seminar or
25 workshop less the fee under sub. (1m). Annually the district board shall report to the

1 board the courses for which an additional fee was charged under this paragraph and
2 the amount of the additional fee.

3 **SECTION 904.** 38.24 (1s) (c) of the statutes is created to read:

4 38.24 (1s) (c) A vocational–adult course intended to improve an individual’s
5 skills beyond the entry level if the course is required by state or federal law, rule or
6 regulation, or by a professional organization, to maintain licensure or certification
7 in the individual’s field of employment and the state director approves. The
8 additional fee may not exceed an amount equal to the full cost of the course less the
9 fee under sub. (1m).

10 **SECTION 905.** 38.24 (3) (f) of the statutes is created to read:

11 38.24 (3) (f) Notwithstanding par. (a), the state director may authorize the
12 district board to charge a student who is not a resident of this state and who is
13 enrolled in a course provided through the use of distance education, as defined in s.
14 24.60 (1g), a fee that is less than the fee established under par. (a) but not less than
15 the fees established under sub. (1m).

16 **SECTION 1189g.** 38.27 (1) (h) of the statutes is created to read:

17 38.27 (1) (h) The creation or expansion of programs at secured juvenile
18 correctional facilities.

19 **SECTION 1189k.** 38.27 (2m) (e) of the statutes is created to read:

20 38.27 (2m) (e) Beginning in the 1997–98 fiscal year, not more than \$150,000
21 annually is awarded for the purpose of sub. (1) (h).

22 **SECTION 906.** 38.28 (1m) (a) 1. of the statutes is amended to read:

23 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
24 technical college district, including debt service charges for district bonds and
25 promissory notes for building programs or capital equipment, but excluding all

1 expenditures relating to auxiliary enterprises and community service programs, all
2 expenditures funded by or reimbursed with federal revenues, all receipts under subs.
3 (6) and (7) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), ~~118.37~~ 118.55 (7r) and
4 146.55 (5), all receipts from grants awarded under ss. 38.04 (8) and (20), 38.14 (11),
5 38.26, 38.27, 38.33 and 38.38, all fees collected under s. 38.24 and driver education
6 and chauffeur training aids.

7 **SECTION 1190m.** 38.28 (3) of the statutes is amended to read:

8 38.28 (3) If the appropriation for state aid under s. 20.292 (1) (d) in any one year
9 is insufficient to pay the full amount under sub. (2), state aid payments shall be
10 prorated among the districts entitled thereto. If the appropriation for state aid under
11 s. 20.292 (1) ~~(u)~~ (fc) in any one year is insufficient to pay the full amount under subs.
12 (2) (c) and (g), funds in the appropriation shall be used first for the purposes of sub.
13 (2) (c) and any remaining funds shall be prorated among the districts entitled to
14 support under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) ~~(u)~~
15 (fc) in any one year is insufficient to pay the full amount under sub. (2) (c), funds in
16 the appropriation shall be prorated among the districts entitled to the funds.

17 **SECTION 1191m.** 38.28 (7) (a) (intro.) of the statutes is amended to read:

18 38.28 (7) (a) (intro.) In coordination with the department of education public
19 instruction, the board shall pay the following amounts to each district board from the
20 appropriation under s. 20.292 (1) (cm) for the development and implementation of
21 technical preparation programs in each high school:”.

22 **SECTION 1191n.** 38.29 (2) (c) of the statutes is amended to read:

23 38.29 (2) (c) Amounts awarded shall be paid from the appropriation under s.
24 20.292 (1) ~~(v)~~ (fg).

25 **SECTION 907.** 38.33 of the statutes is created to read:

1 **38.33 Faculty development grants. (1)** From the appropriation under s.
2 20.292 (1) (eg), the board shall award grants to district boards to establish faculty
3 development programs. The programs shall promote all of the following:

4 (a) Instructor awareness of and expertise in a wide variety of newly emerging
5 technologies.

6 (b) The integration of learning technologies in curriculum and instruction.

7 (c) The use of instructional methods that involve emerging technologies.

8 **(1m)** The board may not award a grant to a district board under this section
9 unless there is a matching fund contribution from the district board equal to at least
10 50% of the grant amount.

11 **(2)** The board shall promulgate rules to implement and administer this section,
12 including rules establishing criteria for the awarding of grants.

13 **(3)** No grant may be awarded under this section after June 30, 1999.

14 **SECTION 908.** 38.36 (2) of the statutes is amended to read:

15 38.36 **(2)** Any district approved by the board may establish a system to provide
16 the opportunity for authorized elderly persons to participate in its meal program.
17 If a district board desires to establish such a service, it shall develop a plan for the
18 provision of food services for elderly persons and submit the plan to the board.
19 Annually, the board shall notify the department of ~~education~~ public instruction of the
20 approved districts.

21 **SECTION 909.** 38.36 (6) of the statutes is amended to read:

22 38.36 **(6)** The district board may file a claim with the department of ~~education~~
23 public instruction for reimbursement for reasonable expenses incurred, excluding
24 capital equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per
25 meal, whichever is less. Any cost in excess of the lesser amount may be charged to

1 participants. If the department of ~~education~~ public instruction approves the claim,
2 it shall certify that payment is due and the state treasurer shall pay the claim from
3 the appropriation under s. 20.255 (2) (cn).

4 **SECTION 910.** 38.36 (7) of the statutes is amended to read:

5 38.36 (7) All meals served must meet the approval of the board, which shall
6 establish minimum nutritional standards and reasonable expenditure limits
7 consistent with the standards and limits established by the ~~department of education~~
8 state superintendent of public instruction under s. 115.345 (6). The board shall give
9 special consideration to the dietary problems of elderly persons in formulating a
10 nutritional plan. However, no district board may be required to provide special foods
11 for individual persons with allergies or medical disorders.

12 **SECTION 911.** 38.51 (title) of the statutes is repealed.

13 **SECTION 912.** 38.51 (1) (intro.), (b) and (c) of the statutes are renumbered 39.51
14 (1) (intro.), (b) and (c).

15 **SECTION 913.** 38.51 (1) (cm) of the statutes is repealed.

16 **SECTION 914.** 38.51 (1) (d) to (f) of the statutes are renumbered 39.51 (1) (d) to
17 (f).

18 **SECTION 915.** 38.51 (1) (g) of the statutes is renumbered 39.51 (1) (g) and
19 amended to read:

20 39.51 (1) (g) "Teaching location" means the area and facilities designated for
21 use by a school required to be approved by the ~~department~~ board under this section.

22 **SECTION 916.** 38.51 (2) of the statutes is renumbered 39.51 (2) and amended
23 to read:

24 39.51 (2) PURPOSE. The purpose of ~~this section~~ the board is to approve schools
25 and courses of instruction for the training of veterans of the armed forces and war

1 orphans receiving assistance from the federal government, protect the general public
2 by inspecting and approving private trade, correspondence, business and technical
3 schools doing business within this state whether located within or outside this state,
4 changes of ownership or control of these schools, teaching locations used by these
5 schools and courses of instruction offered by these schools and to regulate the
6 soliciting of students for correspondence or classroom courses and courses of
7 instruction offered by these schools.

8 **SECTION 917.** 38.51 (3) of the statutes is renumbered 39.51 (3) and amended
9 to read:

10 39.51 (3) **RULE-MAKING POWER.** The ~~department~~ board shall promulgate rules
11 and establish standards necessary to carry out the purpose of this section.

12 **SECTION 918.** 38.51 (6) of the statutes is renumbered 39.51 (6), and 39.51 (6)
13 (a), as renumbered, is amended to read:

14 39.51 (6) (a) Except as provided in par. (b), the ~~department~~ board shall be the
15 state approval agency for the education and training of veterans and war orphans.
16 It shall approve and supervise schools and courses of instruction for their training
17 under Title 38, USC, and may enter into and receive money under contracts with the
18 U.S. department of veterans affairs or other appropriate federal agencies.

19 **SECTION 919.** 38.51 (7) of the statutes is renumbered 39.51 (7), and 39.51 (7)
20 (intro.) and (g) to (i), as renumbered, are amended to read:

21 39.51 (7) **APPROVAL OF SCHOOLS GENERALLY.** (intro.) In order to protect students,
22 prevent fraud and misrepresentation in the sale and advertising of courses and
23 courses of instruction and encourage schools to maintain courses and courses of
24 instruction consistent in quality, content and length with generally accepted
25 educational standards, the ~~department~~ board shall:

1 (g) Approve courses of instruction, schools, changes of ownership or control of
2 schools and teaching locations meeting the requirements and standards established
3 by the ~~department~~ board and complying with rules promulgated by the ~~department~~
4 board and publish a list of the schools and courses of instruction approved.

5 (h) Issue permits to solicitors when all ~~department~~ board requirements have
6 been met.

7 (i) Require schools to furnish a surety bond in an amount as provided by rule
8 of the ~~department~~ board.

9 **SECTION 920.** 38.51 (8) (title) of the statutes is renumbered 39.51 (8) (title).

10 **SECTION 921.** 38.51 (8) (a) of the statutes is renumbered 39.51 (8) (a) and
11 amended to read:

12 39.51 (8) (a) *In general.* No solicitor representing any school offering any
13 course or course of instruction shall sell any course or course of instruction or solicit
14 students therefor in this state for a consideration or remuneration, except upon the
15 actual business premises of the school, unless the solicitor first secures a solicitor's
16 permit from the ~~department~~ board. If the solicitor represents more than one school,
17 a separate permit shall be obtained for each school represented by the solicitor.

18 **SECTION 922.** 38.51 (8) (b) of the statutes is renumbered 39.51 (8) (b) and
19 amended to read:

20 39.51 (8) (b) *Solicitor's permit.* The application for a solicitor's permit shall be
21 made on a form furnished by the ~~department~~ board and shall be accompanied by a
22 fee and a surety bond acceptable to the ~~department~~ board in the sum of \$2,000. The
23 ~~department~~ board shall, by rule, specify the amount of the fee for a solicitor's permit.
24 Such bond may be continuous and shall be conditioned to provide indemnification to
25 any student suffering loss as the result of any fraud or misrepresentation used in

1 procuring his or her enrollment or as a result of the failure of the school to faithfully
2 perform the agreement made with the student by the solicitor, and may be supplied
3 by the solicitor or by the school itself either as a blanket bond covering each of its
4 solicitors in the amount of \$2,000 or the surety bond under sub. (7) (i). Upon approval
5 of a permit, the department board shall issue an identification card to the solicitor
6 giving his or her name and address, the name and address of the employing school,
7 and certifying that the person whose name appears on the card is authorized to solicit
8 students for the school. A permit shall be valid for one year from the date issued.
9 Liability under this paragraph of the surety on the bond for each solicitor covered
10 thereby shall not exceed the sum of \$2,000 as an aggregate for any and all students
11 for all breaches of the conditions of the bond. The surety of a bond may cancel the
12 same upon giving 30 days' notice in writing to the department board and thereafter
13 shall be relieved of liability under this paragraph for any breach of condition
14 occurring after the effective date of the cancellation. An application for renewal shall
15 be accompanied by a fee, a surety bond acceptable to the department board in the
16 sum of \$2,000 if a continuous bond has not been furnished, and such information as
17 the department board requests of the applicant. The department board shall, by
18 rule, specify the amount of the fee for renewal of a solicitor's permit.

19 **SECTION 923.** 38.51 (8) (c) of the statutes is renumbered 39.51 (8) (c), and 39.51
20 (8) (c) (intro.), 1., 2., 4. and 5., as renumbered, are amended to read:

21 39.51 (8) (c) *Refusal or revocation of permit.* (intro.) The department board
22 may refuse to issue or renew, or may revoke, any solicitor's permit upon one or any
23 combination of the following grounds:

24 1. Wilful violation of this subsection or any rule promulgated by the
25 department board under this section;

1 2. Furnishing false, misleading or incomplete information to the department
2 board;

3 4. Refusal by the school to be represented to allow reasonable inspection or to
4 supply information after written request therefor by the department board;

5 5. Failure of the school which the solicitor represents to meet requirements and
6 standards established by and to comply with rules promulgated by the department
7 board pursuant to sub. (7);

8 **SECTION 924.** 38.51 (8) (d) to (i) of the statutes are renumbered 39.51 (8) (d) to
9 (i), and 39.51 (8) (d) and (e), as renumbered, are amended to read:

10 39.51 (8) (d) *Notice of refusal to issue or renew permit.* Notice of refusal to issue
11 or renew a permit or of the revocation of a permit shall be sent by registered mail to
12 the last address of the applicant or permit holder shown in the records of the
13 department board. Revocation of a permit shall be effective 10 days after the notice
14 of revocation has been mailed to the permit holder.

15 (e) *Request for appearance.* Within 20 days of the receipt of notice of the
16 ~~department's~~ board's refusal to issue or renew a permit or of the revocation of a
17 permit, the applicant or holder of the permit may request permission to appear
18 before the department board in person, with or without counsel, to present reasons
19 why the permit should be issued or reinstated. Upon receipt of such request, the
20 department board shall grant a hearing to the applicant or holder of the permit
21 within 30 days giving that person at least 10 days' notice of the date, time and place.

22 **SECTION 925.** 38.51 (9) of the statutes is renumbered 39.51 (9), and 39.51 (9)
23 (g) and (h), as renumbered, are amended to read:

24 39.51 (9) (g) Schools approved by the department of education public
25 instruction for the training of teachers.

1 (h) Schools accredited by accrediting agencies recognized by the department
2 board.

3 **SECTION 926.** 38.51 (10) of the statutes is renumbered 39.51 (10), and 39.51 (10)
4 (a), (b) and (c) (intro.) and 1., as renumbered, are amended to read:

5 39.51 (10) (a) *Authority.* All proprietary schools shall be examined and
6 approved by the department board before operating in this state. Approval shall be
7 granted to schools meeting the criteria established by the department board for a
8 period not to exceed one year. No school may advertise in this state unless approved
9 by the department board. All approved schools shall submit quarterly reports,
10 including information on enrollment, number of teachers and their qualifications,
11 course offerings, number of graduates, number of graduates successfully employed
12 and such other information as the department board deems necessary.

13 (b) *Application.* Application for initial approval of a school or a course of
14 instruction, approval of a teaching location, change of ownership or control of a
15 school, renewal of approval of a school or reinstatement of approval of a school or
16 course of instruction which has been revoked shall be made on a form furnished by
17 the department board and shall be accompanied by a fee set by the department board
18 under par. (c), and such other information as the department board deems necessary
19 to evaluate the school in carrying out the purpose of this section.

20 (c) *Fees; rule making.* (intro.) The department board shall promulgate rules
21 to establish fees. In promulgating rules to establish fees, the department board shall:

22 1. Require that the amount of fees collected under this paragraph be sufficient
23 to cover all costs that the department board incurs in examining and approving
24 proprietary schools under this subsection.

25 **SECTION 927.** 39.11 (5) of the statutes is amended to read:

1 39.11 (5) Work with the educational agencies and institutions of the state as
2 reviewer, adviser and coordinator of their joint efforts to meet the educational needs
3 of the state through radio and, television and other appropriate technologies.

4 **SECTION 928.** 39.11 (20) of the statutes is repealed.

5 **SECTION 1213d.** 39.11 (21) of the statutes is created to read:

6 39.11 (21) Operate an emergency weather warning system.

7 **SECTION 929.** 39.13 (2) of the statutes is amended to read:

8 39.13 (2) The executive director may employ a deputy director, the number of
9 division administrators specified in s. 230.08 (2) (e) and ~~12~~ 11 professional staff
10 members outside the classified service. Subject to authorization under s. 16.505, the
11 executive director may employ additional professional staff members for
12 development and grant projects outside the classified service or for other purposes
13 within the classified service.

14 **SECTION 930.** 39.145 of the statutes is repealed.

15 **SECTION 931.** 39.155 (1) of the statutes is amended to read:

16 39.155 (1) Subject to sub. (3), all funds appropriated to the medical college of
17 Wisconsin, inc., under s. 20.250 (1) (a) shall be based on a per capita formula for an
18 amount for each Wisconsin resident enrolled at the college who is paying full tuition.
19 A student's qualification as a resident of this state shall be determined by the
20 ~~department of education~~ higher educational aids board in accordance with s. 36.27,
21 so far as applicable.

22 **SECTION 932.** 39.155 (2) of the statutes is amended to read:

23 39.155 (2) On or before January 15 and September 15 of each year, the medical
24 college of Wisconsin, inc., shall submit to the ~~department of education~~ higher
25 educational aids board for its approval a list of the Wisconsin residents enrolled at

1 the college who are paying full tuition. The state shall make semiannual payments
2 to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1)
3 (a), upon approval of the list. If the appropriation under s. 20.250 (1) (a) is
4 insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the
5 payments shall be disbursed on a prorated basis for each student entitled to such aid.
6 No more than 8 such payments may be made to the medical college of Wisconsin, inc.,
7 from the appropriation under s. 20.250 (1) (a), for any individual student.

8 **SECTION 933.** Subchapter III (title) of chapter 39 [precedes 39.26] of the
9 statutes is amended to read:

10 **CHAPTER 39**

11 **SUBCHAPTER III**

12 **HIGHER EDUCATIONAL AIDS BOARD**

13 **SECTION 934.** 39.26 of the statutes is amended to read:

14 **39.26 Definition.** In this subchapter, “~~department~~” “board” means the
15 ~~department of education~~ higher educational aids board.

16 **SECTION 935.** 39.28 (1) of the statutes is amended to read:

17 39.28 (1) The ~~department~~ board shall administer the programs under this
18 subchapter and may promulgate such rules as are necessary to carry out its
19 functions. The ~~department~~ board may accept and use any funds which it receives
20 from participating institutions, lenders or agencies. The ~~department~~ board may
21 enter into such contracts as are necessary to carry out its functions under this
22 subchapter.

23 **SECTION 936.** 39.28 (2) of the statutes is amended to read:

24 39.28 (2) The ~~department~~ board shall establish plans to be administered by the
25 ~~department~~ board for participation by this state under any federal acts relating to

1 higher education and submit them to the U.S. ~~commissioner~~ secretary of education
2 for the ~~commissioner's~~ secretary's approval. The ~~department~~ board may utilize such
3 criteria for determination of priorities, participation or purpose as are delineated in
4 the federal acts.

5 **SECTION 937.** 39.28 (3) of the statutes is created to read:

6 39.28 (3) (a) In its biennial report under s. 15.04 (1) (d), the board also shall
7 include recommendations for improvement of the state's student financial aid
8 programs.

9 (b) On January 1 and July 1, the board shall report to the joint committee on
10 finance and the joint legislative audit committee on the board's loan collection
11 activities and efforts to develop collection policies to improve program performance
12 through changes in data processing and program review.

13 **SECTION 938.** 39.28 (4) of the statutes is amended to read:

14 39.28 (4) The ~~department~~ board may assign, sell, convey or repurchase student
15 loans made under s. 39.32 subject to prior approval by the joint committee on finance.

16 **SECTION 939.** 39.285 of the statutes is amended to read:

17 **39.285** (title) **Education ~~commission~~ Board review of proposed**
18 **formulae.** (1) By May 1, ~~1996~~ 1998, and annually thereafter, the ~~education~~
19 ~~commission~~ board shall approve, modify or disapprove any proposed formula for the
20 awarding of grants for the upcoming academic year submitted under sub. (2) or s.
21 36.11 (6) (c) or 38.04 (7m).

22 (2) By April 10, ~~1996~~ 1998, and annually thereafter, the Wisconsin Association
23 of Independent Colleges and Universities shall develop and submit to the ~~education~~
24 ~~commission~~ board for its review under sub. (1) a proposed formula for the awarding

1 of grants under s. 39.30 for the upcoming academic year to students enrolled at
2 private institutions of higher education.

3 **SECTION 940.** 39.29 of the statutes is created to read:

4 **39.29 Executive secretary.** An executive secretary shall be appointed by the
5 governor to serve at his or her pleasure.

6 **SECTION 941.** 39.30 (2) (e) of the statutes is amended to read:

7 39.30 (2) (e) The ~~department~~ board may not make a grant to a student if the
8 ~~department~~ board receives a certification under s. 49.855 (7) that the student is
9 delinquent in child support or maintenance payments or owes past support, medical
10 expenses or birth expenses.

11 **SECTION 942.** 39.30 (2) (f) of the statutes is amended to read:

12 39.30 (2) (f) No grants may be awarded under this section unless the applicable
13 formula submitted under s. 39.285 (2) is approved or modified by the ~~education~~
14 ~~commission~~ board under s. 39.285 (1).

15 **SECTION 943.** 39.30 (3) (e) of the statutes is amended to read:

16 39.30 (3) (e) The ~~department~~ board shall establish criteria for the treatment
17 of financially independent students which are consistent with procedures in pars. (a)
18 to (d).

19 **SECTION 944.** 39.30 (3) (f) of the statutes is amended to read:

20 39.30 (3) (f) The ~~department~~ board may not make initial awards of grants
21 under this section for an academic year in an amount that exceeds 122% of the
22 amount appropriated under s. 20.235 (1) (b) for the fiscal year in which the grant may
23 be paid.

24 **SECTION 945.** 39.30 (4) of the statutes is amended to read:

1 39.30 (4) FORMS. The ~~department~~ board shall prescribe, furnish and make
2 available, at locations in the state convenient to the public, application forms for
3 grants under this section. Upon request, the ~~department~~ board shall advise and
4 assist applicants in making out such forms.

5 **SECTION 946.** 39.31 (intro.) of the statutes is amended to read:

6 **39.31 Determination of student costs.** (intro.) In determining a student's
7 total cost of attending a postsecondary institution for the purpose of calculating the
8 amount of a grant under s. 39.30, 39.38, 39.435 or 39.44, the ~~department~~ board shall
9 include the following:

10 **SECTION 947.** 39.31 (2) of the statutes is amended to read:

11 39.31 (2) Miscellaneous expenses, as determined by the ~~department~~ board.

12 **SECTION 948.** 39.31 (3) of the statutes is amended to read:

13 39.31 (3) The cost of child care, as determined by the ~~department~~ board.

14 **SECTION 949.** 39.32 (2) (intro.) of the statutes is amended to read:

15 39.32 (2) (intro.) The ~~department~~ board shall:

16 **SECTION 950.** 39.32 (3) (intro.) of the statutes is amended to read:

17 39.32 (3) (intro.) The ~~department~~ board may make and authorize loans to be
18 made to students if:

19 **SECTION 951.** 39.32 (3) (b) of the statutes is amended to read:

20 39.32 (3) (b) The student's eligibility for a loan is certified to the ~~department~~
21 board by the institution of higher education in which the student is enrolled or has
22 been accepted for enrollment.

23 **SECTION 952.** 39.32 (3) (g) of the statutes is amended to read:

1 39.32 (3) (g) The student is not in default on any previous loan or the
2 department board has determined that the student has made satisfactory
3 arrangements to repay the defaulted loan.

4 **SECTION 953.** 39.32 (5) of the statutes is amended to read:

5 39.32 (5) The department board may collect any loans made or authorized to
6 be made by the department board pursuant to this section or made prior to July 1,
7 1966, under s. 49.42, 1963 stats.

8 **SECTION 954.** 39.32 (6) of the statutes is amended to read:

9 39.32 (6) The department board shall satisfy the loan of any student who
10 obtained a loan under this section or s. 39.023, 1965 stats., between July 1, 1966, and
11 December 15, 1968, where such student died or dies after July 1, 1966, and before
12 completing repayment thereof, and shall write off the balance of principal and
13 interest owing on the loan on the date it received confirmation of such student's
14 death. Obligation to repay such a loan shall terminate on the date of the student's
15 death and any payments made thereon to the department board after such date shall
16 be refunded to the payor or the payor's heirs, executor or administrator ~~from the~~
17 ~~appropriation in s. 20.235 (2) (ba)~~ upon receipt by the department board of an
18 application for refund.

19 **SECTION 955.** 39.32 (7) of the statutes is amended to read:

20 39.32 (7) The department board may write off defaulted student loans made
21 pursuant to this section or made prior to July 1, 1966, under s. 49.42, 1963 stats.,
22 from moneys other than advances from the investment board originally
23 appropriated for student loans, and from moneys other than moneys resulting from
24 assignment, sale or conveyance of student loans.

25 **SECTION 956.** 39.32 (8) of the statutes is amended to read:

1 39.32 (8) The department board may use up to \$150,000 annually of student
2 revenue bond proceeds for the purpose of consolidating loans for needy students who
3 have a state direct loan and one or more federally guaranteed student loans from one
4 or more private lenders.

5 **SECTION 957.** 39.32 (10) of the statutes is amended to read:

6 39.32 (10) (a) The department board may enter into contractual agreements
7 with lenders in this state and lenders in other states which grant loans to residents
8 of this state, and with institutions and agencies wherein the department board may
9 provide and furnish to such lenders, institutions and agencies administrative
10 services related to the operation of any programs involving the granting of loans to
11 students including but not limited to any and all services and functions related to the
12 granting, administering and collecting of any loans made to students.

13 (b) The department board shall have all powers as that are reasonably
14 appropriate to the provision of such services and the performance of such contracts
15 and may include charges or fees to be paid by the lenders, institutions and agencies
16 to the department board for the provision of such administrative services or any
17 services or activities related to the collection of any student loans for which the
18 department board may become responsible by operation of law or by contractual
19 agreements under this paragraph, but such charges or fees, before being instituted
20 by the department board, shall be approved by the secretary of administration.

21 **SECTION 958.** 39.32 (11) of the statutes is amended to read:

22 39.32 (11) (a) In lieu of the procedure under ch. 812, the department board, on
23 behalf of the corporation under s. 39.33, or the corporation, on its own behalf, may
24 certify the department of administration to deduct money from a state employee's
25 earnings. The department board shall specify an amount, not to exceed 25% of the

1 employe's disposable earnings, as defined in s. 812.30 (6), to be deducted on a
2 continuing basis until the amount certified by the department board or corporation
3 has been paid. The department of administration shall remit moneys deducted to
4 the department board or the corporation.

5 (b) The procedure in this section may be used only if the amount owed to the
6 department board or corporation is reduced to a judgment. At least 30 days prior to
7 certification, the department board or corporation shall notify the debtor under s.
8 879.05 (2) or (3) of the intent to certify the debt to the department of administration
9 and of the debtor's right to a contested case hearing before the department board
10 under s. 227.42. If the debtor requests a hearing within 20 days after receiving
11 notice, the department board shall notify the department of administration which
12 shall not make deductions under par. (a) until a decision is reached under s. 227.47
13 or the case is otherwise concluded.

14 (c) The department of administration shall prescribe the manner and form for
15 certification of debts by the department board or corporation under this subsection.

16 **SECTION 959.** 39.325 of the statutes is amended to read:

17 **39.325 Wisconsin health education loan program.** (1) There is
18 established, to be administered by the department board, a Wisconsin health
19 education loan program under P.L. 94-484, on July 29, 1979, in order to provide
20 financial aid to medical and dentistry students enrolled in the university of
21 Wisconsin medical school, the medical college of Wisconsin or Marquette university
22 school of dentistry.

23 (2) The department board shall lend to students who qualify under sub. (1) any
24 moneys appropriated or authorized through the issuance of revenue obligations. The
25 department board shall require a student borrowing moneys under this section to

1 pay interest while in medical or dental school and during his or her residency
2 training at the rate of at least 3% per year on the sum of the principal amount of the
3 student's obligation and the accumulated interest, unless federal law provides
4 otherwise as a condition of guaranteeing the loan. Principal and interest payable on
5 maturing revenue obligations shall, when necessary, be paid from funded reserves,
6 authorized under subch. II of ch. 18, or from moneys made available under chapter
7 20, laws of 1981, section 2022 (1).

8 (3) The ~~department~~ board shall promulgate rules and establish standards and
9 methods of determining the amounts of loans, rates of interest and other
10 administrative procedures consistent with P.L. 94-484, on July 29, 1979. The rates
11 of interest shall be set as low as possible, but shall remain sufficient to cover all costs
12 of the program under this section.

13 **SECTION 960.** 39.33 of the statutes is amended to read:

14 **39.33 Guaranteed student loan program.** (1) The ~~department~~ board may
15 organize and maintain a nonstock corporation under ch. 181 to provide for a
16 guaranteed student loan program in this state under P.L. 89-287 and P.L. 89-329
17 as may from time to time be amended. The ~~department~~ board may make use of and
18 pay for the use of the facilities and services of such corporation.

19 (2) The ~~department~~ board may provide administrative services for the
20 nonstock corporation with which the ~~department~~ board has entered into a
21 contractual agreement for purposes of providing for a guaranteed student loan
22 program in this state. Services provided under this section shall be in accordance
23 with the decision of the ~~department~~ board as to the type and scope of services
24 requested and the civil service range of any employe assigned to them.

1 **(3)** The department board or the legislature or any person delegated by the
2 legislature may inspect and examine or cause an inspection and examination of all
3 records relating to all programs that are, or are to be, administered under
4 contractual agreement between the department board and the corporation.

5 **SECTION 961.** 39.34 of the statutes is amended to read:

6 **39.34 Medical student loan program.** Notwithstanding s. 39.34, 1991
7 stats., the department board shall terminate on August 12, 1993, any obligation to
8 repay a loan awarded under this section.

9 **SECTION 962.** 39.35 of the statutes is amended to read:

10 **39.35 Repayment of scholarships for teachers in educationally**
11 **disadvantaged areas.** Notwithstanding s. 39.35, 1969 stats., and s. 39.35, 1991
12 stats., the department board shall terminate on August 12, 1993, any obligation to
13 repay a student aid award made under this section.

14 **SECTION 963.** 39.36 of the statutes is amended to read:

15 **39.36 Repayment of stipends for teachers of the handicapped.**
16 Notwithstanding s. 39.36, 1969 stats., s. 39.37 (3) (b), 1969 stats., and s. 39.36, 1991
17 stats., the department board shall terminate on August 12, 1993, any obligation to
18 repay a stipend awarded under this section.

19 **SECTION 964.** 39.37 (2) of the statutes is amended to read:

20 **39.37 (2)** There is created a separate nonlapsible trust fund designated the
21 student loan repayment fund consisting of all revenues received in repayment of
22 student loans funded under this section, and any other revenues dedicated to it by
23 the department board. The department board may pledge revenues received or to
24 be received by the fund to secure revenue obligations issued under this section, and

1 shall have all other powers necessary and convenient to distribute the proceeds of
2 the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

3 **SECTION 965.** 39.37 (3) of the statutes is amended to read:

4 39.37 (3) All student loans funded with revenue obligations issued under this
5 section shall be fully guaranteed as to repayment of principal and interest from
6 among a nonstock corporation organized under s. 39.33 (1), the United States, its
7 agencies or instrumentalities. The ~~department~~ board may enter into agreements
8 necessary to affect this guaranty.

9 **SECTION 966.** 39.374 (2) of the statutes is amended to read:

10 39.374 (2) There is created a separate nonlapsible trust fund designated the
11 Wisconsin health education loan repayment fund consisting of all revenues received
12 in repayment of loans funded under this section or loans financed from moneys made
13 available under chapter 20, laws of 1981, section 2022 (1). The ~~department~~ board
14 may pledge revenues received or to be received by the fund to secure revenue
15 obligations issued under this section, and shall have all other powers necessary and
16 convenient to distribute the proceeds of the revenue obligations and loan repayments
17 in accordance with subch. II of ch. 18.

18 **SECTION 967.** 39.374 (3) of the statutes is amended to read:

19 39.374 (3) All loans funded with revenue obligations issued under this section
20 shall be fully guaranteed as to repayment of principal and interest by the United
21 States, its agencies or instrumentalities. The ~~department~~ board may enter into
22 agreements necessary to effect this guaranty.

23 **SECTION 968.** 39.38 (1) of the statutes is amended to read:

1 39.38 (1) There is established, to be administered by the ~~department~~ board, a
2 grant program to assist those Indian students who are residents of this state to
3 receive a higher education.

4 **SECTION 969.** 39.38 (2) of the statutes is amended to read:

5 39.38 (2) Grants under this section shall be based on financial need, as
6 determined by the ~~department~~ board. The maximum grant shall not exceed \$2,200
7 per year, of which not more than \$1,100 may be from the appropriation under s.
8 20.235 (1) (fb). State aid from this appropriation may be matched by a contribution
9 from a federally recognized American Indian tribe or band that is deposited in the
10 general fund and credited to the appropriation account under s. 20.235 (1) (gm).
11 Grants shall be awarded to students for full-time or part-time attendance at any
12 accredited institution of higher education in this state. The ~~department~~ board may
13 not make a grant under this section to a student if the ~~department~~ board receives a
14 certification under s. 49.855 (7) that the student is delinquent in child support or
15 maintenance payments or owes past support, medical expenses or birth expenses.
16 Grants shall be renewable for up to 5 years if a recipient remains in good academic
17 standing at the institution that he or she is attending. The American Indian
18 language and culture education board shall advise the ~~department~~ higher
19 educational aids board on the allocation of grants to students enrolled less than
20 half-time.

21 **SECTION 970.** 39.39 (1) (a) (intro.) of the statutes is amended to read:

22 39.39 (1) (a) (intro.) There is established, to be administered by the ~~department~~
23 board, a stipend loan program for resident students, including registered nurses,
24 who are:

25 **SECTION 971.** 39.39 (2) (intro.) of the statutes is amended to read:

1 39.39 (2) (intro.) The department board shall:

2 **SECTION 972.** 39.39 (2) (b) of the statutes is amended to read:

3 39.39 (2) (b) Promulgate rules to administer this section, including rules
4 establishing loan amounts and the criteria and procedures for loan forgiveness and
5 for selecting loan recipients. Loan recipients shall be selected on the basis of
6 financial need, as determined by the department board, using the needs analysis
7 methodology used under s. 39.435.

8 **SECTION 973.** 39.39 (4) of the statutes is amended to read:

9 39.39 (4) The department board may not make any original stipend loans
10 under this section.

11 **SECTION 974.** 39.40 (2) (intro.) of the statutes is amended to read:

12 39.40 (2) (intro.) The department board shall establish a loan program for
13 minority students who meet all of the following requirements:

14 **SECTION 975.** 39.40 (2) (c) of the statutes is amended to read:

15 39.40 (2) (c) Meet academic criteria specified by the department board.

16 **SECTION 976.** 39.40 (3) of the statutes is amended to read:

17 39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.
18 20.235 (1) (cr). The department board shall forgive 25% of the loan and 25% of the
19 interest on the loan for each school year the recipient teaches in a school district
20 described under sub. (2) (d).

21 **SECTION 977.** 39.40 (4) of the statutes is amended to read:

22 39.40 (4) The department board shall deposit in the general fund as general
23 purpose revenue-earned all repayments of loans made under sub. (2) and the
24 interest on the loans.

25 **SECTION 978.** 39.40 (5) of the statutes is amended to read:

1 39.40 (5) The department board shall administer the repayment and
2 forgiveness of loans made under s. 36.25 (16), 1993 stats. The department board
3 shall treat such loans as if they had been made under sub. (2).

4 **SECTION 979.** 39.41 (1) (ae) of the statutes is created to read:

5 39.41 (1) (ae) “Executive secretary” means the executive secretary of the board.

6 **SECTION 980.** 39.41 (1) (bg) of the statutes is repealed.

7 **SECTION 981.** 39.41 (1m) (b) of the statutes is amended to read:

8 39.41 (1m) (b) By February 15 of each school year, the school board of each
9 school district operating one or more high schools and the governing body of each
10 private high school may, for each high school with an enrollment of less than 80
11 pupils, nominate the senior with the highest grade point average in all subjects who
12 may be designated as a scholar by the executive secretary under par. (c) 3.

13 **SECTION 982.** 39.41 (1m) (c) (intro.) of the statutes is amended to read:

14 39.41 (1m) (c) (intro.) The executive secretary shall:

15 **SECTION 983.** 39.41 (1m) (c) 5. of the statutes is amended to read:

16 39.41 (1m) (c) 5. For each public or private high school with an enrollment of
17 less than 80 pupils, notify the school board of the school district operating the public
18 high school or the governing body of the private high school that the school board or
19 governing body may nominate a senior under par. (b) who may be designated as a
20 scholar by the executive secretary.

21 **SECTION 984.** 39.41 (1m) (cm) of the statutes is amended to read:

22 39.41 (1m) (cm) The executive secretary may grant waivers under par. (m).

23 **SECTION 985.** 39.41 (1m) (d) of the statutes is amended to read:

24 39.41 (1m) (d) By February 15 of each school year, if 2 or more seniors from the
25 same high school of at least 80 pupils have the same grade point average and, except

1 for the limitation on the number of designated scholars, are otherwise eligible for
2 designation under par. (a), the faculty of the high school shall select the applicable
3 number of seniors for designation under par. (a) as scholars and shall certify, in order
4 of priority, any remaining seniors as alternates for a scholar with the same grade
5 point average. If a senior from that high school designated as a scholar under par.
6 (a) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an
7 alternate for the scholar with the same grade point average as any senior from that
8 high school designated as a scholar under par. (a) shall be eligible for a higher
9 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship
10 may be awarded by the department board.

11 **SECTION 986.** 39.41 (1m) (e) of the statutes is amended to read:

12 39.41 (1m) (e) If 2 or more seniors from the same high school of less than 80
13 pupils have the same grade point average and, except for the limitation of one
14 nominated senior, are otherwise eligible for nomination under par. (b), the faculty of
15 the high school shall select the senior who may be nominated by the school board of
16 the school district operating the public high school or the governing body of the
17 private high school for designation under par. (b) as a scholar by the executive
18 secretary. If that senior is designated as a scholar by the executive secretary and does
19 not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), faculty of
20 the high school shall select one or more of the remaining seniors with the same grade
21 point average for certification as a scholar and the school board of the school district
22 operating the high school or the governing body of the private high school shall
23 certify to the department board one or more of these seniors as eligible for a higher
24 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship
25 may be awarded by the department board.

1 **SECTION 987.** 39.41 (1m) (f) of the statutes is amended to read:

2 39.41 (1m) (f) If 2 or more seniors from the Wisconsin school for the visually
3 handicapped have the same grade point average and, except for the limitation of one
4 designated senior, are otherwise eligible for designation under par. (c) 1., the
5 executive secretary shall make the designation under par. (c) 1. of the senior who may
6 be eligible for a higher education scholarship as a scholar and, if that senior does not
7 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate
8 one or more of the remaining seniors with the same grade point average as eligible
9 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the
10 scholarship may be awarded by the department board.

11 **SECTION 988.** 39.41 (1m) (fm) of the statutes is amended to read:

12 39.41 (1m) (fm) If 2 or more seniors from the Wisconsin school for the deaf have
13 the same grade point average and, except for the limitation of one designated senior,
14 are otherwise eligible for designation under par. (c) 2., the executive secretary shall
15 make the designation under par. (c) 2. of the senior who may be eligible for a higher
16 education scholarship as a scholar and, if that senior does not qualify for a higher
17 education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the
18 remaining seniors with the same grade point average as eligible for a higher
19 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship
20 may be awarded by the department board.

21 **SECTION 989.** 39.41 (1m) (i) of the statutes is amended to read:

22 39.41 (1m) (i) Notwithstanding par. (d), if the school board of a school district
23 operating a high school or the governing body of a private high school has complied
24 with s. 39.41 (1m) (d), 1991 stats., for the 1993-94 school year and a senior from that
25 high school designated as a scholar under s. 39.41 (1m) (a), 1991 stats., and s. 39.41

1 (1m) (d), 1991 stats., does not qualify for a higher education scholarship under sub.
2 (2) (a) or (3) (a), the faculty of the high school shall select one or more of the remaining
3 seniors with the same grade point average for certification as a scholar. The school
4 board of the school district operating the high school or the governing body of the
5 private high school shall certify to the ~~department~~ board one or more of these seniors
6 as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a)
7 until the scholarship may be awarded by the ~~department~~ board.

8 **SECTION 990.** 39.41 (1m) (m) of the statutes is amended to read:

9 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its
10 seniors on the basis of grades in academic subjects, the school board of the school
11 district operating the high school or the governing body of the private high school or,
12 for purposes of par. (d), the faculty of the high school may request a waiver from the
13 executive secretary in order to fulfill its requirements under par. (a), (b) or (d) on the
14 basis of grade point averages in academic subjects.

15 **SECTION 1277d.** 39.41 (1m) (r) of the statutes is created to read:

16 39.41 (1m) (r) The board, in consultation with the department of public
17 instruction, shall develop guidelines that may be used by the faculty of a high school
18 to fulfill its requirements under par. (d) or (e). The guidelines shall include a method
19 of weighting courses differently for purposes of the calculation of grade point
20 averages.

21 **SECTION 1277g.** 39.41 (2) (a) of the statutes is amended to read:

22 39.41 (2) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,
23 on a full-time basis, by September 30 of the academic year immediately following the
24 school year in which the senior was designated a scholar, in a center or institution
25 within the university of Wisconsin system or in a technical college district school that

1 is participating in the program under this section, the scholar shall receive a higher
2 education scholarship that exempts the scholar from all tuition and fees, including
3 segregated fees, at the center, institution or district school for one year, ~~subject to the~~
4 ~~availability of funds~~, except that the maximum scholarship for a scholar who receives
5 an original scholarship for the 1996-97 academic year or for any academic year
6 thereafter may not exceed \$2,250 per academic year.

7 **SECTION 1277j.** 39.41 (2) (b) of the statutes is amended to read:

8 39.41 (2) (b) For each year that a scholar who receives a scholarship under par.
9 (a) is enrolled full time, maintains at least a 3.0 grade point average, or the
10 equivalent as determined by the center, institution or district school, and makes
11 satisfactory progress toward an associate or a bachelor's degree, the student shall be
12 exempt from all tuition and fees, including segregated fees, in the subsequent year,
13 ~~subject to the availability of funds~~, except that the maximum scholarship for a
14 scholar who receives an original scholarship for the 1996-97 academic year or for any
15 academic year thereafter may not exceed \$2,250 per academic year. No scholar is
16 eligible for an exemption for more than 4 years at a center or institution or more than
17 3 years at a district school.

18 **SECTION 991.** 39.41 (2) (c) of the statutes is amended to read:

19 39.41 (2) (c) Subject to sub. (4), for each year the student is exempt from tuition
20 and fees under par. (a) or (b), the ~~department~~ board shall pay the center, institution
21 or district school, on behalf of the student, an amount equal to 50% of the student's
22 tuition and fees, except that the maximum payment for a student who receives an
23 original scholarship for the 1996-97 academic year or for any academic year
24 thereafter may not exceed \$1,125 per academic year.

25 **SECTION 992.** 39.41 (3) (a) of the statutes is amended to read:

1 39.41 (3) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,
2 on a full-time basis, by September 30 of the academic year immediately following the
3 school year in which the senior was designated a scholar, in a private institution of
4 higher education that is located in this state and participating in the program under
5 this section, the department board shall pay the institution, on behalf of the pupil,
6 an amount equal to 50% of the tuition and fees charged a resident undergraduate at
7 the university of Wisconsin-Madison in the same academic year, except that the
8 maximum payment for a pupil who receives an original scholarship for the 1996-97
9 academic year or for any academic year thereafter may not exceed \$1,125 per
10 academic year.

11 **SECTION 993.** 39.41 (4) of the statutes is amended to read:

12 39.41 (4) (a) The department board shall make the payments under subs. (2)
13 (c) and (3) only if the center, institution, district school or private institution matches
14 the amount of the payment from institutional funds, gifts or grants. Beginning in
15 the 1992-93 school year, the matching requirement under this paragraph for the
16 centers and institutions within the university of Wisconsin system shall be satisfied
17 by payments of an amount equal to the total payments from the centers and
18 institutions made under this paragraph in the 1991-92 school year and, if such
19 payments are insufficient to satisfy the matching requirement, by the waiver of
20 academic fees established under s. 36.27.

21 (b) The department board shall make the payments under subs. (2) (c) and (3)
22 from the appropriation under s. 20.235 (1) (fy) ~~subject to the availability of funds.~~
23 ~~If the amount in the appropriation under s. 20.235 (1) (fy) in any fiscal year is~~
24 ~~insufficient to fully make the payments, the amount of each payment shall be~~
25 ~~reduced proportionately.~~

1 **SECTION 994.** 39.41 (5) of the statutes is amended to read:

2 39.41 (5) (a) Each center or institution within the university of Wisconsin
3 system, technical college district school and private institution of higher education
4 that wishes to participate in the scholarship program under this section shall notify
5 the department board by October 1 prior to the academic year in which the
6 institution wishes to participate.

7 (b) Each designated scholar who is eligible for a higher education scholarship
8 under sub. (2) (a) or (3) (a) shall notify the department board as soon as practicable
9 of the institution of higher education he or she will be attending in the next academic
10 year.

11 (c) Annually, the department board shall notify each scholar who will be
12 attending a participating institution of higher education in the next academic year
13 of the amount of his or her higher education scholarship.

14 **SECTION 995.** 39.41 (7) of the statutes is amended to read:

15 39.41 (7) By August 1, 1993 1997, and annually thereafter, the department
16 board shall submit a report to the joint committee on finance evaluating the success
17 of the program under this section. The report shall specify the number and amount
18 of the scholarships awarded in the current fiscal year and the institutions of higher
19 education chosen by the scholarship recipients.

20 **SECTION 996.** 39.41 (8) of the statutes is amended to read:

21 39.41 (8) The executive secretary shall promulgate rules establishing criteria
22 for the designation of scholars under sub. (1m) (c) 3.

23 **SECTION 997.** 39.42 of the statutes is amended to read:

24 **39.42 Interstate agreements.** The department board, with the approval of
25 the joint committee on finance, or the governing boards of any publicly supported

1 institution of post-high school education, with the approval of the department board
2 and the joint committee on finance, may enter into agreements or understandings
3 which include remission of nonresident tuition for designated categories of students
4 at state institutions of higher education with appropriate state agencies and
5 institutions of higher education in other states to facilitate use of public higher
6 education institutions of this state and other states. Such agreements and
7 understandings shall have as their purpose the mutual improvement of educational
8 advantages for residents of this state and such other states or institutions of other
9 states with which agreements are made.

10 **SECTION 998.** 39.435 (1) of the statutes is amended to read:

11 39.435 (1) There is established, to be administered by the department board,
12 a higher education grant program for postsecondary resident students enrolled at
13 least half-time and registered as freshmen, sophomores, juniors or seniors in
14 accredited institutions of higher education in this state. Except as authorized under
15 sub. (5), such grants shall be made only to students enrolled in nonprofit public
16 institutions in this state.

17 **SECTION 999.** 39.435 (2) of the statutes is amended to read:

18 39.435 (2) The department board shall award talent incentive grants to
19 uniquely needy students enrolled at least half-time as first-time freshmen at public
20 and private nonprofit institutions located in this state and to sophomores, juniors
21 and seniors who received such grants as freshmen. No grant under this subsection
22 may exceed \$1,800 for any academic year. The department board may not award a
23 grant to the same student for more than 10 consecutive semesters or their
24 equivalent. The department board shall promulgate rules establishing eligibility
25 criteria for grants under this subsection.

1 **SECTION 1000.** 39.435 (3) of the statutes is amended to read:

2 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
3 academic year, unless the joint committee on finance approves an adjustment in the
4 amount of the minimum grant. Grants under sub. (1) shall not exceed \$1,800 during
5 any one academic year. The ~~department~~ board shall, by rule, establish a reporting
6 system to periodically provide student economic data and shall promulgate other
7 rules the ~~department~~ board deems necessary to assure uniform administration of the
8 program.

9 **SECTION 1001.** 39.435 (4) (a) of the statutes is amended to read:

10 39.435 (4) (a) The ~~department~~ board shall promulgate rules establishing
11 policies and procedures for determining dependent and independent status and for
12 the calculation of expected parental and student contributions. The rules shall be
13 consistent with generally accepted definitions and nationally approved needs
14 analysis methodology.

15 **SECTION 1002.** 39.435 (4) (b) 1. and 2. of the statutes are amended to read:

16 39.435 (4) (b) 1. Annually, the ~~department~~ board shall establish equity award
17 levels for students enrolled in the university of Wisconsin system and for students
18 enrolled in technical colleges.

19 2. From the equity levels established under subd. 1., the ~~department~~ board
20 shall subtract the amount of the expected parental contribution and the expected
21 student contribution to determine the amount of the student's grant.

22 **SECTION 1003.** 39.435 (4) (c) of the statutes is amended to read:

23 39.435 (4) (c) Grants paid to independent students shall be determined by the
24 ~~department~~ board consistent with the rules and procedures under pars. (a) and (b).

25 **SECTION 1004.** 39.435 (4) (d) of the statutes is amended to read:

1 39.435 (4) (d) The awarding of grants under this section is subject to any
2 formula approved or modified by the ~~education commission~~ board under s. 39.285 (1).

3 **SECTION 1005.** 39.435 (5) of the statutes is amended to read:

4 39.435 (5) The ~~department~~ board shall ensure that grants under this section
5 are made available to students attending private or public institutions in this state
6 who are deaf or hard of hearing or visually handicapped and who demonstrate need.
7 Grants may also be made available to such handicapped students attending private
8 or public institutions in other states under criteria established by the ~~department~~
9 board. In determining the financial need of these students special consideration
10 shall be given to their unique and unusual costs.

11 **SECTION 1006.** 39.435 (6) of the statutes is amended to read:

12 39.435 (6) The ~~department~~ board may not make a grant under this section to
13 a person if the ~~department~~ board receives a certification under s. 49.855 (7) that the
14 person is delinquent in child support or maintenance payments or owes past support,
15 medical expenses or birth expenses.

16 **SECTION 1007.** 39.44 (1) (b) of the statutes is amended to read:

17 39.44 (1) (b) There is established, to be administered by the ~~department~~ board,
18 the minority undergraduate retention grant program for minority undergraduates
19 enrolled in private, nonprofit higher educational institutions in this state or in
20 technical colleges in this state.

21 **SECTION 1008.** 39.44 (2) of the statutes is amended to read:

22 39.44 (2) Funds for the grants under this section shall be distributed from the
23 appropriation under s. 20.235 (1) (fg), with 50% distributed to the eligible private
24 institutions and 50% distributed to the eligible technical colleges, ~~except as provided~~

1 ~~in 1995 Wisconsin Act 27, section 9127 (1et).~~ The department board shall audit the
2 enrollment statistics annually.

3 **SECTION 1009.** 39.44 (3) (b) of the statutes is amended to read:

4 39.44 (3) (b) Demonstrate to the satisfaction of the department board that such
5 funds do not replace institutional grants to the recipients.

6 **SECTION 1010.** 39.44 (3) (c) of the statutes is amended to read:

7 39.44 (3) (c) Annually report to the department board the number of awards
8 made, the amount of each award, the minority status of each recipient, other
9 financial aid awards made to each recipient and the total amount of financial aid
10 made available to the eligible students.

11 **SECTION 1011.** 39.44 (4) of the statutes is amended to read:

12 39.44 (4) The department board shall notify an institution or school receiving
13 funds under sub. (2) if the department board receives a certification under s. 49.855
14 (7) that a student is delinquent in child support or maintenance payments or owes
15 past support, medical expenses or birth expenses. An institution or school may not
16 award a grant under this section to a student if it receives a notification under this
17 subsection concerning that student.

18 **SECTION 1012.** 39.45 (2) of the statutes is amended to read:

19 39.45 (2) There is established, to be determined by the department board, a
20 grant program for resident students who are current recipients of aid to families with
21 dependent children under s. 49.19.

22 **SECTION 1013.** 39.45 (3) of the statutes is amended to read:

23 39.45 (3) Grants under this section shall be awarded on the basis of financial
24 need, as determined by the department board, to resident students enrolled for at
25 least 6 academic credits in the 2nd or 3rd year in programs leading to an associate

1 degree or the 3rd, 4th or 5th year in programs leading to a bachelor's degree. Except
2 as provided in sub. (5), no grant may exceed \$4,000 per academic year. Students may
3 apply for grants, upon a form prepared and furnished by the department board, on
4 or after February 1 of any year for the fall semester or session of the upcoming
5 academic year. No student is eligible to receive a grant under this section for more
6 than 3 academic years.

7 **SECTION 1014.** 39.45 (4) of the statutes is amended to read:

8 39.45 (4) The department board shall give preference, as much as practicable,
9 in awarding grants under this section to students enrolled in courses likely to
10 increase the immediate employment opportunities of such students. The
11 department board shall publish a list of such courses and shall include courses that
12 have an occupational or vocational objective in areas with existing labor needs.

13 **SECTION 1015.** 39.45 (5) of the statutes is amended to read:

14 39.45 (5) The department board may award supplemental grants of between
15 \$500 and \$1,000 per child per semester or session to students for the cost of child care
16 for preschool children of the students. The student shall demonstrate, as determined
17 by the department board, financial need for the supplemental grant. In awarding
18 grants under this subsection, the department board may not exceed 20% of the
19 appropriation for a given fiscal year for the grant program.

20 **SECTION 1016.** 39.45 (6) of the statutes is amended to read:

21 39.45 (6) From the appropriation under s. 20.235 (1) (fc), the department board
22 shall use available funds to make grant awards under this section, but no award may
23 be made before March 1 for the fall semester or session of the upcoming academic
24 year.

25 **SECTION 1017.** 39.45 (7) of the statutes is amended to read:

1 39.45 (7) The department board shall promulgate rules to administer this
2 section, including criteria and procedures for repayment of grants awarded under
3 this section, including interest, by certain grant recipients who no longer reside in
4 this state or do not successfully complete requirements for a degree. The department
5 board shall deposit in the general fund as general purpose revenue-earned all
6 repayments of grants awarded under this section and the interest on the grants.

7 **SECTION 1018.** 39.45 (8) of the statutes is created to read:

8 39.45 (8) No student is eligible for an original grant under this section after the
9 1996-97 academic year.

10 **SECTION 1019.** 39.46 (1) of the statutes is amended to read:

11 39.46 (1) On or before July 1 of each year, the department board shall initiate,
12 investigate and formulate for procurement, a contract for dental education services
13 in accordance with this section. Thereafter, the department board shall conduct a
14 biennial analysis of the program and include a report on its findings and
15 recommendations in its reports under s. 15.04 (1) (d). The legislative audit bureau
16 shall biennially postaudit expenditures under this section. Section 16.75 (1) to (5)
17 are waived with respect to such contract.

18 **SECTION 1020.** 39.46 (2) (d) of the statutes is amended to read:

19 39.46 (2) (d) That the dental school administer and operate its courses and
20 programs in dentistry in conformity with academic and professional standards, rules
21 and requirements and seek progressively to enrich and improve its courses of dental
22 education, research and public service by full and efficient use of budgetary and other
23 resources available to it. In monitoring compliance with this paragraph the
24 department board may rely on 3rd-party evaluations conducted by appropriate and
25 recognized accrediting bodies.

1 **SECTION 1021.** 39.47 (1) of the statutes is amended to read:

2 39.47 (1) There is established, to be administered by the department board, a
3 Minnesota-Wisconsin student reciprocity agreement, the purpose of which shall be
4 to ensure that neither state shall profit at the expense of the other and that the
5 determination of any amounts owed by either state under the agreement shall be
6 based on an equitable formula which reflects the educational costs incurred by the
7 2 states. The department board, representing this state, shall enter into an
8 agreement meeting the requirements of this section with the designated body
9 representing the state of Minnesota.

10 **SECTION 1022.** 39.47 (2m) of the statutes is amended to read:

11 39.47 (2m) No resident of this state may receive a waiver of nonresident tuition
12 under this section if the department board receives a certification under s. 49.855 (7)
13 that the resident is delinquent in child support or maintenance payments or owes
14 past support, medical expenses or birth expenses.

15 **SECTION 1023.** 39.51 (title) of the statutes is created to read:

16 **39.51 (title) Educational approval board.**

17 **SECTION 1024.** 39.51 (1) (a) of the statutes is created to read:

18 39.51 (1) (a) "Board" means the educational approval board.

19 **SECTION 1025.** 39.51 (5) of the statutes is created to read:

20 39.51 (5) EMPLOYES, QUARTERS. The board shall employ a person to perform the
21 duties of an executive secretary and such other persons under the classified service
22 as may be necessary to carry out its purpose. The person performing the duties of
23 the executive secretary shall be in charge of the administrative functions of the
24 board. The board shall, to the maximum extent practicable, keep its office with the
25 higher educational aids board.

1 **SECTION 1315b.** 40.02 (17) (g) of the statutes is repealed.

2 **SECTION 1315c.** 40.02 (17) (gm) of the statutes is created to read:

3 40.02 (17) (gm) Any assistant district attorney in a county having a population
4 of 500,000 or more who did not have vested benefit rights under the retirement
5 system established under chapter 201, laws of 1937, who became a participating
6 employe on January 1, 1990, and who is a participating employe on the effective date
7 of this paragraph [revisor inserts date], shall receive creditable service for the
8 total period of his or her service under the retirement system established under
9 chapter 201, laws of 1937.

10 **SECTION 1315d.** 40.02 (22) (d) of the statutes is renumbered 40.02 (22) (d) 1.

11 **SECTION 1315h.** 40.02 (22) (d) 2. of the statutes is created to read:

12 40.02 (22) (d) 2. For Wisconsin retirement system purposes only, for a state
13 senator, means the compensation which would have been payable to the participant
14 if the participant had not been prohibited by law from receiving an increase in
15 compensation during part of his or her term of office.

16 **SECTION 1315p.** 40.02 (33) (b) of the statutes is renumbered 40.02 (33) (b) 1.

17 **SECTION 1315t.** 40.02 (33) (b) 2. of the statutes is created to read:

18 40.02 (33) (b) 2. For a state senator who so elects, one-twelfth of the annual
19 salary which would have been payable to the participant during the last completed
20 month in which the participant was a participating employe in such a position if the
21 participant had not been prohibited by law from receiving an increase in salary
22 during part of his or her term of office, but only with respect to service as a state
23 senator.

24 **SECTION 1026.** 40.02 (55) (a) of the statutes is amended to read:

1 40.02 (55) (a) Any person employed as a librarian by any school board in a
2 library in any school under its jurisdiction, including a charter school as defined in
3 s. 115.001 (1), whose qualifications as a librarian are at least equal to the minimum
4 librarian qualifications prescribed by the ~~department of education~~ state
5 superintendent of public instruction.

6 **SECTION 1027.** 40.03 (6) (j) of the statutes is amended to read:

7 40.03 (6) (j) May contract with the ~~office of health care information in the office~~
8 ~~of the commissioner of insurance~~ department of health and family services and may
9 contract with other public or private entities for data collection and analysis services
10 related to health maintenance organizations and insurance companies that provide
11 health insurance to state employees.

12 **SECTION 1317m.** 40.05 (2) (bz) of the statutes is created to read:

13 40.05 (2) (bz) 1. The department shall calculate the amount necessary to fund
14 the creditable service granted under s. 40.02 (17) (gm).

15 2. The unfunded prior service liability of the department of administration is
16 increased by the amount calculated under subd. 1.

17 3. The department of administration, beginning in the 1997-98 fiscal year and
18 ending in the 2006-07 fiscal year, shall pay the Wisconsin retirement system in each
19 fiscal year an amount that equals 10% of the amount calculated under subd. 1., plus
20 interest calculated annually at the assumed rate. The department of administration
21 shall pay this amount from the appropriation account under s. 20.475 (1) (d).

22 **SECTION 1325c.** 40.51 (8) of the statutes, as affected by 1995 Wisconsin Act 289,
23 is amended to read:

1 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
2 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.745 (1) to (3) and (5),
3 632.747, 632.87 (3) to (5), 632.895 (5m) and (8) to ~~(10)~~ (12) and 632.896.

4 **SECTION 1325e.** 40.51 (8m) of the statutes, as created by 1995 Wisconsin Act
5 289, is amended to read:

6 40.51 (8m) Every health care coverage plan offered by the group insurance
7 board under sub. (7) shall comply with ss. 632.745 (1) to (3) and (5) ~~and~~, 632.747 and
8 632.895 (11) and (12).

9 **SECTION 1326b.** 41.19 (title) of the statutes is amended to read:

10 **41.19 (title) Heritage tourism pilot program.**

11 **SECTION 1326d.** 41.19 (2) (intro.) of the statutes is amended to read:

12 41.19 (2) (intro.) In consultation with the historical society, the department
13 shall establish, administer and coordinate state and local participation in a heritage
14 tourism ~~pilot~~ program to assist political subdivisions in assessing the resources
15 available for heritage tourism, analyzing current interest in heritage tourism and
16 developing and implementing plans to increase heritage tourism. The department
17 shall do all of the following:

18 **SECTION 1326f.** 41.19 (2) (b) of the statutes is amended to read:

19 41.19 (2) (b) Employ, in the state classified service, staff for the heritage
20 tourism ~~pilot~~ program.

21 **SECTION 1326h.** 41.19 (2) (c) of the statutes is amended to read:

22 41.19 (2) (c) With the assistance of the committees created by the secretary
23 under sub. (3), develop a plan establishing objectives for the heritage tourism ~~pilot~~
24 program.

25 **SECTION 1326j.** 41.19 (2) (e) of the statutes is amended to read:

1 41.19 (2) (e) Provide information and technical assistance to political
2 subdivisions that are not located within areas selected to participate in the heritage
3 tourism pilot program.

4 **SECTION 1326L.** 41.19 (2m) (a) of the statutes is amended to read:

5 41.19 (2m) (a) With the advice of the committees created by the secretary under
6 sub. (3), the department may select, upon application, no more than 2 areas of the
7 state in a fiscal biennium to participate in the heritage tourism pilot program. Each
8 area selected may consist of any part or all of one or more political subdivisions.

9 **SECTION 1326n.** 41.19 (3) of the statutes is amended to read:

10 41.19 (3) The secretary shall exercise his or her authority under s. 15.04 (1) (c)
11 to create one or more committees to advise the department on issues related to the
12 operation of the heritage tourism pilot program. The secretary shall create a
13 sufficient number of committees, as determined by the secretary, to address each
14 major type of heritage tourism that is the focus of the heritage tourism pilot program.
15 The secretary shall appoint at least 2 members of each committee created under this
16 subsection from a list of names submitted by the director of the historical society.

17 **SECTION 1028.** 41.23 of the statutes is created to read:

18 **41.23 Sale of excess or surplus property.** The department may acquire
19 excess or surplus property from the department of administration under ss. 16.72 (4)
20 (b) and 16.98 (1) or from the department of transportation under s. 84.09 (5s) and sell
21 the property to any person at a price determined by the department of tourism. Fifty
22 percent of all proceeds received by the department of tourism from the sale of
23 property under this section shall be credited to the appropriation account under s.
24 20.380 (1) (h) and 50% shall be deposited as general purpose revenue -- earned.

25 **SECTION 1029.** 43.01 (1) of the statutes is amended to read:

1 43.01 (1) “Department” means the department of education public instruction.

2 **SECTION 1030.** 43.01 (6) of the statutes is repealed and recreated to read:

3 43.01 (6) “State superintendent” means the state superintendent of public
4 instruction.

5 **SECTION 1031.** 43.03 (intro.) of the statutes is amended to read:

6 **43.03** (title) **General duties of ~~department~~ state superintendent.** (intro.)

7 The ~~department~~ state superintendent shall:

8 **SECTION 1032.** 43.05 (13) of the statutes is amended to read:

9 43.05 (13) Carry out such other programs and policies as directed by the
10 ~~department~~ state superintendent.

11 **SECTION 1033.** 43.07 (intro.) of the statutes is amended to read:

12 **43.07 Council on library and network development.** (intro.) The
13 ~~department~~ state superintendent and the division shall seek the advice of and
14 consult with the council on library and network development in performing their
15 duties in regard to library service. The ~~secretary~~ state superintendent or the
16 administrator of the division shall attend every meeting of the council. The council
17 may initiate consultations with the department and the division. The council shall:

18 **SECTION 1034.** 43.07 (2) of the statutes is amended to read:

19 43.07 (2) Advise the ~~secretary~~ state superintendent in regard to the general
20 policies and activities of the state’s program for library development, interlibrary
21 cooperation and network development.

22 **SECTION 1035.** 43.07 (3) of the statutes is amended to read:

23 43.07 (3) Advise the ~~secretary~~ state superintendent in regard to the general
24 policies and activities of the state’s program for the development of school library

1 media programs and facilities and the coordination of these programs with other
2 library services.

3 **SECTION 1036.** 43.07 (4) of the statutes is amended to read:

4 43.07 (4) Hold a biennial meeting for the purpose of discussing the report
5 submitted by the ~~department~~ state superintendent under s. 43.03 (3) (d). Notice of
6 the meeting shall be sent to public libraries, public library systems, school libraries
7 and other types of libraries and related agencies. After the meeting, the council shall
8 make recommendations to the ~~department~~ state superintendent regarding the
9 report and any other matter the council deems appropriate.

10 **SECTION 1037.** 43.07 (5) of the statutes is amended to read:

11 43.07 (5) On or before July 1 of every odd-numbered year, transmit to the
12 ~~department~~ state superintendent a descriptive and statistical report on the
13 condition and progress of library services in the state and recommendations on how
14 library services in the state may be improved. The ~~department~~ state superintendent
15 shall include the report as an addendum to the department's biennial report under
16 s. 15.04 (1) (d).

17 **SECTION 1038.** 43.07 (7) of the statutes is amended to read:

18 43.07 (7) Receive complaints, suggestions and inquiries regarding the
19 programs and policies of the department relating to library and network
20 development, inquire into such complaints, suggestions and inquiries, and advise
21 the ~~secretary~~ state superintendent and the division on any action to be taken.

22 **SECTION 1039.** 43.13 (4) of the statutes is amended to read:

23 43.13 (4) Any decision by the division under this section may be appealed to
24 the ~~department~~ state superintendent.

25 **SECTION 1040.** 43.15 (4) (c) 6. of the statutes is amended to read:

1 43.15 (4) (c) 6. Employs a head librarian holding current public library
2 certification from the department of ~~education~~ public instruction.

3 **SECTION 1041.** 43.70 (1) of the statutes is amended to read:

4 43.70 (1) No later than October 15 of each year, each school district
5 administrator shall certify to the ~~department~~ state superintendent, on forms
6 provided by the ~~department~~ state superintendent, a report of the total number of
7 children ~~between the ages of 4 and 20 years~~ residing in the school district on the
8 preceding June 30. ~~The number may be estimated by using statistically significant~~
9 ~~sampling techniques that have been approved by the department, as reported in the~~
10 school census under s. 120.18 (1) (a).

11 **SECTION 1042.** 43.70 (2) of the statutes is amended to read:

12 43.70 (2) Annually, within 40 days after December 1, the ~~department~~ state
13 superintendent shall ~~ascertain the aggregate amount of all moneys received as~~
14 ~~income in the common school fund prior to that December 1 and shall apportion such~~
15 the amount appropriated under s. 20.255 (2) (s) to the school districts in proportion
16 to the number of children resident therein ~~between the ages of 4 and 20 years~~, as
17 shown by the census report certified under sub. (1).

18 **SECTION 1043.** 43.70 (3) of the statutes is amended to read:

19 43.70 (3) Immediately upon making such apportionment, the ~~department~~ state
20 superintendent shall certify to the department of administration the total amount
21 that each school district is entitled to receive under this section and shall notify each
22 school district administrator of the amount so certified for his or her school district.
23 Within 15 days after receiving such certification, the department of administration
24 shall issue its warrants upon which the state treasurer shall pay ~~the amount~~
25 apportioned forthwith to the proper school district treasurer to each school district

1 50% of its total aid entitlement on or before January 31 and the balance on or before
2 June 30, except that, beginning in the 1999-2000 school year, the state treasurer
3 shall distribute each school district's aid entitlement in one payment on or before
4 June 30. All moneys ~~apportioned from the common school fund~~ distributed under
5 this section shall be expended for the purchase of library books and other
6 instructional materials for school libraries, but not for public library facilities
7 operated by school districts under s. 43.52, in accordance with rules promulgated by
8 the ~~department~~ state superintendent. Appropriate records of such purchases shall
9 be kept and necessary reports thereon shall be made to the ~~department~~ state
10 superintendent.

11 **SECTION 1044.** Chapter 44 (title) of the statutes is amended to read:

12 **CHAPTER 44**

13 **HISTORICAL SOCIETIES AND, ARTS**

14 **BOARD AND TECHNOLOGY FOR**

15 **EDUCATIONAL ACHIEVEMENT**

16 **IN WISCONSIN BOARD**

17 **SECTION 1045.** 44.015 (3m) of the statutes is created to read:

18 44.015 (3m) Notwithstanding s. 44.02 (5g), charge a fee for research services
19 provided by the historical society to nonresidents who are not present when the
20 services are being performed if the historical society submits a fee schedule to the
21 joint committee on finance that includes the specific fee to be charged for such
22 services. The fee schedule of the historical society shall be implemented if the
23 committee approves the report, or does not schedule a meeting for the purpose of
24 reviewing the report within 14 working days after receipt of the report.

25 **SECTION 1345c.** 44.015 (4m) of the statutes is created to read:

1 44.015 (4m) Apply to the department of administration for a historical grant
2 under s. 16.25.

3 **SECTION 1345d.** 44.015 (4m) of the statutes, as created by 1997 Wisconsin Act
4 ... (this act), is repealed.

5 **SECTION 1345g.** 44.025 of the statutes is created to read:

6 **44.025 Historical legacy programs. (1)** The historical society may use
7 funds from the appropriation under s. 20.245 (4) (t) only for the following purposes:

8 (a) Programs of the historical society that increase funding or develop new
9 sources of revenues for the historical society.

10 (b) To create and expand historical outreach programs throughout the state
11 related to the activities of the Wisconsin sesquicentennial commission.

12 **(2)** (a) The historical society may accept gifts, grants and bequests to be used
13 for the purposes specified in sub. (1). The historical society shall deposit all moneys
14 received as gifts, grants and bequests in the historical society endowment fund.

15 (b) The historical society shall transfer moneys from the appropriation account
16 under s. 20.245 (4) (s) to the historical society endowment fund to match moneys
17 deposited into the historical society endowment fund under par. (a) and to match
18 moneys committed or pledged for the purposes specified in sub. (1).

19 **SECTION 1046.** 44.04 (2) (a) of the statutes is amended to read:

20 44.04 **(2)** (a) Prepare, publish, issue, loan or circulate such magazines, books,
21 aids, guides and other publications, such visual aids, special exhibits, and other
22 teaching materials and aids as it, in consultation with the department of ~~education~~
23 public instruction, deems advisable.

24 **SECTION 1346e.** 44.085 of the statutes is created to read:

1 **44.085 Maritime project grants.** From the appropriation under s. 20.245 (4)
2 (j), the historical society shall make grants for maritime-related projects. The
3 historical society shall promulgate rules defining the types of projects that are
4 eligible for the grants. No more than one grant may be awarded to an applicant
5 during a fiscal year and grants may not be awarded to an applicant for more than 2
6 consecutive years. Grant applicants shall demonstrate that they have received
7 matching funds for the project from nonstate sources in an amount equal to at least
8 10% of the grant. Grants awarded to an applicant may not exceed a total of \$50,000
9 in any 2-year period.

10 **SECTION 1346m.** 44.47 (1) (f) of the statutes is amended to read:

11 44.47 (1) (f) “Object” means an article, implement or other item of
12 archaeological interest. “Object” does not include human remains, as defined in s.
13 157.70 (1) (f), or a sunken log, as defined in s. 170.12 (1) (b).

14 **SECTION 1346s.** 44.47 (5r) of the statutes is amended to read:

15 44.47 (5r) **SUNKEN LOGS.** When reviewing an application to raise and remove
16 sunken logs under s. 170.12, ~~the director may do any~~ all of the following apply:

17 (a) ~~Require~~ If the director determines that a permit is necessary to preserve
18 or protect an identified archaeological site, the director may require that a permit
19 under this section be secured.

20 (b) ~~Waive~~ In all other cases, the director shall waive the requirement for a
21 permit under this section, but ~~impose~~ may recommend requirements relating to the
22 gathering of data regarding any activity done pursuant to a permit issued under s.
23 170.12, which requirements shall be communicated to the board of commissioners
24 of public lands and may be incorporated by that board into the s. 170.12 permit.

25 **SECTION 1346sc.** 44.51 (2) of the statutes is amended to read:

1 44.51 (2) “State building” means any permanent structure, which is normally
2 occupied by state employes, wholly or partially enclosed and used for performing or
3 facilitating the performance of the functions of a state agency as defined in s. 20.001
4 (1), together with all grounds and appurtenant structures and facilities; ~~and,~~

5 **SECTION 1346sg.** 44.51 (3) (intro.) of the statutes is amended to read:

6 44.51 (3) (intro.) “Work of art” means any original creation of visual art,
7 including any distinctive architectural features containing artistic value. “Work of
8 art” does not include:

9 **SECTION 1346sn.** 44.53 (1) (j) of the statutes is created to read:

10 44.53 (1) (j) On January 15 of each fiscal year, transfer all moneys from the
11 appropriation account under s. 20.215 (1) (fm) for that fiscal year to the arts board
12 endowment fund.

13 **SECTION 1346sr.** 44.53 (2) (d) of the statutes is created to read:

14 44.53 (2) (d) Make a loan to any individual or entity meeting the eligibility
15 criteria for funding under par. (a) or sub. (1) (f) or (i) or s. 44.565 or 44.62, for the
16 purpose for which grants or contracts under the applicable provision are awarded.
17 All moneys received by the arts board from the repayment of loans made under this
18 paragraph shall be deposited in the arts board endowment fund.

19 **SECTION 1346sw.** 44.57 (1) (a) of the statutes is amended to read:

20 44.57 (1) (a) Any contract for the construction, reconstruction, renovation or
21 remodeling of or addition to any state building if the total ~~construction~~ cost of the
22 project is ~~\$250,000 or less~~ does not exceed the amount specified in s. 13.48 (3).

23 **SECTION 1346tc.** 44.57 (1) (b) of the statutes is amended to read:

24 44.57 (1) (b) Sheds, warehouses, storage facilities, stockrooms, toilet and
25 shower facilities, highways or streets, sidewalks, parking lots or ramps, or other

1 buildings or spaces which are not open for entry by the general public in the normal
2 use of the building or space.

3 **SECTION 1346tg.** 44.57 (1) (c) of the statutes is amended to read:

4 44.57 (1) (c) Game farms, fish hatcheries, nurseries and other production
5 facilities operated by the department of natural resources and farms operated by the
6 board of regents of the University of Wisconsin System or the department of
7 corrections.

8 **SECTION 1346th.** 44.57 (1) (d) of the statutes is created to read:

9 44.57 (1) (d) Correctional facilities, and secure military facilities to which the
10 general public has limited or no access.

11 **SECTION 1346tr.** 44.57 (1) (e) of the statutes is created to read:

12 44.57 (1) (e) Projects needed for repair, maintenance or utility purposes, except
13 any project that is specifically approved by the building commission as subject to this
14 section.

15 **SECTION 1346tw.** 44.57 (2) of the statutes is amended to read:

16 44.57 (2) MINIMUM EXPENDITURE REQUIRED. (a) Except as provided in par. (b),
17 at least two-tenths of one percent of the appropriation for the construction,
18 reconstruction, renovation or remodeling of or addition to a state building, including
19 but not limited to amounts appropriated for design and supervision, site
20 preparation, equipment and administrative and personnel costs, but not including
21 amounts appropriated for storage space, shall be utilized to acquire one or more
22 works of art to be incorporated into the structure for which the appropriation was
23 made, or displayed inside or on the grounds of that structure and to fund all
24 administrative costs that the board incurs in acquiring one or more works of art.

1 (b) If the state building to which this section applies is located contiguous to
2 other state buildings, the advisory committee acting under sub. (3) may apply the
3 funds set aside under par. (a) to the acquisition, including all associated
4 administrative costs, of one or more works of art to be incorporated into one of the
5 other contiguous state buildings or to be displayed on the grounds of one or more of
6 the contiguous state buildings.

7 **SECTION 1346uc.** 44.57 (3) (a) of the statutes is renumbered 44.57 (3) (a) 1. and
8 amended to read:

9 44.57 (3) (a) 1. ~~After selection of the architect for~~ Except as provided in subd.
10 2., for any project subject to this section, the board shall convene an advisory
11 committee for the purpose of reviewing and recommending works the artist and the
12 work of art to be incorporated into the structure.

13 **SECTION 1346un.** 44.57 (3) (a) 2. of the statutes is created to read:

14 44.57 (3) (a) 2. In lieu of convening an advisory committee under subd. 1. for
15 each project with a total cost of \$10,000,000 or more, the board may convene an
16 advisory committee for the purpose of recommending a pool of artists whose work is
17 determined to be appropriate for integration into a state building and who would be
18 willing to work collaboratively with an architect.

19 **SECTION 1346ur.** 44.57 (3) (b) (intro.) of the statutes is amended to read:

20 44.57 (3) (b) (intro.) The advisory committee shall consist of ~~at least 5~~ not more
21 than 7 members appointed by the board, including:

22 **SECTION 1346uw.** 44.57 (3) (b) 4. of the statutes is created to read:

23 44.57 (3) (b) 4. At least one person who is a resident of the area in which the
24 work of art will be located, to represent the interests of the public in that area.

25 **SECTION 1346vc.** 44.57 (4) (a) of the statutes is amended to read:

1 44.57 (4) (a) After review of the recommendations of the advisory committee
2 convened under sub. (3), the board shall make the final selection of the artist and the
3 work of art to be incorporated into the project. The board may select the artist for
4 a project with a total cost of \$10,000,000 or more in coordination with selection of the
5 architect for the project if the work of art will be incorporated into the design of the
6 project. The board shall ensure that the aggregate of works of art selected under this
7 section represent a wide variety of art forms executed by the broadest feasible
8 diversity of artists, except that the board shall give preference to artists who are
9 residents of this state.

10 **SECTION 1346vh.** 44.57 (4) (c) of the statutes is created to read:

11 44.57 (4) (c) The architect and the artist selected for a project subject to this
12 section may not be the same person.

13 **SECTION 1346vr.** 44.57 (5) (d) of the statutes is amended to read:

14 44.57 (5) (d) Ensure that any work of art acquired under this section is
15 maintained and displayed on the grounds of the state building for at least 25 years,
16 unless the board finds that earlier removal is in the public interest. When the board,
17 in consultation with the agency making principal use of the building to which the
18 work of art is appurtenant, determines that the work of art should be removed, the
19 board shall loan the work of art to an accredited museum in the state or to an
20 educational or other appropriate public institution capable of maintaining and
21 exhibiting the work of art, unless the work of art consists of distinctive architectural
22 features and its removal makes such a loan impossible or impracticable.

23 **SECTION 1346vw.** 44.57 (5) (e) of the statutes is created to read:

1 44.57 (5) (e) Transfer to the fund from which appropriated any moneys received
2 under s. 20.215 (1) (k) for a project subject to this section that are unexpended or
3 unencumbered and which are no longer needed for the purposes specified in sub. (2).

4 **SECTION 1047.** Subchapter IV of chapter 44 [precedes 44.70] of the statutes is
5 created to read:

6 **CHAPTER 44**

7 SUBCHAPTER IV

8 TECHNOLOGY FOR EDUCATIONAL

9 ACHIEVEMENT IN WISCONSIN BOARD

10 **44.70 Definitions.** In this subchapter:

11 (1) “Board” means the technology for educational achievement in Wisconsin
12 board.

13 (2) “Department” means the department of administration.

14 (3) “Educational technology” means technology used in the education or
15 training of any person or in the administration of an elementary or secondary school
16 and related telecommunications services.

17 (4) “Telecommunications” has the meaning given in s. 16.99 (1).

18 **44.71 Technology for educational achievement in Wisconsin board. (1)**

19 EXECUTIVE DIRECTOR; STAFF. The governor may appoint a person to serve as executive
20 director of the board. The executive director may appoint subordinate staff, subject
21 to authorization under s. 16.505.

22 (2) DUTIES. The board shall do all of the following:

23 (a) In cooperation with school districts, cooperative educational service
24 agencies, the technical college system board, the board of regents of the University
25 of Wisconsin System and the department, promote the efficient, cost-effective

1 procurement, installation and maintenance of educational technology by school
2 districts, cooperative educational service agencies, technical college districts and the
3 University of Wisconsin System.

4 (b) Identify the best methods of providing preservice and in-service training
5 for teachers related to educational technology.

6 (c) With the consent of the department, enter into cooperative purchasing
7 agreements under s. 16.73 (1) under which participating school districts and
8 cooperative educational service agencies may contract for their professional
9 employes to receive training concerning the effective use of educational technology.

10 (d) In cooperation with the board of regents of the University of Wisconsin
11 System, the technical college system board, the department of public instruction and
12 other entities, support the development of courses for the instruction of professional
13 employes who are licensed by the state superintendent of public instruction
14 concerning the effective use of educational technology.

15 (e) Subject to s. 196.218 (4r) (f), in cooperation with the department and the
16 public service commission, provide telecommunications access to school districts,
17 technical college districts, private colleges and public library boards under the
18 program established under s. 196.218 (4r).

19 (f) No later than October 1 of each even-numbered year, submit a biennial
20 report concerning the board's activities to the governor, and to the appropriate
21 standing committees of the legislature under s. 13.172 (3).

22 (g) Coordinate the purchasing of educational technology materials, supplies,
23 equipment and contractual services for school districts, cooperative educational
24 service agencies, technical college districts and the board of regents of the University
25 of Wisconsin System by the department under s. 16.72 (8), and, in cooperation with

1 the department, establish standards and specifications for purchases of educational
2 technology hardware and software by school districts, cooperative educational
3 service agencies, technical college districts and the board of regents of the University
4 of Wisconsin System.

5 (h) Purchase educational technology equipment for use by school districts,
6 cooperative educational service agencies and public educational institutions in this
7 state and permit the districts, agencies and institutions to purchase or lease the
8 equipment, with an option to purchase the equipment at a later date. This paragraph
9 does not require the purchase or lease of any educational technology equipment from
10 the board.

11 **44.72 Educational technology training programs, grants, aids and**
12 **loans. (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE GRANTS.**
13 From the appropriation under s. 20.275 (1) (et), the board shall award grants to
14 cooperative educational service agencies and to consortia consisting of 2 or more
15 school districts or cooperative educational service agencies, or one or more school
16 districts or cooperative educational service agencies and one or more public library
17 boards, to provide technical assistance and training in the use of educational
18 technology. An applicant for a grant shall submit to the board a plan that specifies
19 the school districts and public library boards that will participate in the program and
20 describes how the funds will be allocated. The board shall do all of the following:

21 (a) Award grants to applicants on a competitive basis through one funding cycle
22 annually.

23 (b) Give preference in awarding grants to consortia that include one or more
24 public library boards.

1 (c) To the extent possible, ensure that grants are equally distributed on a
2 statewide basis.

3 (d) Promulgate rules establishing administrative procedures, eligibility and
4 application requirements and criteria for awarding grants under this subsection.

5 **(2) EDUCATIONAL TECHNOLOGY BLOCK GRANTS.** (a) In the 1997–98 and 1998–99
6 school years, the board shall distribute the amount appropriated under s. 20.275 (1)
7 (u) to eligible school districts in proportion to the number of persons who reside in
8 each school district, as reported under s. 43.70 (1). The funds shall be distributed
9 after the funds under s. 43.70 (3) are distributed and according to the schedule in s.
10 43.70 (3). If, after distributing the funds under s. 43.70, the balance of the common
11 school fund income is less than the amount appropriated under s. 20.275 (1) (u), the
12 board shall distribute the balance of the common school fund income instead of the
13 amount appropriated under s. 20.275 (1) (u) under this paragraph.

14 (b) 1. In this paragraph, “equalized valuation per member” means equalized
15 valuation, as defined in s. 121.004 (2), divided by membership, as defined in s.
16 121.004 (5), except as follows:

17 a. For a school district operating only high school grades, “equalized valuation
18 per member” means equalized valuation, as defined in s. 121.004 (2), divided by the
19 result obtained by multiplying membership, as defined in s. 121.004 (5), by 3.

20 b. For a school district operating only elementary grades, “equalized valuation
21 per member” means equalized valuation, as defined in s. 121.004 (2), divided by the
22 result obtained by multiplying membership, as defined in s. 121.004 (5), by 1.5.

23 c. If a school district’s equalized valuation per member is less than \$75,000, it
24 shall be considered to be \$75,000 for purposes of this paragraph.

1 2. From the appropriation under s. 20.275 (1) (f), annually the board shall pay
2 \$5,000 to each eligible school district. The board shall distribute the balance in the
3 appropriation to eligible school districts in proportion to the weighted membership
4 of each school district, which shall be determined by dividing the statewide average
5 equalized valuation per member by the school district's equalized valuation per
6 member and multiplying the result by the school district's membership, as defined
7 in s. 121.004 (5).

8 3. In the 1997-98 school year, the board shall distribute the amount
9 appropriated under s. 20.275 (1) (fs) to those school districts in which the equalized
10 valuation per member in the 1996-97 school year was less than the state average
11 equalized valuation per member in that school year. The amount distributed to each
12 school district shall be the amount determined by subtracting the amount awarded
13 to the school district under subd. 2. from \$25,000, or the amount determined as
14 follows, whichever is less:

15 a. Divide the school district's equalized valuation per member by the state
16 average equalized valuation per member.

17 b. Subtract the quotient under subd. 3. a. from 1.0.

18 c. Multiply the remainder under subd. 3. b. by the amount necessary to fully
19 distribute the amount appropriated under s. 20.275 (1) (fs), as determined by the
20 board.

21 (c) A school district is eligible for a grant under par. (a) or (b) 2. only if the annual
22 meeting in a common school district, or the school board in a unified school district
23 or in a school district operating under ch. 119, adopts a resolution requesting the
24 grant. A grant under this subsection may not be used to replace funding available
25 from other sources.

1 (d) A school district receiving a grant under par. (a) or (b) shall deposit the
2 moneys in a separate fund. The moneys may be used for any purpose related to
3 educational technology, except that a school district may not use the moneys to pay
4 the salary or benefits of any school district employe.

5 (e) The board shall distribute the grants under par. (b) 2. and 3. annually on
6 the first Monday in February.

7 **(4) SUBSIDIZED EDUCATIONAL TECHNOLOGY INFRASTRUCTURE LOANS.** (a) *Subsidized*
8 *loans authorized.* The board may make subsidized loans under this subsection to
9 school districts from the proceeds of public debt contracted under s. 20.866 (2) (zc)
10 and to public library boards from the proceeds of public debt contracted under s.
11 20.866 (2) (zcm). Subsidized loans under this subsection may be used only for the
12 purpose of upgrading the electrical wiring of school and library buildings in existence
13 on the effective date of this paragraph [revisor inserts date], and installing and
14 upgrading computer network wiring in accordance with rules promulgated by the
15 board.

16 (b) *Subsidized loan applications, terms and conditions.* The board shall
17 establish application procedures for, and the terms and conditions of, subsidized
18 loans under this subsection. The terms may include provision of professional
19 building construction services under s. 16.85 (15). The board shall determine the
20 interest rate on these loans. The interest rate shall be as low as possible but shall
21 be sufficient to fully pay all interest expenses incurred by the state and to provide
22 reserves that are reasonably expected to be required in the judgment of the board to
23 ensure against losses arising from delinquency and default in the repayment of
24 subsidized loans.

1 (c) *Repayment of subsidized loans.* A school district's or public library board's
2 total payments on a loan made under this subsection shall be equal to 50% of the total
3 debt service on the loan, as determined by the board. A school district or public
4 library board is not obligated to pay the remaining 50% of the debt service on the
5 loan. The board shall credit all moneys received from school districts under this
6 paragraph to the appropriation account under s. 20.275 (1) (h). The board shall credit
7 all moneys received from public library boards under this paragraph to the
8 appropriation account under s. 20.275 (1) (hb).

9 (d) *Funding for subsidized loans.* The board, with the approval of the governor
10 and subject to the limits of s. 20.866 (2) (zc) and (zcm), may request that the building
11 commission contract public debt in accordance with ch. 18 to fund loans under this
12 subsection. The term of public debt contracted under s. 20.866 (2) (zc) and (zcm) may
13 not exceed 10 years.

14 **SECTION 1048.** 45.01 of the statutes is amended to read:

15 **45.01 Wisconsin veterans museum; space for.** The department of
16 administration shall provide suitable space for the purpose of a memorial hall,
17 designated as the Wisconsin veterans museum, dedicated to the men and women of
18 Wisconsin who served in the armed forces of the United States in the civil war of 1861
19 to 1865 or ~~in any subsequent wars, as enumerated in s. 45.35 (5) (e), or in Bosnia,~~
20 ~~Grenada, Lebanon, Panama, Somalia or a Middle East crisis under s. 45.34~~ who
21 meets one of the conditions listed in s. 45.35 (5) (a) 1. a. to d., and the department of
22 veterans affairs shall operate and conduct the Wisconsin veterans museum.

23 **SECTION 1348g.** 45.03 (3) of the statutes is amended to read:

24 **45.03 (3)** From the appropriation under s. 20.485 (2) ~~(sm)~~ (em), the department
25 shall pay all debts that remain unpaid on February 15, 1992, for expenses incurred

1 in operating the veterans memorial at The Highground in Clark county and shall
2 contract for improvements related to the memorial. The improvements shall include
3 the paving of the parking lot at the memorial.

4 **SECTION 1348m.** 45.04 (2) of the statutes is amended to read:

5 45.04 (2) GRANT PROGRAM. From the appropriation under s. 20.485 (2) ~~(s)~~ (e),
6 the secretary shall award to eligible applicants grants to support the acquisition of
7 land and construction of not more than 2 memorials in this state to honor state
8 veterans who served in the U.S. armed forces. One memorial may be constructed to
9 honor state veterans who served during the Korean conflict, June 27, 1950, to
10 January 31, 1955, and one to honor state veterans who served during the Vietnam
11 war, August 5, 1964, to June 30, 1975.

12 **SECTION 1049.** 45.16 of the statutes is amended to read:

13 **45.16 Burial allowance.** Each county veterans' service officer shall cause to
14 be interred in a decent and respectable manner in any cemetery in this state, other
15 than those used exclusively for the burial of paupers, the body of any person who
16 ~~served in any war of the United States, in the Korean conflict, in the Vietnam war,~~
17 ~~under section 1 of executive order 10957, dated August 10, 1961, or had service that~~
18 ~~entitled the person to receive the armed forces expeditionary medal, established by~~
19 ~~executive order 10977 on December 4, 1961, the Vietnam service medal established~~
20 ~~by executive order 11231 on July 8, 1965, the navy expeditionary medal or the~~
21 ~~marine corps expeditionary medal or who served in Bosnia, Grenada, Lebanon,~~
22 ~~Panama, Somalia or a Middle East crisis under s. 45.34 and who was discharged~~
23 ~~under honorable conditions after 90 days or more of active service, in the U.S. armed~~
24 ~~forces, or if having served less than 90 days was honorably discharged for a disability~~
25 ~~incurred in line of duty and who was living in the county at the time of death, meets~~

1 the definition of a “veteran” under s. 45.35 (5) and who dies not leaving sufficient
2 means to defray the necessary expenses of a decent burial, or under financial
3 circumstances that would distress the person’s family to pay the expenses of the
4 burial, and the body of a spouse or surviving spouse of the person who dies not leaving
5 such means or under the same financial circumstances and who was living in the
6 county at the time of death, at an expense to the county of not more than \$300 in
7 addition to the burial allowance payable under laws administered by the U.S.
8 department of veterans affairs.

9 **SECTION 1050.** 45.25 (1) of the statutes is amended to read:

10 45.25 (1) ADMINISTRATION. The department of veterans affairs shall administer
11 a tuition and fee reimbursement program for eligible veterans enrolling as
12 undergraduates in any institution or center within the university of Wisconsin
13 system ~~or~~, enrolling in any technical college under ch. 38 or receiving a waiver of
14 nonresident tuition under s. 39.47.

15 **SECTION 1051.** 45.25 (3) (a) of the statutes, as affected by 1995 Wisconsin Act
16 255, is amended to read:

17 45.25 (3) (a) ~~An~~ Except as provided in par. (am), an individual who meets the
18 requirements under sub. (2), upon satisfactory completion of an undergraduate
19 semester in any institution or center within the university of Wisconsin system or
20 a semester at any technical college district school under ch. 38, may be reimbursed
21 for up to 50% of the individual’s tuition and fees, ~~other than textbooks and other~~
22 ~~costs, charged by the institution, center or school,~~ but that reimbursement is limited
23 to a maximum of 50% of the standard cost for a state resident for an equivalent
24 undergraduate course at the University of Wisconsin–Madison per course or the
25 difference between the individual’s tuition and fees and the grants or scholarships,

1 including those made under s. 21.49, that the individual receives specifically for the
2 payment of the tuition or fees, whichever is less. Reimbursement is available only
3 for tuition and fees that are part of a curriculum that is relevant to a degree in a
4 particular course of study at the institution, center or school.

5 **SECTION 1353g.** 45.25 (3) (am) of the statutes is created to read:

6 45.25 (3) (am) A disabled individual who meets the requirements under sub.
7 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon
8 satisfactory completion of an undergraduate semester in any institution or center
9 within the University of Wisconsin System or a semester at any technical college
10 district school under ch. 38, may be reimbursed for up to 100% of the individual's
11 tuition and fees, but that reimbursement is limited to 100% of the standard cost for
12 a state resident for an equivalent undergraduate course at the University of
13 Wisconsin-Madison per course, or the difference between the individual's tuition
14 and fees and the grants or scholarships, including those made under s. 21.49, that
15 the individual receives specifically for the payment of the tuition or fees, whichever
16 is less. Reimbursement is available only for tuition and fees that are part of a
17 curriculum that is relevant to a degree in a particular course of study at the
18 institution, center or school.

19 **SECTION 1353m.** 45.25 (3) (b) (intro.) of the statutes is amended to read:

20 45.25 (3) (b) (intro.) An application for reimbursement of tuition and fees under
21 par. (a) or (am) shall meet all of the following requirements:

22 **SECTION 1052.** 45.25 (4) (a) of the statutes is amended to read:

23 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for
24 more than 120 credits of part-time study or 8 full semesters of full-time study at any
25 institution or center within the university of Wisconsin system or, 60 credits of

1 part-time study or 4 full semesters of full-time study at a technical college under ch.
2 38, or an equivalent amount of credits at an institution where he or she is receiving
3 a waiver of nonresident tuition under s. 39.47.

4 **SECTION 1053.** 45.35 (5) (a) 1. d. of the statutes is created to read:

5 45.35 (5) (a) 1. d. Has served on active duty in the U.S. armed forces for 2
6 continuous years or more or the full period of the individual's initial service
7 obligation, whichever is less. An individual discharged for reasons of hardship or a
8 service-connected disability or released due to a reduction in the U.S. armed forces
9 prior to the completion of the required period of service is eligible, regardless of the
10 actual time served.

11 **SECTION 1054.** 45.35 (5m) (a) (intro.) of the statutes is amended to read:

12 45.35 (5m) (a) (intro.) "Dependent" of a veteran as used in this section and s.
13 ss. 45.351 and 45.356 includes only:

14 **SECTION 1055.** 45.35 (15) of the statutes is amended to read:

15 45.35 (15) LIBERAL CONSTRUCTION INTENDED. This section, ss. 45.351, 45.356 and
16 45.37 and subch. II shall be construed as liberally as the language permits in favor
17 of applicants.

18 **SECTION 1056.** 45.35 (18) of the statutes is created to read:

19 45.35 (18) LOAN REPAYMENTS. The department shall deposit all repayments of
20 loans and payments of interest made on loans under s. 45.351 (2), 1995 stats., s.
21 45.352, 1971 stats., s. 45.356, 1995 stats., or s. 45.80, 1989 stats., in the veterans
22 trust fund.

23 **SECTION 1057.** 45.351 (1j) of the statutes is created to read:

24 45.351 (1j) HEALTH CARE AID GRANTS. The department may grant to any veteran
25 or dependents such temporary health care aid as the department considers advisable

1 to prevent want or distress. Health care aid to meet medical or hospital bills under
2 this subsection is limited to a payment of up to \$5,000 per veteran or dependent for
3 a 12-month period beginning with the first day of care for which the person seeks
4 reimbursement under this subsection. The department may not give prior
5 authorization for the payment of health care aid under this subsection but may issue
6 a certificate of entitlement stating that a veteran or dependent is eligible for a health
7 care aid grant under this subsection if the treatment is received within a time period
8 that the department promulgates by rule. Health care aid may be used to provide
9 payment for the treatment of alcoholism or other drug addiction or to provide
10 payment for health care required because of alcoholism or other drug addiction or
11 alcohol or other drug abuse. The department may not grant health care aid under
12 this subsection unless the aid recipient's health care provider agrees to accept, as full
13 payment for the medical treatment for which the aid is to be granted, the amount of
14 the grant, the amount of the recipient's health insurance or other 3rd-party
15 payments, if any, and the amount that the department determines the aid recipient
16 is capable of paying. The department may not grant health care aid under this
17 subsection if the combined liquid assets of the applicant for aid, and of the veteran
18 and veteran's dependents who are living in the same household with the applicant,
19 are in excess of \$1,000.

20 **SECTION 1058.** 45.351 (2) of the statutes is repealed.

21 **SECTION 1059.** 45.351 (3) of the statutes is amended to read:

22 45.351 (3) APPROPRIATIONS. The department may award grants ~~and loans~~ under
23 this section from the appropriation in s. 20.485 (2) (vm). Nothing in this section
24 empowers the department to incur any state debt.

25 **SECTION 1060.** 45.353 (2) of the statutes is amended to read:

1 45.353 (2) Upon application the department shall make a payment to any state
2 veterans organization that establishes that it, or its national organization, or both,
3 has maintained a full-time service office at the regional office for at least 5 of the 10
4 years preceding the date of application. The payment shall equal 25% of all salaries
5 and travel expenses under sub. (3) paid during the previous fiscal year by the state
6 veterans organization to employes engaged in veterans claims service and stationed
7 at the regional office, except that the sum paid to a state veterans organization
8 annually shall not be less than either \$2,500, or the amount of salaries and travel
9 expenses paid by the state veterans organization to employes stationed at the
10 regional office, whichever is less, nor more than ~~\$15,000~~ \$20,000.

11 **SECTION 1061.** 45.356 (title) of the statutes is amended to read:

12 **45.356 (title) Veterans trust fund stabilization personal loans.**

13 **SECTION 1062.** 45.356 (1m) (b) of the statutes is amended to read:

14 45.356 (1m) (b) "Veteran" has the meaning given in s. ~~45.71 (16) (a)~~ 45.35 (5)
15 (a).

16 **SECTION 1063.** 45.356 (2) of the statutes is amended to read:

17 45.356 (2) The department may lend a veteran, a veteran's unremarried spouse
18 or a deceased veteran's child who meets the requirements of s. 45.35 (5m) (a) 2. not
19 more than \$15,000 or a lesser amount established by the department by rule for the
20 purchase of a mobile home, business or business property, ~~the repair of or addition~~
21 ~~to his or her home or business property, the construction of a garage, the education~~
22 ~~of the veteran or his or her spouse or children, the payment of medical or funeral~~
23 ~~expenses or the consolidation of debt.~~ The department may prescribe loan
24 conditions, but the term of the loan may not exceed 10 years.

25 **SECTION 1064.** 45.356 (3) of the statutes is amended to read:

1 45.356 (3) The department may lend not more than \$15,000 or a lesser amount
2 established by the department by rule to a veteran's remarried surviving spouse,
3 ~~whether remarried or not~~, or to the parent of a deceased veteran's children child for
4 the education of ~~the minor or dependent children of the veteran~~ if the surviving
5 spouse or parent is a resident of and living in this state on the date of application a
6 child who meets the requirements of s. 45.35 (5m) (a) 2.

7 **SECTION 1065.** 45.356 (3m) of the statutes is created to read:

8 45.356 (3m) To be eligible for a loan under this section, an applicant must be
9 a resident of and living in this state on the date of the application.

10 **SECTION 1066.** 45.356 (4) of the statutes is amended to read:

11 45.356 (4) ~~The department shall administer this program as a fiduciary for the~~
12 ~~purpose of maximizing the asset and income base of the veterans trust fund.~~ The
13 department may execute necessary instruments, collect interest and principal,
14 compromise indebtedness, sue and be sued, post bonds and write off indebtedness
15 that it considers uncollectible. If a loan under this subsection section is secured by
16 a real estate mortgage, the department may exercise the rights of owners and
17 mortgagees generally and the rights and powers set forth in s. 45.72. The
18 department shall pay all interest and principal repaid on the loan into the veterans
19 trust fund.

20 **SECTION 1067.** 45.356 (8) of the statutes is created to read:

21 45.356 (8) No person may receive a loan under this section in an amount that,
22 when added to the balance outstanding on the person's existing loans under s. 45.351
23 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the
24 department of more than \$15,000, or a lesser amount as established by the
25 department by rule.

1 **SECTION 1068.** 45.356 (9) of the statutes is created to read:

2 45.356 (9) (a) The department may borrow from the veterans mortgage loan
3 repayment fund under s. 45.79 (7) (a) and shall pledge loans made under this section
4 as collateral for the borrowing.

5 (b) The department may enter into transactions with the state investment
6 board to obtain money to make loans under this section.

7 **SECTION 1069.** 45.357 (title) of the statutes is amended to read:

8 **45.357 (title) Veterans rehabilitation assistance program.**

9 **SECTION 1070.** 45.357 of the statutes is renumbered 45.357 (1) and amended
10 to read:

11 45.357 (1) The department of veterans affairs shall administer a ~~rehabilitation~~
12 program to provide assistance to persons who served in the U.S. armed forces or in
13 forces incorporated as part of the U.S. armed forces and who were discharged under
14 conditions other than dishonorable. The department shall provide assistance to
15 persons whose need for services is based upon homelessness, incarceration or other
16 circumstances designated by the department by rule. The department shall
17 designate the assistance available under this section, which may include assistance
18 in receiving medical care, dental care, education, employment and transitional
19 housing. The department may provide grants to facilitate the provision of services
20 under this section.

21 **SECTION 1071.** 45.357 (2) of the statutes is created to read:

22 45.357 (2) The department may charge fees for transitional housing and for
23 such other assistance that is provided under this section as the department
24 designates. The department shall promulgate rules establishing the fee schedule
25 and the manner of implementation of that schedule.

1 **SECTION 1376d.** 45.358 (3) (a) of the statutes is amended to read:

2 45.358 (3) (a) A veteran who died while on active duty or who was discharged
3 or released from active duty in the U.S. armed forces under honorable conditions and
4 who was a resident of this state at the time of his or her entry or reentry into active
5 service and his or her dependent children and ~~unremarried~~ surviving spouse.

6 **SECTION 1376f.** 45.358 (3) (b) of the statutes is amended to read:

7 45.358 (3) (b) A veteran who was discharged or released from active duty in the
8 U.S. armed forces under honorable conditions and who was a resident of this state
9 at the time of his or her death and his or her dependent children and ~~unremarried~~
10 surviving spouse.

11 **SECTION 1376j.** 45.358 (3) (f) of the statutes is amended to read:

12 45.358 (3) (f) A person who was a resident of this state at the time of his or her
13 entry or reentry into service in the Wisconsin army national guard or air national
14 guard or a reserve component of the U.S. armed forces or at the time of his or her
15 death and who has 20 or more years of creditable military service for retirement pay
16 as a member of the Wisconsin army national guard or air national guard or a reserve
17 component of the U.S. armed forces or who would have been entitled to that
18 retirement pay except that the person was under 60 years of age at the time of his
19 or her death, and the person's spouse, ~~unremarried~~ surviving spouse and dependent
20 children ~~who are residents of this state at the time of the spouse's, unremarried~~
21 ~~surviving spouse's or dependent children's death.~~

22 **SECTION 1072.** 45.37 (1a) of the statutes is amended to read:

23 45.37 (1a) DEFINITION OF VETERAN. Except as provided in sub. (15) (a) and (b),
24 in this section "veteran" has the meaning given in s. 45.35 (5) (a) or means any person
25 who served on active duty under honorable conditions in the U.S. armed forces or in

1 forces incorporated as part of the U.S. armed forces ~~who was entitled to receive the~~
2 ~~armed forces expeditionary medal, established by executive order 10977 on~~
3 ~~December 4, 1961, the Vietnam service medal established by executive order 11231~~
4 ~~on July 8, 1965, the navy expeditionary medal or the marine corps expeditionary~~
5 ~~medal or who served in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle~~
6 ~~East crisis under s. 45.34 or any person who served for at least one day during a war~~
7 ~~period, as defined in s. 45.35 (5) (e) or under section 1 of executive order 10957, dated~~
8 ~~August 10, 1961, and who was officially reported missing in action or killed in action~~
9 ~~or who died in service, or who was discharged under honorable conditions after 90~~
10 ~~days or more of active service, or if having served less than 90 days was honorably~~
11 ~~discharged for a service-connected disability or for a disability subsequently~~
12 ~~adjudicated to have been service connected, or who died as a result of~~
13 ~~service-connected disability.~~

14 **SECTION 1073.** 45.37 (2) (c) of the statutes is repealed.

15 **SECTION 1074.** 45.37 (3) (a) of the statutes is repealed.

16 **SECTION 1075.** 45.396 (2) of the statutes is amended to read:

17 45.396 (2) Any veteran upon the completion of any correspondence course or
18 part-time classroom study from an institution of higher education located in this
19 state or from any public or private high school may be reimbursed ~~in whole or in part~~
20 ~~for the cost of the course, including necessary textbooks,~~ by the department upon
21 presentation to the department of a certificate from the school indicating that the
22 veteran has completed the course and stating the cost of the course ~~and necessary~~
23 ~~textbooks~~ and upon application for reimbursement completed by the veteran and
24 received by the department no later than 60 days after the termination of the course
25 for which the application for reimbursement is made. The department shall accept

1 and process an application received more than 60 days after the termination of the
2 course if the applicant shows good cause for the delayed receipt. The department
3 may not require that an application be received sooner than 60 days after a course
4 is completed. Benefits granted under this section shall be paid out of the
5 appropriation under s. 20.485 (2) ~~(vm)~~ (th).

6 **SECTION 1380m.** 45.396 (3) (intro.) of the statutes is amended to read:

7 45.396 **(3)** (intro.) A veteran who is a resident of this state and otherwise
8 qualified to receive benefits under this section may receive the benefits under sub-
9 ~~(2)~~ this section upon the completion of any correspondence courses or part-time
10 classroom study from an institution of higher education located outside this state,
11 if any of the following applies:

12 **SECTION 1076.** 45.396 (4) of the statutes is amended to read:

13 45.396 **(4)** Enrolled part-time classroom study or direct correspondence
14 courses from a qualified educational institution may be authorized and the veteran
15 reimbursed ~~in whole or~~ in part by the department when such courses are related to
16 one's occupational, professional or educational employment objectives, and to the
17 extent that payment or reimbursement is not available from any other sources, or,
18 in cases where reimbursement is not specifically for fees and ~~textbooks~~ tuition, to the
19 extent that such reimbursement is insufficient to cover all educational costs.

20 **SECTION 1077.** 45.396 (5) of the statutes is amended to read:

21 45.396 **(5)** The Except as provided in sub. (9), the reimbursement may not
22 exceed 50% of the cost of tuition, and fees and ~~textbooks~~ and shall also be limited to
23 a maximum of ~~\$300 per course and \$1,100 per fiscal year~~ 50% of the standard cost
24 for a state resident for tuition and fees for an equivalent undergraduate course at the

1 University of Wisconsin-Madison per course and may not be provided to an
2 individual more than 4 times during any consecutive 12-month period.

3 **SECTION 1078.** 45.396 (8) of the statutes is created to read:

4 45.396 (8) The department may not make a grant under this section unless the
5 department determines that a course for which an application is made is related to
6 the applicant's occupational, professional or employment objectives.

7 **SECTION 1383g.** 45.396 (9) of the statutes is created to read:

8 45.396 (9) A disabled veteran who meets the requirements under this section
9 and whose disability is rated at 30% or more under 38 USC 1114 or 1134 may be
10 reimbursed for up to 100% of the cost of tuition and fees, but that reimbursement is
11 limited to 100% of the standard cost for a state resident for tuition and fees for an
12 equivalent undergraduate course at the University of Wisconsin-Madison per
13 course and may not be provided to an individual more than 4 times during any
14 consecutive 12-month period.

15 **SECTION 1383m.** 45.396 (10) of the statutes is created to read:

16 45.396 (10) Beginning July 1, 1998, the department may provide
17 reimbursement under this section from the appropriation account under s. 20.485
18 (2) (th) for the fiscal year in which the course was completed or in which the academic
19 term during which the course was taken ended, whichever is earlier.

20 **SECTION 1383p.** 45.397 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
21 3, is amended to read:

22 45.397 (2) (a) The veteran is enrolled ~~or accepted for enrollment in an~~
23 ~~institution of higher education, as defined in s. 39.32 (1) (a),~~ in a training course in
24 a technical college in the state or in a proprietary school approved by the educational
25 approval board under s. 39.51 in the state or is engaged in a structured on-the-job

1 training program certified by the department of workforce development or the U.S.
2 department of veterans affairs that meets program requirements promulgated by
3 the department by rule.

4 **SECTION 1383r.** 45.397 (2) (b) of the statutes is amended to read:

5 45.397 (2) (b) The In addition to the income limits under sub. (6), the veteran
6 meets the financial assistance criteria established under sub. (3) (c).

7 **SECTION 1383t.** 45.397 (2) (cm) of the statutes is created to read:

8 45.397 (2) (cm) The veteran requesting a grant has not received
9 reimbursement under s. 45.25 or 45.396 for courses completed during the same
10 semester for which a grant would be received under this section.

11 **SECTION 1383v.** 45.397 (6) of the statutes is created to read:

12 45.397 (6) INCOME LIMITS. No veteran may receive a grant under this section
13 if the department determines, after disregarding any payment described in s. 45.85,
14 that the income of the veteran and his or her spouse exceeds \$500 for each dependent
15 in excess of 2 dependents plus \$36,600. In determining eligibility for grants under
16 this section, the department shall verify all reported income amounts by contacting
17 the employer designated by the veteran or spouse, securing a copy of their prior
18 year's income tax returns or obtaining a profit and loss statement from the veteran
19 for at least 6 of the 12 months immediately preceding the grant application date.

20 **SECTION 1079.** 45.42 (1) of the statutes is amended to read:

21 45.42 (1) The department may compile a record of the burial places within the
22 state of persons who ~~served in the U.S. armed forces in time of war as defined in s.~~
23 ~~45.35 (5) (e) or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East~~
24 ~~crisis under s. 45.34, or under section 1 of executive order 10957, dated~~
25 ~~August 10, 1961, or whose service entitled them to receive the armed forces~~

1 ~~expeditionary medal, established by executive order 10977 on December 4, 1961, the~~
2 ~~Vietnam service medal established by executive order 11231 on July 8, 1965, the~~
3 ~~navy expeditionary medal or the marine corps expeditionary medal~~ meet the
4 definition of a “veteran” under s. 45.35 (5) (a). The record, so far as practicable, may
5 indicate the name of each person; the service in which engaged; the appropriate
6 designation of armed forces unit; the rank and period of service; the name and
7 location of the cemetery or other place in which the body is interred; the location of
8 the grave in the cemetery or other place; and the character of headstone or other
9 marker, if any, at the grave.

10 **SECTION 1080.** 45.42 (2) of the statutes is amended to read:

11 45.42 (2) The department may have blank forms prepared whereby the
12 information required for the record may be transmitted to it and may distribute the
13 forms to county veterans’ service officers. The county veterans’ service officer within
14 whose county and cemetery or burial place is located in which are interred the bodies
15 of persons who served in the U.S. armed forces in time of war as defined in s. 45.35
16 (5) (e) ~~or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East crisis~~
17 ~~under s. 45.34 or under section 1 of executive order 10957, dated August 10, 1961,~~
18 ~~or whose service entitled them to receive the armed forces expeditionary medal,~~
19 ~~established by executive order 10977 on December 4, 1961, the Vietnam service~~
20 ~~medal established by executive order 11231 on July 8, 1965, the navy expeditionary~~
21 ~~medal or the marine corps expeditionary medal~~ meet the definition of a “veteran”
22 under s. 45.35 (5) (a) shall submit the facts required for such record to the department
23 on the forms provided by it, if so requested by the department.

24 **SECTION 1385m.** 45.43 (7) (a) of the statutes is amended to read:

1 45.43 (7) (a) Each county may annually apply to the department for a grant for
2 the improvement of service to former military personnel of the county through the
3 county veterans' service office. A county may not allocate any portion of a grant for
4 use by another county department nor may the county reduce funding to a county
5 veterans' service office based upon receipt of a grant. The county veterans' service
6 officer of any county applying for the grant shall enter into an agreement with the
7 department. The agreement shall state the goals and objectives to be attained by the
8 county veterans' service office during the remainder of the year covered by the grant
9 application. The department shall prepare the basic form of this agreement in
10 consultation with the county veterans' service officers association and provide a copy
11 and an explanation of that agreement to each county veterans' service officer. The
12 department shall develop reasonable budget and operating standards to assure
13 improved services, but full operating control of the county office shall be left to each
14 county.

15 **SECTION 1081.** 45.43 (7) (b) of the statutes is amended to read:

16 45.43 (7) (b) The department shall award a grant ~~not exceeding \$5,000~~
17 annually to a county that meets the standards developed under this subsection and
18 employs a county veterans' service officer who, if chosen after August 9, 1989, is
19 chosen from a list of candidates who have taken a civil service examination for the
20 position of county veterans' service officer developed and administered by the
21 division of merit recruitment and selection in the department of employment
22 relations, or is appointed under a civil service competitive examination procedure
23 under ch. 63 or s. 59.52 (8). ~~An eligible county initially applying for a grant after~~
24 ~~August 9, 1989, shall be eligible for an initial grant for the first year not exceeding~~
25 ~~\$1,000, an annual grant for the next year not exceeding \$3,000 and any subsequent~~

1 ~~annual grant not exceeding \$5,000~~ The grant shall be \$8,500 for a county with a
2 population of under 20,000, \$10,000 for a county with a population of 20,000 to
3 45,499, \$11,500 for a county with a population of 45,500 to 74,999 and \$13,000 for
4 a county with a population of 75,000 or more. The department of veterans affairs
5 shall use the most recent Wisconsin official population estimates prepared by the
6 demographic services center when making grants under this paragraph.

7 **SECTION 1082.** 45.52 of the statutes is amended to read:

8 **45.52 Physical disability does not disqualify for public employment.**

9 A veteran, as defined under s. ~~45.37 (1a)~~ 45.35 (5) (a), who has suffered a physical
10 disability as a direct result of military or naval service shall not on that account be
11 barred from employment in any public position or employment whether under state,
12 county or municipal civil service or otherwise, if the licensed physician making a
13 physical examination of the veteran for the public employer certifies that the
14 applicant's disability will not materially handicap the veteran in the performance of
15 the duties of the position.

16 **SECTION 1083.** 45.71 (9) (b) of the statutes is amended to read:

17 45.71 **(9)** (b) Unless temporary in nature and except as provided under s. ~~45.79~~
18 ~~(2m)~~ or 45.85, pensions and disability compensation shall be considered income.

19 **SECTION 1084.** 45.71 (16) (a) 1m. e. of the statutes is created to read:

20 45.71 **(16)** (a) 1m. e. Has served on active duty in the U.S. armed forces for 2
21 continuous years or more or the full period of the individual's initial service
22 obligation, whichever is less. An individual discharged for reasons of hardship or a
23 service-connected disability or released due to a reduction in the U.S. armed forces
24 prior to the completion of the required period of service is eligible, regardless of the
25 actual time served.

1 **SECTION 1085.** 45.74 (1) of the statutes is repealed.

2 **SECTION 1086.** 45.74 (7) of the statutes is created to read:

3 45.74 (7) PRICE-OF-HOME LIMITATION. The price of the home exceeds 2.5 times
4 the median price of a home in this state if the person is applying for a loan for the
5 purchase of a home. The department shall promulgate a rule establishing the
6 median price of a home in this state for each fiscal year that is determined by using
7 the most recent housing price index generated by the Wisconsin Realtors Association
8 before July 1.

9 **SECTION 1087.** 45.745 (1) of the statutes is repealed.

10 **SECTION 1088.** 45.76 (1) (c) 1. of the statutes is renumbered 45.76 (1) (c).

11 **SECTION 1089.** 45.76 (1) (c) 2. of the statutes is repealed.

12 **SECTION 1090.** 45.79 (2m) of the statutes is repealed.

13 **SECTION 1091.** 45.79 (3) (a) (title) of the statutes is amended to read:

14 45.79 (3) (a) (title) *First or 2nd mortgage or guarantor required.*

15 **SECTION 1092.** 45.79 (3) (a) 1. of the statutes is amended to read:

16 45.79 (3) (a) 1. Each loan made under this section, except a loan of \$3,000 or
17 less for a purpose specified under s. 45.76 (1) (c), shall be evidenced by a promissory
18 instalment note and secured by a mortgage on the real estate in respect to which the
19 loan is granted. A loan of \$3,000 or less made for a purpose specified under s. 45.76
20 (1) (c) shall be evidenced by a promissory instalment note and shall be secured by a
21 guarantor or by a mortgage on the real estate in respect to which the loan is granted.
22 Any loan having as its source funds provided through sub. (6) (a) and secured by a
23 mortgage shall have the mortgage name the department as mortgagee and payee.
24 Any loan having as its source funds provided through sub. (6) (b) and secured by a
25 mortgage shall have the mortgage name the authorized lender involved as

1 mortgagee and payee, and such mortgage and note shall be assigned by the
2 authorized lender to the authority immediately upon execution. A mortgage
3 securing a loan made for a purpose specified in s. 45.76 (1) (a), (b) or (d) must have
4 priority over all liens against the mortgaged premises and the buildings and
5 improvements thereon, except tax and special assessment liens filed after the
6 recording of the mortgage. A mortgage securing a loan made for a purpose specified
7 under s. 45.76 (1) (c) may be junior and subject to not more than one prior mortgage,
8 and, except for that prior mortgage, must have priority over all liens against the
9 mortgaged premises and the buildings and improvements on those premises, except
10 tax and special assessment liens filed after the recording of the mortgage.

11 **SECTION 1093.** 45.79 (6) (a) 2. of the statutes is amended to read:

12 45.79 (6) (a) 2. The chairperson of the board shall certify that the chairperson
13 does not expect proceeds of state debt issued under this paragraph to be used in a
14 manner that would cause the debt to be arbitrage bonds as defined by the internal
15 revenue code, where that debt is a bond that is exempt from federal taxation.

16 **SECTION 1094.** 45.79 (6) (c) 2. of the statutes is amended to read:

17 45.79 (6) (c) 2. The chairperson of the board shall certify that the board and the
18 department do not expect and shall not use proceeds of revenue obligations issued
19 under this paragraph in a manner that would cause the revenue obligations to be
20 arbitrage bonds as defined in the U.S. internal revenue code, where that debt is a
21 bond that is exempt from federal taxation.

22 **SECTION 1095.** 45.79 (7) (a) (intro.) of the statutes is amended to read:

23 45.79 (7) (a) (intro.) There is created the veterans mortgage loan repayment
24 fund. All moneys received by the department for the repayment of loans funded
25 under sub. (6) (a) except for servicing fees required to be paid to authorized lenders,

1 net proceeds from the sale of mortgaged properties, any repayment to the
2 department of moneys paid to authorized lenders, gifts, grants, other appropriations
3 and interest earnings accruing thereon, any repayment of moneys borrowed under
4 s. 45.356 (9) (a) and any moneys deposited or transferred under s. 18.04 (6) (b) or (d)
5 shall be promptly deposited into the veterans mortgage loan repayment fund. The
6 board shall establish by resolution a system of accounts providing for the
7 maintenance and disbursement of moneys of the veterans mortgage loan repayment
8 fund to fund loans under sub. (6) (a) or to fund, refund or acquire public debt as
9 provided in s. 18.04 (5). The system of accounts shall record and provide moneys for
10 all of the following purposes:

11 **SECTION 1096.** 45.79 (7) (a) 9. of the statutes is created to read:

12 45.79 (7) (a) 9. To loan money to the veterans trust fund, upon prior approval
13 of the building commission for each loan, for the purposes under s. 45.356.

14 **SECTION 1097.** 45.79 (7) (c) (intro.) of the statutes is renumbered 45.79 (7) (c)
15 and amended to read:

16 45.79 (7) (c) After meeting all expenses and providing for reserves under par.
17 (a) 3., ~~balances~~ assets in the veterans mortgage loan repayment fund, upon prior
18 approval of the building commission, may be ~~used for the following purposes:~~
19 transferred to the veterans trust fund and used to fund loans under s. 45.356.

20 **SECTION 1098.** 45.79 (7) (c) 1. to 4. of the statutes are repealed.

21 **SECTION 1099.** 46.023 (1) (title) of the statutes is repealed.

22 **SECTION 1100.** 46.023 (1) of the statutes is renumbered 46.023, and 46.023
23 (intro.), as renumbered, is amended to read:

1 **46.023** (title) **Milwaukee child welfare partnership council and**
2 **advisory committees.** (intro.) The Milwaukee child welfare partnership council
3 shall do all of the following:

4 **SECTION 1101.** 46.023 (2) of the statutes is repealed.

5 **SECTION 1406g.** 46.027 of the statutes is created to read:

6 **46.027 Contract powers. (1) RELIGIOUS ORGANIZATIONS; LEGISLATIVE PURPOSE.**

7 The purpose of this section is to allow the department to contract with, or award
8 grants to, religious organizations, under any program administered by the
9 department, on the same basis as any other nongovernmental provider without
10 impairing the religious character of such organizations, and without diminishing the
11 religious freedom of beneficiaries of assistance funded under such program.

12 **(2) NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS.** If the department is
13 authorized under ch. 16 to contract with a nongovernmental entity, or is authorized
14 to award grants to a nongovernmental entity, religious organizations are eligible, on
15 the same basis as any other private organization, as contractors under any program
16 administered by the department so long as the programs are implemented consistent
17 with the First Amendment of the U.S. Constitution and article I, section 18 of the
18 Wisconsin Constitution. Except as provided in sub. (10), the department may not
19 discriminate against an organization that is or applies to be a contractor on the basis
20 that the organization has a religious character.

21 **(3) RELIGIOUS CHARACTER AND FREEDOM.** (a) The department shall allow a
22 religious organization with which the department contracts or to which the
23 department awards a grant to retain its independence from state and local
24 governments, including the organization's control over the definition, development,
25 practice and expression of its religious beliefs.

1 (b) The department may not require a religious organization to alter its form
2 of internal governance or to remove religious art, icons, scripture or other symbols
3 in order to be eligible for a contract or grant.

4 **(4) RIGHTS OF BENEFICIARIES OF ASSISTANCE.** If an individual has an objection to
5 the religious character of the organization or institution from which the individual
6 receives, or would receive, assistance funded under any program administered by
7 the department, the department shall provide such individual, if otherwise eligible
8 for such assistance, within a reasonable period of time after the date of the objection
9 with assistance from an alternative provider that is accessible to the individual. The
10 value of the assistance offered by the alternative provider may not be less than the
11 value of the assistance which the individual would have received from the religious
12 organization.

13 **(5) EMPLOYMENT PRACTICES.** To the extent permitted under federal law, a
14 religious organization's exemption provided under 42 USC 2000e-1a regarding
15 employment practices is not affected by its participation in, or receipt of funds from,
16 programs administered by the department.

17 **(6) NONDISCRIMINATION AGAINST BENEFICIARIES.** A religious organization may not
18 discriminate against an individual in regard to rendering assistance funded under
19 any program administered by the department on the basis of religion, a religious
20 belief or refusal to actively participate in a religious practice.

21 **(7) FISCAL ACCOUNTABILITY.** (a) Except as provided in par. (b), any religious
22 organization that contracts with, or receives a grant from, the department is subject
23 to the same laws and rules as other contractors to account in accord with generally
24 accepted auditing principles for the use of such funds provided under such programs.

1 (b) If the religious organization segregates funds provided under programs
2 administered by the department into separate accounts, then only the financial
3 assistance provided with those funds shall be subject to audit.

4 (8) COMPLIANCE. Any party that seeks to enforce its rights under this section
5 may assert a civil action for injunctive relief against the entity or agency that
6 allegedly commits the violation.

7 (9) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES. No funds provided
8 directly to religious organizations by the department may be expended for sectarian
9 worship, instruction or proselytization.

10 (10) PREEMPTION. Nothing in this section may be construed to preempt any
11 provision of federal law, the U.S. Constitution, the Wisconsin Constitution or any
12 other statute that prohibits or restricts the expenditure of federal or state funds in
13 or by religious organizations.

14 **SECTION 1406m.** 46.03 (1) of the statutes is amended to read:

15 46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the
16 Winnebago mental health institutes; and ~~the centers~~ any center for the
17 developmentally disabled established by the department.

18 **SECTION 1102.** 46.03 (7) (bm) of the statutes, as affected by 1997 Wisconsin Act
19 3, is amended to read:

20 46.03 (7) (bm) Maintain a file containing records of artificial inseminations
21 under s. 891.40 and records of declarations of paternal interest under s. 48.025 and
22 of statements acknowledging paternity under s. 69.15 (3) (b). The department shall
23 release these records only upon an order of the court except that the department may
24 use nonidentifying information concerning artificial inseminations for the purpose
25 of compiling statistics and except that records relating to declarations of paternal

1 interest and statements acknowledging paternity shall be released to the
2 department of workforce development or ~~its designee~~ a county child support agency
3 under s. ~~59.07 (97)~~ 59.53 (5) without a court order upon the request of the department
4 of workforce development or ~~its designee~~ a county child support agency under s.
5 59.53 (5) pursuant to the program responsibilities under s. 49.22 or by any other
6 person with a direct and tangible interest in the record.

7 **SECTION 1103.** 46.03 (7) (e) of the statutes is created to read:

8 46.03 (7) (e) Administer child welfare services as described in s. 48.48 (17) in
9 a county having a population of 500,000 or more. The requirement of statewide
10 uniformity with respect to the organization and governance of human services does
11 not apply to the administration of child welfare services under this paragraph.

12 **SECTION 1104.** 46.03 (21) of the statutes is repealed.

13 **SECTION 1105.** 46.03 (38) of the statutes is repealed.

14 **SECTION 1410m.** 46.031 (2r) (a) 4. of the statutes is amended to read:

15 46.031 (2r) (a) 4. Is for inpatient treatment in excess of an average of 21 days,
16 as provided in s. 51.423 (12), excluding care for patients at ~~the centers~~ a center for
17 the developmentally disabled.

18 **SECTION 1106.** 46.034 (3) of the statutes is amended to read:

19 46.034 (3) With the agreement of the affected county board of supervisors in
20 a county with a single-county department or boards of supervisors in counties with
21 a multicounty department, effective for the contract period beginning January 1,
22 1980, the department may approve a county with a single-county department or
23 counties participating in a multicounty department to administer a single
24 consolidated aid consisting of the state and federal financial aid available to that
25 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), (kw)

1 and (o) for services provided and purchased by county departments under ss. 46.215,
2 46.22, 46.23, 51.42 and 51.437. Under such an agreement, in the interest of improved
3 service coordination and effectiveness, the county board of supervisors in a county
4 with a single-county department or county boards of supervisors in counties with a
5 multicounty department may reallocate among county departments under ss.
6 46.215, 46.22, 46.23, 51.42 and 51.437 funds that otherwise would be specified for use
7 by a single county department. The budget under s. 46.031 (1) shall be the vehicle
8 for expressing the proposed use of the single consolidated fund by the county board
9 of supervisors in a county with a single-county department or county boards of
10 supervisors in counties with a multicounty department. Approval by the department
11 of this use of the fund shall be in the contract under s. 46.031 (2g). Counties that were
12 selected by the department to pilot test consolidated aids for contract periods
13 beginning January 1, 1978, may continue or terminate consolidation with the
14 agreement of the affected county board of supervisors in a county with a
15 single-county department or county boards of supervisors in counties with a
16 multicounty department.

17
18 **SECTION 1107.** 46.036 (5m) (e) of the statutes is amended to read:

19 46.036 **(5m)** (e) Notwithstanding this subsection, the department or a county
20 department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 that purchases care and
21 services from an inpatient alcohol and other drug abuse treatment program that is
22 not affiliated with a hospital and that is licensed as a community-based residential
23 facility, may allocate to the program an amount that is equal to the amount of
24 revenues received by the program that are in excess of the allowable costs incurred
25 in the period of a contract between the program and the department or the county

1 department for purchase of care and services under this section. The department or
2 the county department may make the allocation under this paragraph only if the
3 funds so allocated do not reduce any amount of unencumbered state aid to the
4 department or the county department that otherwise would lapse to the general
5 fund.

6 **SECTION 1108.** 46.037 (1m) of the statutes is amended to read:

7 46.037 **(1m)** Notwithstanding sub. (1), the department, a county department
8 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 ~~or~~, a group of those county departments,
9 or the department and one or more of those county departments, and a residential
10 child care center or group home, as described in sub. (1), may negotiate a per client
11 rate for the services of that residential child care center or group home, if the
12 department, that county department ~~or~~, the county departments in that group of
13 county departments, or the department and one or more of those county
14 departments, agree to place 75% or more of the residents of that residential child care
15 center or group home during the period for which that rate is effective. A residential
16 child care center or group home that negotiates a per client rate under this subsection
17 shall charge that rate to all purchasers of its services.

18 **SECTION 1415m.** 46.048 of the statutes is amended to read:

19 **46.048** (title) ~~Central Wisconsin center~~ **Centers for the**
20 **developmentally disabled.** ~~There is established a new institution to be located~~
21 ~~near the city of Madison and to be known as the central Wisconsin center~~ The
22 department shall establish one or more centers for the developmentally disabled.
23 The department, with the approval of the governor, is authorized to purchase lands
24 for a one or more suitable site sites and to erect and equip such buildings as it deems
25 the department considers necessary from funds appropriated for the long-range

1 building program. ~~Such institution~~ Any center for the developmentally disabled
2 when constructed shall be maintained and operated by the department and all laws
3 pertaining to the care of mentally deficient patients shall apply.

4 **SECTION 1109.** 46.057 (1) of the statutes is amended to read:

5 46.057 (1) The department shall establish, maintain and operate the Mendota
6 juvenile treatment center on the grounds of the Mendota Mental Health Institute.
7 The department may designate staff at the Mendota Mental Health Institute as
8 responsible for administering, and providing services at, the center.
9 Notwithstanding ss. 301.02, 301.03 and 301.36 (1), the department shall operate the
10 Mendota juvenile treatment center as a secured correctional facility, as defined in s.
11 938.02 (15m). The center shall not be considered a hospital, as defined in s. 50.33
12 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as
13 defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center
14 shall provide psychological and psychiatric evaluations and treatment for juveniles
15 whose behavior presents a serious problem to themselves or others in other secured
16 correctional facilities and whose mental health needs can be met at the center. With
17 the approval of the department of health and family services, the department of
18 corrections may transfer to the center any juvenile who has been placed in a secured
19 correctional facility under the supervision of the department of corrections under s.
20 938.183 (2), 938.34 (4h) or (4m) or 938.357 (4) or (5) (e) in the same manner that the
21 department of corrections transfers juveniles between other secured correctional
22 facilities.

23 **SECTION 1110.** 46.057 (2) of the statutes is amended to read:

24 46.057 (2) From the appropriation account under s. 20.410 (3) (hm), the
25 department of corrections ~~may expend not more than \$2,500,000 in fiscal year~~

1 ~~1996-97 shall transfer to the appropriation account under s. 20.435 (2) (kx)~~
2 ~~\$3,125,100 in fiscal year 1997-98 and \$3,236,200 in fiscal year 1998-99 for services~~
3 ~~for juveniles placed at the Mendota juvenile treatment center. The department of~~
4 ~~health and family services may charge the department of corrections not more than~~
5 ~~the actual cost of providing those services for juveniles under the supervision of the~~
6 ~~department of corrections who are provided services at the center.~~

7 **SECTION 1111.** 46.07 of the statutes is amended to read:

8 **46.07 Property of patients or residents.** All money including wages and
9 other property delivered to an officer or employe of any institution for the benefit of
10 a patient or resident shall forthwith be delivered to the steward, who shall enter the
11 same upon the steward's books to the credit of the patient or resident. The property
12 shall be used only under the direction and with the approval of the superintendent
13 and for the crime victim and witness assistance surcharge under s. 973.045 (4), the
14 delinquency victim and witness assistance surcharge under s. 938.34 (8d) (c), the
15 deoxyribonucleic acid analysis surcharge under s. 973.046 or the benefit of the
16 patient or resident. If the money remains uncalled for for one year after the patient's
17 or resident's death or departure from the institution, the superintendent shall
18 deposit the same in the general fund. If any patient or resident leaves property, other
19 than money, uncalled for at an institution for one year, the superintendent shall sell
20 the property, and the proceeds shall be deposited in the general fund. If any person
21 satisfies the department, within 5 years after the deposit, of his or her right to the
22 deposit, the department shall direct the department of administration to draw its
23 warrant in favor of the claimant and it shall charge the same to the appropriation
24 made by s. 20.913 (3) (c).

25 **SECTION 1419m.** 46.10 (1) of the statutes is amended to read:

1 46.10 (1) Liability and the collection and enforcement of such liability for the
2 care, maintenance, services and supplies specified in this section is governed
3 exclusively by this section, except in cases of child support ordered by a court under
4 s. 48.355 (2) (b) 4., 48.357 (5m), 48.363 (2), 938.183 ~~(2)~~ (4), 938.355 (2) (b) 4., 938.357
5 (5m) or 938.363 (2) or ch. 767.

6 **SECTION 1420m.** 46.10 (2) of the statutes is amended to read:

7 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
8 including but not limited to a person admitted, committed or placed under s. 975.01,
9 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 48.366, 51.10,
10 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06,
11 938.183 ~~(2)~~, 938.34 (4h) or (4m), 938.357 (4) and (5) (e), 971.14 (2) and (5), 971.17 (1),
12 975.06 and 980.06, receiving care, maintenance, services and supplies provided by
13 any institution in this state including University of Wisconsin Hospitals and Clinics,
14 in which the state is chargeable with all or part of the person's care, maintenance,
15 services and supplies, any person receiving care and services from a county
16 department established under s. 51.42 or 51.437 or from a facility established under
17 s. 49.73, and any person receiving treatment and services from a public or private
18 agency under s. 971.17 (3) (d) or (4) (e), 980.06 (2) (c) or 980.08 (5) and the person's
19 property and estate, including the homestead, and the spouse of the person, and the
20 spouse's property and estate, including the homestead, and, in the case of a minor
21 child, the parents of the person, and their property and estates, including their
22 homestead, and, in the case of a foreign child described in s. 48.839 (1) who became
23 dependent on public funds for his or her primary support before an order granting
24 his or her adoption, the resident of this state appointed guardian of the child by a
25 foreign court who brought the child into this state for the purpose of adoption, and

1 his or her property and estate, including his or her homestead, shall be liable for the
2 cost of the care, maintenance, services and supplies in accordance with the fee
3 schedule established by the department under s. 46.03 (18). If a spouse, widow or
4 minor, or an incapacitated person may be lawfully dependent upon the property for
5 their support, the court shall release all or such part of the property and estate from
6 the charges that may be necessary to provide for those persons. The department
7 shall make every reasonable effort to notify the liable persons as soon as possible
8 after the beginning of the maintenance, but the notice or the receipt thereof is not
9 a condition of liability.

10 **SECTION 1420n.** 46.10 (8m) (a) 2. of the statutes is amended to read:

11 46.10 (8m) (a) 2. Deduct or remit, through the appropriation under s. 20.435
12 (2) (gk), all money collected for persons who are ineligible for medical assistance
13 benefits and who lack other means of full payment for care provided on or after
14 January 1, 1982, by ~~centers~~ a center for the developmentally disabled. The deduction
15 or remittance under this subdivision may not exceed the amount chargeable under
16 s. 51.437 (4rm) (c) 2. a.

17 **SECTION 1420p.** 46.10 (14) (a) of the statutes is amended to read:

18 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
19 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of ~~persons a~~
20 person under 18 years of age at a community mental health ~~centers~~ center, a county
21 mental health complex under s. 51.08, ~~the centers~~ a center for the developmentally
22 disabled, the Mendota mental health institute ~~and or the~~ Winnebago mental health
23 institute or for care and maintenance of ~~persons a~~ person under 18 years of age in
24 a residential, nonmedical facilities facility such as a group homes home, foster homes
25 home, treatment foster homes home, child caring institutions ~~and~~ institution or

1 juvenile correctional ~~institutions~~ institution is determined in accordance with the
2 cost-based fee established under s. 46.03 (18). The department shall bill the liable
3 person up to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m)
4 or by other 3rd party benefits, subject to rules which include formulas governing
5 ability to pay promulgated by the department under s. 46.03 (18). Any liability of the
6 patient not payable by any other person terminates when the patient reaches age 18,
7 unless the liable person has prevented payment by any act or omission.

8 **SECTION 1421m.** 46.10 (14) (b) of the statutes, as affected by 1997 Wisconsin
9 Act 3, is amended to read:

10 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
11 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
12 parent's minor child who has been placed by a court order under s. 48.355, 48.357,
13 938.183 (2), 938.355 or 938.357 in a residential, nonmedical facility such as a group
14 home, foster home, treatment foster home, child caring institution or juvenile
15 correctional institution shall be determined by the court by using the percentage
16 standard established by the department of workforce development under s. 49.22 (9)
17 and by applying the percentage standard in the manner established by the
18 department under s. 46.247.

19 **SECTION 1422m.** 46.10 (14) (e) 1. of the statutes is amended to read:

20 46.10 (14) (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m), 48.363
21 (2), 938.183 (2) (4), 938.355 (2) (b) 4., 938.357 (5m) or 938.363 (2) for support
22 determined under this subsection constitutes an assignment of all commissions,
23 earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108 and other
24 money due or to be due in the future to the county department under s. 46.215, 46.22
25 or 46.23 in the county where the order was entered or to the department, depending

1 upon the placement of the child as specified by rules promulgated under subd. 5. The
2 assignment shall be for an amount sufficient to ensure payment under the order.

3 **SECTION 1423m.** 46.10 (14) (e) 1. of the statutes, as affected by 1997 Wisconsin
4 Act (this act), is repealed and recreated to read:

5 46.10 (14) (e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) or 48.363
6 (2) for support determined under this subsection constitutes an assignment of all
7 commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or
8 108 and other money due or to be due in the future to the county department under
9 s. 46.22 or 46.23 in the county where the order was entered or to the department,
10 depending upon the placement of the child as specified by rules promulgated under
11 subd. 5. The assignment shall be for an amount sufficient to ensure payment under
12 the order.

13 **SECTION 1423p.** 46.10 (14) (e) 1m. of the statutes is created to read:

14 46.10 (14) (e) 1m. An order issued under s. 938.183 (4), 938.355 (2) (b) 4.,
15 938.357 (5m) or 938.363 (2) for support determined under this subsection constitutes
16 an assignment of all commissions, earnings, salaries, wages, pension benefits,
17 benefits under ch. 102 or 108 and other money due or to be due in the future to the
18 county department under s. 46.215, 46.22 or 46.23 in the county where the order was
19 entered or to the department, depending upon the placement of the child as specified
20 by rules promulgated under subd. 5. The assignment shall be for an amount
21 sufficient to ensure payment under the order.

22 **SECTION 1427m.** 46.21 (1) (d) of the statutes is amended to read:

23 46.21 (1) (d) "Human services" means the total range of services to people,
24 including mental illness treatment, developmental disabilities services, physical
25 disabilities services, relief funded by a relief block grant under ch. 49, income

1 maintenance, youth probation and parole services, alcohol and drug abuse services,
2 services to children, youth and families, family counseling, exceptional educational
3 services for children from birth to the age of 3 and manpower services. “Human
4 services” does not include child welfare services under s. 48.48 (17) administered by
5 the department in a county having a population of 500,000 or more.

6 **SECTION 1112.** 46.21 (2) (a) of the statutes is amended to read:

7 46.21 (2) (a) Shall adopt policies for the management, operation, maintenance
8 and improvement of the county hospital; the detention center; the probation section
9 of the children’s court center; the provision and maintenance of the physical facilities
10 for the children’s court and its intake section under the supervision and operation
11 of the judges assigned to exercise jurisdiction under chs. 48 and 938 and as provided
12 in ss. ~~48.06 (1)~~ and s. 938.06 (1); the mental health complex; the county department
13 of human services; the central service departments; and all buildings and land used
14 in connection with any institution under this section. The powers and duties of the
15 county board of supervisors are policy forming only, and not administrative or
16 executive.

17 **SECTION 1113.** 46.215 (1) (intro.) of the statutes is amended to read:

18 46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population
19 of 500,000 or more the administration of welfare services, other than child welfare
20 services under s. 48.48 (17) administered by the department, is vested in a county
21 department of social services under the jurisdiction of the county board of
22 supervisors under s. 46.21 (2m) (b) 1. a. Any reference in any law to a county
23 department of social services under this section applies to a county department
24 under s. 46.21 (2m) in its administration under s. 46.21 (2m) of the powers and duties
25 of the county department of social services. The county department of social services

1 shall have the following functions, duties and powers, and such other welfare
2 functions as may be delegated to it:

3 **SECTION 1114.** 46.215 (1) (h) of the statutes is amended to read:

4 46.215 (1) (h) To administer ~~child welfare services under ss. 48.56 and 48.57~~
5 and juvenile welfare services under s. 938.57; and, if contracted to do so by the
6 department, to accept custody and guardianship of children upon the order of a
7 competent court ~~and~~, to place children for adoption and to make recommendations
8 relating to the adoption of children under s. 48.85.

9 **SECTION 1115.** 46.215 (1) (i) of the statutes is amended to read:

10 46.215 (1) (i) To make such investigations as are provided for in s. 48.88 (2) (a)
11 and (c), if contracted to do so by the department and if the court having jurisdiction
12 so directs.

13 **SECTION 1116.** 46.215 (2) (c) 1. of the statutes is amended to read:

14 46.215 (2) (c) 1. A county department of social services shall develop, under the
15 requirements of s. 46.036, plans and contracts for care and services to be purchased,
16 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
17 of health and family services may review the contracts and approve them if they are
18 consistent with s. 46.036 and if state or federal funds are available for such purposes.
19 The joint committee on finance may require the department of health and family
20 services to submit the contracts to the committee for review and approval. The
21 department of health and family services may not make any payments to a county
22 for programs included in a contract under review by the committee. The department
23 of health and family services shall reimburse each county for the contracts from the
24 appropriations under s. 20.435 (3) ~~(ee)~~ and (7) (b) and (o) ~~or under s. 20.435 (3) (ed)~~,
25 as appropriate, under s. 46.495.

1 **SECTION 1117.** 46.215 (2) (c) 3. of the statutes is amended to read:

2 46.215 (2) (c) 3. A county department of social services shall develop, under the
3 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
4 care and services to be purchased. The department of corrections may review the
5 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
6 federal funds are available for such purposes. The joint committee on finance may
7 require the department of corrections to submit the contracts to the committee for
8 review and approval. The department of corrections may not make any payments
9 to a county for programs included in a contract under review by the committee. The
10 department of corrections shall reimburse each county for the contracts from the
11 appropriations under s. 20.410 (3) (cd) and ~~(ee)~~ (ko) as appropriate.

12 **SECTION 1437r.** 46.22 (1) (c) 1. b. of the statutes is amended to read:

13 46.22 (1) (c) 1. b. 'State institutions.' The Mendota mental health institute, the
14 Winnebago mental health institute, centers a center for the developmentally
15 disabled and a Type 1 secured correctional facilities facility, as defined in s. 938.02
16 (19).

17 **SECTION 1118.** 46.22 (1) (c) 2. of the statutes is amended to read:

18 46.22 (1) (c) 2. Subdivision 1. does not authorize the county department of
19 social services to make investigations regarding admission to or release from the
20 Waupun correctional institution, the Columbia correctional institution, the Racine
21 correctional institution, the Racine Youthful Offender Correctional Facility, the
22 correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), the
23 correctional institution authorized under s. 301.046 (1), the correctional institution
24 authorized under s. 301.048 (4) (b), the correctional institution authorized under s.
25 301.16 (1n), the Oshkosh correctional institution, the Green Bay correctional

1 institution, the Dodge correctional institution, the Taycheedah correctional
2 institution, county houses of correction, jails, detention homes or reforestation
3 camps.

4 **SECTION 1119.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

5 46.22 (1) (e) 3. a. A county department of social services shall develop, under
6 the requirements of s. 46.036, plans and contracts for care and services, except under
7 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
8 family services may review the contracts and approve them if they are consistent
9 with s. 46.036 and to the extent that state or federal funds are available for such
10 purposes. The joint committee on finance may require the department of health and
11 family services to submit the contracts to the committee for review and approval.
12 The department of health and family services may not make any payments to a
13 county for programs included in the contract that is under review by the committee.
14 The department of health and family services shall reimburse each county for the
15 contracts from the appropriations under s. 20.435 (3)-(oo) and (7) (b) and (o) or under
16 s. 20.435 (3) (ed), according to s. 46.495.

17 **SECTION 1120.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

18 46.22 (1) (e) 3. c. A county department of social services shall develop, under
19 the requirements of s. 301.08 (2), plans and contracts for juvenile
20 delinquency-related care and services to be purchased. The department of
21 corrections may review the contracts and approve them if they are consistent with
22 s. 301.08 (2) and to the extent that state or federal funds are available for such
23 purposes. The joint committee on finance may require the department of corrections
24 to submit the contracts to the committee for review and approval. The department
25 of corrections may not make any payments to a county for programs included in the

1 contract that is under review by the committee. The department of corrections shall
2 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
3 (cd) and ~~(oo)~~ (ko) as appropriate.

4 **SECTION 1121.** 46.238 of the statutes is amended to read:

5 **46.238 Infants whose mothers abuse controlled substances or**
6 **controlled substance analogs.** If the a county department under s. 46.215, 46.22
7 or 46.23 or, in a county having a population of 500,000 or more, a county department
8 under s. 51.42 or 51.437 receives a report under s. 146.0255 (2), the county
9 department shall offer to provide appropriate services and treatment to the child and
10 the child's mother or the county department shall make arrangements for the
11 provision of appropriate services or treatment.

12 **SECTION 1122.** 46.245 (1) of the statutes is amended to read:

13 46.245 (1) Upon request, distribute the materials described under s. 253.10 (3)
14 (d), as prepared and distributed by the department. ~~The county department may~~
15 ~~charge a fee not to exceed the actual cost of preparation and distribution of the~~
16 ~~materials.~~ A physician who intends to perform or induce an abortion or another
17 qualified physician, as defined in s. 253.10 (2) (g), who reasonably believes that he
18 or she might have a patient for whom the information under s. 253.10 (3) (d) is
19 required to be given, shall request a reasonably adequate number of the materials
20 from the county department under this subsection or from the department under s.
21 253.10 (3) (d). An individual may request a reasonably adequate number of the
22 materials.

23 **SECTION 1447m.** 46.247 of the statutes, as affected by 1997 Wisconsin Act 3,
24 is amended to read:

1 **46.247 Application of child support standard for certain children.** For
2 purposes of determining child support under s. 46.10 (14) (b), the department shall
3 promulgate rules related to the application of the standard established by the
4 department of workforce development under s. 49.22 (9) to a child support obligation
5 for the care and maintenance of a child who is placed by a court order under s. 48.355,
6 48.357, 938.183 ~~(2)~~, 938.355 or 938.357 in a residential, nonmedical facility. The
7 rules shall take into account the needs of any person, including dependent children
8 other than the child, whom either parent is legally obligated to support.

9 **SECTION 1123.** 46.261 (2) (a) (intro.) of the statutes is amended to read:

10 46.261 **(2)** (a) (intro.) ~~A~~ The department or a county department under s.
11 46.215, 46.22 or 46.23 shall grant aid on behalf of a dependent child to any of the
12 following:

13 **SECTION 1124.** 46.261 (2) (a) 1. of the statutes is amended to read:

14 46.261 **(2)** (a) 1. A nonrelative who cares for the dependent child in a foster
15 home or treatment foster home having a license under s. 48.62, in a foster home or
16 treatment foster home located within the boundaries of a federally recognized
17 American Indian reservation in this state and licensed by the tribal governing body
18 of the reservation or in a group home licensed under s. 48.625 or a minor custodial
19 parent who cares for the dependent child, regardless of the cause or prospective
20 period of dependency. The state shall reimburse counties pursuant to the procedure
21 under s. 46.495 (2) and the percentage rate of participation set forth in s. 46.495 (1)
22 (d) for aid granted under this section except that if the child does not have legal
23 settlement in the granting county, state reimbursement shall be at 100%. The county
24 department under s. 46.215 or 46.22 shall determine the legal settlement of the child.

1 A child under one year of age shall be eligible for aid under this subsection
2 irrespective of any other residence requirement for eligibility within this section.

3 **SECTION 1125.** 46.261 (2) (a) 1. of the statutes, as affected by 1997 Wisconsin
4 Act (this act), is repealed and recreated to read:

5 46.261 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
6 home or treatment foster home having a license under s. 48.62, in a foster home or
7 treatment foster home located within the boundaries of a federally recognized
8 American Indian reservation in this state and licensed by the tribal governing body
9 of the reservation or in a group home licensed under s. 48.625 or a minor custodial
10 parent who cares for the dependent child, regardless of the cause or prospective
11 period of dependency. The state shall reimburse counties pursuant to the procedure
12 under s. 46.495 (2) and the percentage rate of participation set forth in s. 46.495 (1)
13 (d) for aid granted under this section except that if the child does not have legal
14 settlement in the granting county, state reimbursement shall be at 100%. The county
15 department under s. 46.215 or 46.22 or the department under s. 48.48 (17) shall
16 determine the legal settlement of the child. A child under one year of age shall be
17 eligible for aid under this subsection irrespective of any other residence requirement
18 for eligibility within this section.

19 **SECTION 1126.** 46.261 (2) (a) 2. of the statutes is amended to read:

20 46.261 (2) (a) 2. A county or, in a county having a population of 500,000 or more,
21 the department, on behalf of a child in the legal custody of a county department under
22 s. 46.215, 46.22 or 46.23 or the department under s. 48.48 (17) or on behalf of a child
23 who was removed from the home of a relative, as defined under s. 48.02 (15), as a
24 result of a judicial determination that continuance in the home of a relative would
25 be contrary to the child's welfare for any reason when such child is placed in a

1 licensed child caring institution by the county department or the department.

2 Reimbursement shall be made by the state pursuant to subd. 1.

3 **SECTION 1127.** 46.261 (2) (a) 3. of the statutes is amended to read:

4 46.261 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
5 the department, when the child is placed in a licensed foster home, treatment foster
6 home, group home or child caring institution by a licensed child welfare agency or
7 by a federally recognized American Indian tribal governing body in this state or by
8 its designee, if the child is in the legal custody of the county department under s.
9 46.215, 46.22 or 46.23 or the department under s. 48.48 (17) or if the child was
10 removed from the home of a relative, as defined under s. 48.02 (15), as a result of a
11 judicial determination that continuance in the home of the relative would be contrary
12 to the child's welfare for any reason and the placement is made pursuant to an
13 agreement with the county department or the department.

14 **SECTION 1128.** 46.261 (2) (a) 4. of the statutes is amended to read:

15 46.261 (2) (a) 4. A licensed foster home ~~or,~~ treatment foster home, a group home
16 ~~licensed under s. 48.625~~ or a child caring institution ~~by the state~~ when the child is
17 in the custody or guardianship of the state, when the child is a ward of an American
18 Indian tribal court in this state and the placement is made under an agreement
19 between the department and the tribal governing body or when the child was part
20 of the state's direct service case load and was removed from the home of a relative,
21 as defined under s. 48.02 (15), as a result of a judicial determination that continuance
22 in the home of a relative would be contrary to the child's welfare for any reason and
23 the child is placed by the department.

24 **SECTION 1454m.** 46.27 (3) (f) of the statutes is amended to read:

1 46.27 (3) (f) Beginning on January 1, 1996, from the annual allocation to the
2 county for the provision of long-term community support services under subs. (7) (b)
3 and (11), annually establish a maximum total amount, ~~not to exceed 25% of the~~
4 ~~annual allocation,~~ that may be encumbered in a calendar year for services for eligible
5 individuals in community-based residential facilities. ~~If the total amount that is~~
6 ~~encumbered for services for individuals in community-based residential facilities~~
7 ~~who are receiving services under sub. (7) (b) on January 1, 1996, exceeds 25% of the~~
8 ~~county's annual allocation, a county may request a waiver of the requirement under~~
9 ~~this paragraph from the department. The department need not promulgate as rules~~
10 ~~under ch. 227 the standards for granting a waiver request under this paragraph.~~

11 **SECTION 1129.** 46.27 (4) (c) 8. of the statutes is created to read:

12 46.27 (4) (c) 8. If a pilot project under s. 46.271 (2m) is established in the county,
13 a description of how the activities of the pilot project relate to and are coordinated
14 with the county's proposed program.

15 **SECTION 1130.** 46.27 (5) (am) of the statutes is amended to read:

16 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
17 department or aging unit shall utilize persons for each assessment who can
18 determine the needs of the person being assessed and who know the availability
19 within the county of services alternative to placement in a nursing home. If any
20 hospital patient is referred to a nursing home for admission, these persons shall work
21 with the hospital discharge planner in performing the activities specified in sub. (6).
22 The county department or aging unit shall coordinate the involvement of
23 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
24 51.437, health service providers and the county commission on aging in the
25 assessment activities specified in sub. (6), as well as the person being assessed and

1 members of the person's family or the person's guardian. This paragraph does not
2 apply to a county department or aging unit in a county where a pilot project under
3 s. 46.271 (2m) is established.

4 **SECTION 1131.** 46.27 (6) (a) 3. of the statutes is amended to read:

5 46.27 (6) (a) 3. In each participating county, except in counties where a pilot
6 project under s. 46.271 (2m) is established, assessments shall be conducted for those
7 persons and in accordance with the procedures described in the county's community
8 options plan. The county may elect to establish assessment priorities for persons in
9 target groups identified by the county in its plan regarding gradual implementation.
10 If a person who is already admitted to a nursing home requests an assessment and
11 if funds allocated for assessments under sub. (7) (am) are available, the county shall
12 conduct the assessment.

13 **SECTION 1132.** 46.27 (6g) (intro.) of the statutes is amended to read:

14 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and
15 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
16 assessment, unless the assessment is performed by an entity under s. 46.271 (2m),
17 case plan or services provided to a person under this section is as follows:

18 **SECTION 1133.** 46.27 (7) (b) 1r. of the statutes is repealed.

19 **SECTION 1459m.** 46.27 (7) (cj) of the statutes is created to read:

20 46.27 (7) (cj) No county may use funds received under par. (b) to provide
21 services to a person who does not live in his or her own home or apartment unless,
22 subject to the limitations under par. (cm), one of the following applies:

23 1. The services are provided to the person in a community-based residential
24 facility that entirely consists of independent apartments, each of which has an

1 individual lockable independent entrance and exit and individual separate kitchen,
2 bathroom, sleeping and living areas.

3 2. The person suffers from Alzheimer's disease or related dementia and the
4 services are provided to the person in a community-based residential facility that
5 has a dementia care program.

6 3. The services are provided to the person in a community-based residential
7 facility and the county department or aging unit has determined that all of the
8 following conditions have been met:

9 a. An assessment under sub. (6) has been completed for the person prior to the
10 person's admission to the community-based residential facility, whether or not the
11 person is a private pay admittee at the time of admission.

12 b. The county department or aging unit documents that the option of in-home
13 services has been discussed with the person, thoroughly evaluated and found to be
14 infeasible, as determined by the county department or aging unit in accordance with
15 rules promulgated by the department of health and family services.

16 c. The county department or aging unit determines that the community-based
17 residential facility is the person's preferred place of residence or is the setting
18 preferred by the person's guardian.

19 d. The county department or aging unit determines that the community-based
20 residential facility provides a quality environment and quality care services.

21 e. The county department or aging unit determines that placement in the
22 community-based residential facility is cost-effective compared to other options,
23 including home care and nursing home care.

24 4. The services are provided to the person in a residential care apartment
25 complex, as defined in s. 50.01 (1d).

1 5. The services are provided to the person in an adult family home, as defined
2 in s. 50.01 (1).

3 **SECTION 1459mf.** 46.27 (7) (ck) of the statutes is created to read:

4 46.27 (7) (ck) 1. Subject to the approval of the department, a county may
5 establish and implement more restrictive conditions than those imposed under par.
6 (cj) on the use of funds received under par. (b) for the provision of services to a person
7 in a community-based residential facility. A county that establishes more restrictive
8 conditions under this paragraph shall include the conditions in its community
9 options plan under sub. (3) (cm).

10 2. If the department determines that a county has engaged in a pattern of
11 inappropriate use of funds received under par. (b), the department may revoke its
12 approval of the county's conditions established under subd. 1., if any, and may
13 prohibit the county from using funds received under par. (b) to provide services under
14 par. (cj) 3.

15 **SECTION 1460m.** 46.27 (9) (a) of the statutes is amended to read:

16 46.27 (9) (a) The department may select up to 5 counties that volunteer to
17 participate in a pilot project under which they will receive certain funds allocated for
18 long-term care. The department shall allocate a level of funds to these counties
19 equal to the amount that would otherwise be paid under s. 20.435 ~~(1)~~ (5) (b) to nursing
20 homes for providing care because of increased utilization of nursing home services,
21 as estimated by the department. In estimating these levels, the department shall
22 exclude any increased utilization of services provided by ~~state centers~~ any center for
23 the developmentally disabled. The department shall calculate these amounts on a
24 calendar year basis under sub. (10).

25 **SECTION 1134.** 46.27 (9) (c) of the statutes is amended to read:

1 46.27 (9) (c) All long-term community support services provided under this
2 pilot project in lieu of nursing home care shall be consistent with those services
3 described in the participating county's community options plan under sub. (4) (c) and
4 provided under sub. (5) (b). Each Unless the department has contracted under s.
5 46.271 (2m) with an entity other than the county department, each county
6 participating in the pilot project shall assess persons under sub. (6).

7 **SECTION 1135.** 46.27 (10) (a) 1. of the statutes is amended to read:

8 46.27 (10) (a) 1. The department shall determine for each county participating
9 in the pilot project under sub. (9) a funding level of state medical assistance
10 expenditures to be received by the county. This level shall equal the amount that the
11 department determines would otherwise be paid under s. 20.435 (~~1~~) (5) (b) because
12 of increased utilization of nursing home services, as estimated by the department.

13 **SECTION 1136.** 46.27 (11) (c) 3. of the statutes is amended to read:

14 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
15 private nonprofit agency or an aging unit with which the department contracts
16 provides under this subsection shall be made from the appropriations under s. 20.435
17 (~~1~~) (5) (o) and (7) (b) and (bd).

18 **SECTION 1137.** 46.27 (11) (c) 4. of the statutes is amended to read:

19 46.27 (11) (c) 4. The department may, from the appropriation under s. 20.435
20 (~~1~~) (5) (o), provide reimbursement for services provided under this subsection by
21 counties that are in excess of the current average annual per person rate, as
22 established by the department, and are less than or equal to the average amount
23 approved in the waiver received under par. (am).

24 **SECTION 1464g.** 46.27 (11) (c) 5m. of the statutes is created to read:

1 46.27 (11) (c) 5m. No county may use funds received under this subsection to
2 provide services to a person who does not live in his or her own home or apartment
3 unless, subject to the limitations under subds. 6., 7. and 8., one of the following
4 applies:

5 a. The services are provided to the person in a community-based residential
6 facility that entirely consists of independent apartments, each of which has an
7 individual lockable independent entrance and exit and individual separate kitchen,
8 bathroom, sleeping and living areas.

9 b. The person suffers from Alzheimer's disease or related dementia and the
10 services are provided to the person in a community-based residential facility that
11 has a dementia care program.

12 c. The services are provided to the person in a residential care apartment
13 complex, as defined in s. 50.01 (1d).

14 d. The services are provided to the individual in an adult family home, as
15 defined in s. 50.01 (1).

16 e. Subdivision 5n. applies.

17 **SECTION 1464h.** 46.27 (11) (c) 5n. of the statutes is created to read:

18 46.27 (11) (c) 5n. A county may also use funds received under this subsection,
19 subject to the limitations under subds. 6., 7. and 8., to provide services to a person
20 who does not live in his or her own home or apartment if the services are provided
21 to the person in a community-based residential facility and the county department
22 or aging unit has determined that all of the following conditions have been met:

23 a. An assessment under sub. (6) has been completed for the person prior to the
24 person's admission to the community-based residential facility, whether or not the
25 person is a private pay admittee at the time of admission.

1 b. The county department or aging unit documents that the option of in-home
2 services has been discussed with the person, thoroughly evaluated and found to be
3 infeasible, as determined by the county department or aging unit in accordance with
4 rules promulgated by the department of health and family services.

5 c. The county department or aging unit determines that the community-based
6 residential facility is the person's preferred place of residence or is the setting
7 preferred by the person's guardian.

8 d. The county department or aging unit determines that the community-based
9 residential facility provides a quality environment and quality care services.

10 e. The county department or aging unit determines that placement in the
11 community-based residential facility is cost-effective compared to other options,
12 including home care and nursing home care.

13 **SECTION 1464j.** 46.27 (11) (c) 5p. of the statutes is created to read:

14 46.27 (11) (c) 5p. a. Subject to the approval of the department, a county may
15 establish and implement more restrictive conditions than those imposed under subd.
16 5m. on the use of funds received under par. (b) for the provision of services to a person
17 in a community-based residential facility. A county that establishes more restrictive
18 conditions under this paragraph shall include the conditions in its community
19 options plan under sub. (3) (cm).

20 b. If the department determines that a county has engaged in a pattern of
21 inappropriate use of funds received under par. (b), the department may revoke its
22 approval of the county's conditions established under subd. 1. a., if any, and may
23 prohibit the county from using funds received under par. (b) to provide services under
24 subd. 5n.

1 **SECTION 1138.** 46.271 (1) of the statutes is renumbered 46.271 (1) (a), and
2 46.271 (1) (a) (intro.), as renumbered, is amended to read:

3 46.271 (1) (a) (intro.) From the appropriation under s. 20.435 (7) (bd), the
4 department shall award \$100,000 in each fiscal year to applying county departments
5 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or to an aging unit under the conditions
6 specified in ~~sub. (3)~~ par. (c) to establish pilot projects for home and community-based
7 long-term support services. Funds awarded to the pilot projects shall be used to do
8 any of the following:

9 **SECTION 1139.** 46.271 (2) of the statutes is renumbered 46.271 (1) (b), and
10 46.271 (1) (b) 1. and 2., as renumbered, are amended to read:

11 46.271 (1) (b) 1. Solicit applications from county departments or aging units
12 for the pilot projects under ~~sub. (1)~~ par. (a).

13 2. Require that an applying county department or aging unit under ~~par. (a)~~
14 subd. 1. submit as part of the application specific plans for improving the
15 coordination between hospitals and providers of home and community-based
16 long-term support services.

17 **SECTION 1140.** 46.271 (2m) of the statutes is created to read:

18 46.271 (2m) (a) The department may establish, in geographic areas
19 determined by the department, a pilot project under which the department may
20 contract with a private or public entity to do all of the following:

21 1. Serve as a clearinghouse of information for individuals who are interested
22 in home or community-based long-term support services or institutional long-term
23 care services.

24 2. Perform assessments using the assessment method established by the
25 department to determine an individual's functional abilities, disabilities, personal

1 preferences and need for home or community-based long-term support services or
2 institutional long-term care services. Each assessment shall include an
3 investigation of long-term community support services that could serve as
4 alternatives to institutional care in a nursing home or community-based residential
5 facility. The assessment shall include an explanation of the potential community
6 alternatives to the person being assessed and the person's family or guardian.

7 3. Collect information specified by the department on the individuals served
8 by the entity and provide that information to the department.

9 (am) Residents of the geographic areas where a pilot project under this
10 subsection is established shall receive an assessment by the entity contracted with
11 under par. (a) (intro.) prior to entry into a nursing home or community-based
12 residential facility or participation in the long-term support community options
13 program under s. 46.27.

14 (ap) The department may require that the results of a client's assessment
15 under par. (a) 2. be submitted at the time that a provider submits a request for prior
16 authorization for medical assistance services.

17 (b) From the amounts carried forward under 1997 Wisconsin Act (this act),
18 section 9123 (2), the department shall distribute funds to the entities with which the
19 department contracts under par. (a) (intro.) for the performance of the functions
20 specified under par. (a) 1. to 3.

21 (c) Paragraphs (a) 2., (am) and (ap) do not apply to any of the following:

22 1. Emergency admissions, as determined by a physician, but shall be applied
23 within 10 days after the admission.

24 2. A private pay patient seeking admission to or about to be admitted to a
25 nursing home or community-based residential facility who is informed about the

1 program but waives the assessment, unless the patient will be eligible for medical
2 assistance within 6 months after the assessment.

3 3. Persons seeking admission to or about to be admitted to the Wisconsin
4 Veteran's Home at King who are informed about the pilot project but waive the
5 assessment.

6 4. Any person who is readmitted to a nursing home or community-based
7 residential facility from a hospital within 6 months after being assessed.

8 5. Current residents of a nursing home or community-based residential facility
9 who are eligible for an assessment but who waive the assessment.

10 6. A person who enters a nursing home or community-based residential facility
11 for recuperative care.

12 7. A person who enters a nursing home or community-based residential facility
13 for respite care.

14 8. A person who is admitted to a nursing home or community-based residential
15 facility from another nursing home or community-based residential facility, unless
16 the person requests an assessment and funds distributed for assessments under par.
17 (b) are available to the entity.

18 **SECTION 1141.** 46.271 (3) of the statutes is renumbered 46.271 (1) (c) and
19 amended to read:

20 46.271 (1) (c) The department may contract with an aging unit, as defined in
21 s. 46.27 (1) (a), for administration of services under ~~sub. (1)~~ par. (a) if, by resolution,
22 the county board of supervisors of that county so requests the department.

23 **SECTION 1468d.** 46.275 (title) of the statutes is amended to read:

24 **46.275** (title) **Community integration program for state center**
25 **residents of ~~state centers~~.**

1 **SECTION 1468g.** 46.275 (1) of the statutes is amended to read:

2 46.275 (1) LEGISLATIVE INTENT. The intent of the program under this section is
3 to relocate ~~persons from the~~ residents of any state centers center for the
4 developmentally disabled into appropriate community settings with the assistance
5 of home and community-based services and with continuity of care. The intent of
6 the program is also to minimize its impact on state employes through redeployment
7 of employes into vacant positions.

8 **SECTION 1468m.** 46.275 (1m) (b) of the statutes is amended to read:

9 46.275 (1m) (b) “Program” means the community integration program for
10 residents of any state centers center for the developmentally disabled, for which a
11 waiver has been received under sub. (2).

12 **SECTION 1468p.** 46.275 (2) (intro.) of the statutes is amended to read:

13 46.275 (2) DEPARTMENTAL POWERS AND DUTIES. (intro.) The department may
14 request a waiver from the secretary of the U.S. department of health and human
15 services, under 42 USC 1396n (c), authorizing the department to integrate medical
16 ~~assistance recipients who reside in state centers~~ residents of any state center for the
17 developmentally disabled who receive medical assistance into their communities by
18 providing home and community-based services as part of the medical assistance
19 program. If the department requests this waiver, it shall include all assurances
20 required under 42 USC 1396n (c) (2) in its request. If the department receives this
21 waiver, at the end of the 3-year period during which the waiver remains in effect the
22 department may request an additional 3-year extension of the waiver. If the
23 department receives this waiver, it shall:

24 **SECTION 1468r.** 46.275 (2) (b) of the statutes is amended to read:

1 46.275 (2) (b) Evaluate the effect of the program on medical assistance costs
2 and on the program's ability to provide community care alternatives to institutional
3 care in ~~a state centers~~ center for the developmentally disabled.

4 **SECTION 1142.** 46.275 (5) (a) of the statutes is amended to read:

5 46.275 (5) (a) Medical assistance reimbursement for services a county, or the
6 department under sub. (3r), provides under this program is available from the
7 appropriations under s. 20.435 ~~(1)~~ (5) (b) and (o). If 2 or more counties jointly contract
8 to provide services under this program and the department approves the contract,
9 medical assistance reimbursement is also available for services provided jointly by
10 these counties.

11 **SECTION 1143.** 46.275 (5) (c) of the statutes is amended to read:

12 46.275 (5) (c) The total allocation under s. 20.435 ~~(1)~~ (5) (b) and (o) to counties
13 and to the department under sub. (3r) for services provided under this section may
14 not exceed the amount approved by the federal department of health and human
15 services. A county may use funds received under this section only to provide services
16 to persons who meet the requirements under sub. (4) and may not use unexpended
17 funds received under this section to serve other developmentally disabled persons
18 residing in the county.

19 **SECTION 1144.** 46.275 (5) (d) of the statutes is amended to read:

20 46.275 (5) (d) The department may, from the appropriation under s. 20.435 ~~(1)~~
21 (5) (o), provide reimbursement for services provided under this section by counties
22 that are in excess of the current average annual per person rate, as established by
23 the department, and are less than the average amount approved in the waiver
24 received under sub. (2).

25 **SECTION 1471m.** 46.277 (3) (c) of the statutes is amended to read:

1 46.277 (3) (c) Beginning on January 1, 1996, from the annual allocation to the
2 county for the provision of long-term community support services under sub. (5),
3 annually establish a maximum total amount, ~~not to exceed 25% of the annual~~
4 ~~allocation,~~ that may be encumbered in a calendar year for services for eligible
5 individuals in community-based residential facilities. ~~If the total amount that is~~
6 ~~encumbered for services for individuals in community-based residential facilities~~
7 ~~who are receiving services under sub. (5) on January 1, 1996, exceeds 25% of the~~
8 ~~county's annual allocation, a county may request a waiver of the requirement under~~
9 ~~this paragraph from the department. The department need not promulgate as rules~~
10 ~~under ch. 227 the standards for granting a waiver request under this paragraph.~~

11 **SECTION 1471p.** 46.277 (5) (d) 1m. of the statutes is created to read:

12 46.277 (5) (d) 1m. No county may use funds received under this section to
13 provide services to a person who does not live in his or her own home or apartment
14 unless, subject to the limitations under subs. 2. and 3. and par. (e), one of the
15 following applies:

16 a. The services are provided to the person in a community-based residential
17 facility that entirely consists of independent apartments, each of which has an
18 individual lockable independent entrance and exit and individual separate kitchen,
19 bathroom, sleeping and living areas.

20 b. The person suffers from Alzheimer's disease or related dementia and the
21 services are provided to the person in a community-based residential facility that
22 has a dementia care program.

23 c. The services are provided to the person in a residential care apartment
24 complex, as defined in s. 50.01 (1d).

1 d. The services are provided to the individual in an adult family home, as
2 defined in s. 50.01 (1).

3 e. Subdivision 1n. applies.

4 **SECTION 1471q.** 46.277 (5) (d) 1n. of the statutes is created to read:

5 46.277 (5) (d) 1n. A county may also use funds received under this section,
6 subject to the limitations under subds. 2. and 3. and par. (e), to provide services to
7 a person who does not live in his or her own home or apartment if the services are
8 provided to the person in a community-based residential facility and the county
9 department or aging unit has determined that all of the following conditions have
10 been met:

11 a. An assessment under s. 46.27 (6) has been completed for the person prior
12 to the person's admission to the community-based residential facility, whether or not
13 the person is a private pay admittee at the time of admission.

14 b. The county department or aging unit documents that the option of in-home
15 services has been discussed with the person, thoroughly evaluated and found to be
16 infeasible, as determined by the county department or aging unit in accordance with
17 rules promulgated by the department of health and family services.

18 c. The county department or aging unit determines that the community-based
19 residential facility is the person's preferred place of residence or is the setting
20 preferred by the person's guardian.

21 d. The county department or aging unit determines that the community-based
22 residential facility provides a quality environment and quality care services.

23 e. The county department or aging unit determines that placement in the
24 community-based residential facility is cost-effective compared to other options,
25 including home care and nursing home care.

1 **SECTION 1471qi.** 46.277 (5) (d) 1p. of the statutes is created to read:

2 46.277 (5) (d) 1p. a. Subject to the approval of the department, a county may
3 establish and implement more restrictive conditions than those imposed under subd.
4 1m. on the use of funds received under this section for the provision of services to a
5 person in a community-based residential facility. A county that establishes more
6 restrictive conditions under this paragraph shall include the conditions in its plan
7 under sub. (3) (a).

8 b. If the department determines that a county has engaged in a pattern of
9 inappropriate use of funds received under this section, the department may revoke
10 its approval of the county's conditions established under subd. 1. a., if any, and may
11 prohibit the county from using funds received under this section to provide services
12 under subd. 1n.

13 **SECTION 1145.** 46.278 (6) (d) of the statutes is amended to read:

14 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
15 share of service costs under the waiver received under sub. (3), the department may,
16 from the appropriation under s. 20.435 (~~1~~) (5) (o), provide reimbursement for services
17 that the county provides under this section to persons who are in addition to those
18 who may be served under this section with funds from the appropriation under s.
19 20.435 (~~1~~) (5) (b).

20 **SECTION 1146.** 46.278 (6) (f) of the statutes is created to read:

21 46.278 (6) (f) If a county owns the institution or intermediate care facility for
22 the mentally retarded from which an individual is relocated to the community under
23 this section, in order to receive funding under the program, the county shall submit
24 a plan for delicensing a bed of the institution or intermediate care facility for the
25 mentally retarded that is approved by the department.

1 **SECTION 1147.** 46.28 (3) of the statutes is amended to read:

2 46.28 (3) The department may authorize the authority to issue revenue bonds
3 under s. ~~234.70~~ 234.61 to finance any residential facility it approves under sub. (2).

4 **SECTION 1148.** 46.28 (4) of the statutes is amended to read:

5 46.28 (4) The department may charge sponsors for administrative costs and
6 expenses it incurs in exercising its powers and duties under this section and under
7 s. ~~234.70~~ 234.61.

8 **SECTION 1149.** 46.29 (3) (a) of the statutes is amended to read:

9 46.29 (3) (a) The ~~secretary of education~~ state superintendent of public
10 instruction.

11 **SECTION 1150.** 46.30 (4) (a) of the statutes is amended to read:

12 46.30 (4) (a) The department shall distribute the federal community services
13 block grant funds received under 42 USC 9903 and deposited in the appropriations
14 under s. 20.435 (6) (3) (mc) and ~~(7)~~ (md).

15 **SECTION 1151.** 46.35 (4) (a) of the statutes is amended to read:

16 46.35 (4) (a) The ~~secretary of education~~ state superintendent of public
17 instruction.

18 **SECTION 1152.** 46.40 (1) (a) of the statutes is amended to read:

19 46.40 (1) (a) Within the limits of available federal funds and of the
20 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall
21 distribute funds for community social, mental health, developmental disabilities and
22 alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985
23 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437
24 and to county aging units, as provided in subs. (2), (2m) and (7) to (8).

25 **SECTION 1153.** 46.40 (1) (b) of the statutes is amended to read:

1 46.40 (1) (b) Notwithstanding s. 46.49, if the department receives any federal
2 moneys under 42 USC 670 to 679a in reimbursement of moneys allocated under par.
3 (a) for the provision of foster care, the department shall distribute those federal
4 moneys for services and projects to assist children and families and for the purposes
5 specified in s. 46.46.

6 **SECTION 1154.** 46.40 (1) (c) of the statutes is amended to read:

7 46.40 (1) (c) The Milwaukee County department of social services shall report
8 to the department in a manner specified by the department on all children under the
9 supervision of the Milwaukee County department of social services who are placed
10 in foster homes and whose foster parents receive funding for child care from the
11 amounts distributed under par. (a) so that the department may claim federal foster
12 care and adoption assistance reimbursement under 42 USC 670 to 679a for the
13 amounts expended by the Milwaukee County department of social services for the
14 provision of child care for those children. Notwithstanding s. 46.49, if the
15 department receives any federal moneys under 42 USC 67 670 to 679a in
16 reimbursement of the amounts expended by the Milwaukee County department of
17 social services for the provision of child care for children in foster care in 1996 and
18 1997, the department shall distribute those federal moneys to the Milwaukee County
19 department of social services for the provision of child care for children in foster care.

20 **SECTION 1155.** 46.40 (2) of the statutes is amended to read:

21 46.40 (2) BASIC COUNTY ALLOCATION. For social services under s. 46.495 (1) (d)
22 and services under s. 51.423 (2), the department shall distribute not more than
23 ~~\$292,368,400~~ \$285,731,000 for fiscal year ~~1995-96~~ 1997-98 and ~~\$291,349,200~~
24 \$285,598,500 for fiscal year ~~1996-97~~ 1998-99.

25 **SECTION 1156.** 46.40 (2m) (a) of the statutes is amended to read:

1 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
2 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the
3 department shall distribute not more than ~~\$11,087,200~~ \$9,702,400 in fiscal year
4 ~~1995-96~~ 1997-98 and not more than ~~\$11,285,200~~ \$8,641,100 in fiscal year ~~1996-97~~
5 1998-99.

6 **SECTION 1157.** 46.40 (2m) (b) of the statutes is amended to read:

7 46.40 (2m) (b) *Community mental health services.* For community mental
8 health services under 42 USC 300x to 300x-9, the department shall distribute not
9 more than \$2,513,400 in each fiscal year ~~1995-96~~ and not more than ~~\$2,513,400~~ in
10 ~~fiscal year 1996-97~~.

11 **SECTION 1484g.** 46.40 (3) of the statutes is created to read:

12 46.40 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
13 department shall distribute not more than \$412,800 in each fiscal year from the
14 appropriation account under s. 20.435 (7) (b) to federally recognized American
15 Indian tribes or bands. A tribe or band that receives funding under this subsection
16 shall use that funding to provide child care for an eligible child, as defined in 42 USC
17 9858n (4).

18 **SECTION 1158.** 46.40 (14m) of the statutes is amended to read:

19 46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year,
20 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each
21 tribal governing body shall submit to the department a proposed budget for the
22 expenditure of funds allocated under this section, distributed under s. 46.45 (2) (a)
23 or carried forward under s. 46.45 (3) (a). The proposed budget shall be submitted on
24 a form developed by the department and approved by the department of
25 administration.

1 **SECTION 1159.** 46.45 (2) of the statutes is created to read:

2 46.45 (2) (a) If on December 31 of any year there remains unspent or
3 unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the
4 amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that
5 year, the department shall carry forward the excess moneys and distribute not less
6 than 50% of the excess moneys to counties having a population of less than 500,000
7 for services and projects to assist children and families, notwithstanding the
8 percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the
9 moneys distributed to the county under this subsection for services for children who
10 are at risk of abuse or neglect to prevent the need for child abuse and neglect
11 intervention services.

12 (b) A county may not use any moneys distributed under par. (a) to supplant any
13 other moneys expended by the county for services and projects to assist children and
14 families in a base year determined by the department.

15 (c) The department shall credit to the appropriation account under s. 20.435
16 (8) (mb) any moneys carried forward under par. (a), but not distributed to counties,
17 and may expend those moneys as provided in s. 46.46.

18 **SECTION 1486m.** 46.46 of the statutes is created to read:

19 **46.46 Expenditure of income augmentation services receipts. (1)** From
20 the appropriation account under s. 20.435 (8) (mb), the department shall support
21 costs that are exclusively related to the operational costs of augmenting the amount
22 of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC
23 1396 to 1396v. In addition, the department may expend moneys from the
24 appropriation account under s. 20.435 (8) (mb) as provided in sub. (2).

1 **(2)** If the department proposes to use any moneys from the appropriation
2 account under s. 20.435 (8) (mb) for any purpose other than the purpose specified in
3 sub. (1), the department shall submit a plan for the proposed use of those moneys to
4 the secretary of administration. If the secretary of administration approves the plan,
5 he or she shall submit the plan to the joint committee on finance. If the
6 cochairpersons of the committee do not notify the secretary of administration within
7 14 working days after the date of submittal of the plan that the committee has
8 scheduled a meeting for the purpose of reviewing the plan, the department may
9 implement the plan. If within 14 working days after the date of the submittal by the
10 secretary of administration the cochairpersons of the committee notify him or her
11 that the committee has scheduled a meeting for the purpose of reviewing the plan,
12 the department may implement the plan only with the approval of the committee.

13 **SECTION 1160.** 46.48 (15) (title) of the statutes is repealed.

14 **SECTION 1161.** 46.48 (15) (a) (intro.) of the statutes is repealed.

15 **SECTION 1162.** 46.48 (15) (a) 1. of the statutes is amended to read:

16 46.48 **(15)** (a) 1. For recruiting, training and licensing new foster parents and
17 treatment foster parents for children in Milwaukee county and for providing ongoing
18 family reunification services for children and families in Milwaukee county,
19 ~~\$750,000~~ \$375,000 in each fiscal year.

20 **SECTION 1163.** 46.48 (15) (a) 1. of the statutes, as affected by 1997 Wisconsin
21 Act (this act), is repealed.

22 **SECTION 1164.** 46.48 (15) (a) 2. of the statutes is amended to read:

23 46.48 **(15)** (a) 2. For purchasing foster parent and treatment foster parent
24 training from a private or educational agency, ~~\$150,000~~ \$75,000 in each fiscal year.

1 **SECTION 1165.** 46.48 (15) (a) 2. of the statutes, as affected by 1997 Wisconsin
2 Act (this act), is repealed.

3 **SECTION 1166.** 46.48 (15) (a) 3. of the statutes is amended to read:

4 46.48 (15) (a) 3. For enhancing Milwaukee county's capacity to assess the needs
5 of children who are in long-term foster or treatment foster care and children who are
6 new to foster or treatment foster care, for recruiting and investigating proposed
7 adoptive parents and for prosecuting adoption petitions, ~~\$130,000~~ \$65,000 in each
8 fiscal year.

9 **SECTION 1167.** 46.48 (15) (a) 3. of the statutes, as affected by 1997 Wisconsin
10 Act (this act), is repealed.

11 **SECTION 1168.** 46.48 (15) (b) of the statutes is repealed.

12 **SECTION 1169.** 46.48 (16) (title) of the statutes is repealed.

13 **SECTION 1170.** 46.48 (16) (a) of the statutes is amended to read:

14 46.48 (16) (a) The department shall distribute not more than ~~\$37,500~~ \$18,700
15 in each fiscal year as grants to private, nonprofit organizations to recruit African
16 American foster parents, including African American prospective adoptive parents,
17 in communities that have a high percentage of African American children and a high
18 percentage of children in out-of-home placements. The department shall review
19 applications submitted under this paragraph and determine the number of grants
20 that will be awarded, which of the applicants will receive grants and the amount of
21 each grant. A private, nonprofit organization receiving a grant under this paragraph
22 shall cooperate and coordinate its activities under the grant with the county
23 department under s. 46.215, 46.22 or 46.23 serving the area from which the private,
24 nonprofit organization recruits African American foster parents.

1 **SECTION 1171.** 46.48 (16) (a) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 1172.** 46.48 (16) (b) of the statutes is repealed.

4 **SECTION 1500m.** 46.48 (27) of the statutes is created to read:

5 46.48 **(27)** GRANTS TO RUNAWAY PROGRAMS. The department shall distribute
6 \$100,000 in each fiscal year as grants to programs that provide services for
7 runaways.

8 **SECTION 1500p.** 46.48 (28) of the statutes is created to read:

9 46.48 **(28)** GRANTS FOR COURT-APPOINTED SPECIAL ADVOCATES. The department
10 shall distribute \$50,000 in each fiscal year as grants to court-appointed special
11 advocate programs that are recognized by a county board, by a county department
12 under s. 46.22 or 46.23 or, in a county having a population of 500,000 or more, by the
13 department or a licensed child welfare agency under contract with the department
14 to perform advocacy services in proceedings under s. 48.13.

15 **SECTION 1173.** 46.485 (2g) (intro.) of the statutes is amended to read:

16 46.485 **(2g)** (intro.) From the appropriation under s. 20.435 ~~(1)~~ (5) (b), the
17 department may in each fiscal year transfer funds to the appropriation under s.
18 20.435 ~~(3)~~ (7) (kb) for distribution under this section and from the appropriation
19 under s. 20.435 (7) (mb) the department ~~shall~~ may not distribute \$240,000 more than
20 \$1,330,500 in each fiscal year to applying counties in this state that meet all of the
21 following requirements, as determined by the department:

22 **SECTION 1174.** 46.485 (3r) of the statutes is amended to read:

23 46.485 **(3r)** Funds that a county does not encumber before 24 months after
24 June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse
25 to the appropriation under s. 20.435 ~~(1)~~ (5) (b).

1 **SECTION 1175.** 46.49 (1) of the statutes is amended to read:

2 46.49 (1) Subject to ss. 46.40 (1) (b) and (c) and 46.48 (15) (b), if the department
3 receives unanticipated federal community mental health services block grant funds
4 under 42 USC 300x to 300x-9, federal prevention and treatment of substance abuse
5 block grant funds under 42 USC 300x-21 to 300x-35, or foster care and adoption
6 assistance payments under 42 USC 670 to 679a and it proposes to allocate the
7 unanticipated funds so that an allocation limit in s. 46.40 is exceeded, the
8 department shall submit a plan for the proposed allocation to the secretary of
9 administration. If the secretary of administration approves the plan, he or she shall
10 submit it to the joint committee on finance. If the cochairpersons of the committee
11 do not notify the secretary of administration that the committee has scheduled a
12 meeting for the purpose of reviewing the plan within 14 working days after the date
13 of his or her submittal, the department may implement the plan, notwithstanding
14 any allocation limits under s. 46.40. If within 14 working days after the date of the
15 submittal by the secretary of administration the cochairpersons of the committee
16 notify him or her that the committee has scheduled a meeting for the purpose of
17 reviewing the plan, the department may implement the plan, notwithstanding s.
18 46.40, only with the approval of the committee.

19 **SECTION 1176.** 46.49 (1) of the statutes, as affected by 1997 Wisconsin Act ...
20 (this act), is repealed and recreated to read:

21 46.49 (1) Subject to s. 46.40 (1) (b) and (c), if the department receives
22 unanticipated federal community mental health services block grant funds under 42
23 USC 300x to 300x-9, federal prevention and treatment of substance abuse block
24 grant funds under 42 USC 300x-21 to 300x-35, or foster care and adoption
25 assistance payments under 42 USC 670 to 679a and it proposes to allocate the

1 unanticipated funds so that an allocation limit in s. 46.40 is exceeded, the
2 department shall submit a plan for the proposed allocation to the secretary of
3 administration. If the secretary of administration approves the plan, he or she shall
4 submit it to the joint committee on finance. If the cochairpersons of the committee
5 do not notify the secretary of administration that the committee has scheduled a
6 meeting for the purpose of reviewing the plan within 14 working days after the date
7 of his or her submittal, the department may implement the plan, notwithstanding
8 any allocation limits under s. 46.40. If within 14 working days after the date of the
9 submittal by the secretary of administration the cochairpersons of the committee
10 notify him or her that the committee has scheduled a meeting for the purpose of
11 reviewing the plan, the department may implement the plan, notwithstanding s.
12 46.40, only with the approval of the committee.

13 **SECTION 1177.** 46.495 (1) (am) of the statutes is amended to read:

14 46.495 (1) (am) The department shall reimburse each county from the
15 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o) for social services as
16 approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and 46.22 (1) (b)
17 1. d. and (e) 3. a. except that no reimbursement may be made for the administration
18 of or aid granted under s. 49.02.

19 **SECTION 1178.** 46.495 (1) (d) of the statutes, as affected by 1995 Wisconsin Act
20 404, section 72, is amended to read:

21 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw)
22 and (o), the department shall distribute the funding for social services, including
23 funding for foster care or treatment foster care of a child on whose behalf aid is
24 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
25 as provided under s. 46.40. County matching funds are required for the distributions

1 under s. 46.40 (2) and (8). Each county's required match for a year equals 9.89% of
2 the total of the county's distributions for that year for which matching funds are
3 required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to
4 spend for juvenile delinquency-related services from its distribution for 1987.
5 Matching funds may be from county tax levies, federal and state revenue sharing
6 funds or private donations to the county that meet the requirements specified in s.
7 51.423 (5). Private donations may not exceed 25% of the total county match. If the
8 county match is less than the amount required to generate the full amount of state
9 and federal funds distributed for this period, the decrease in the amount of state and
10 federal funds equals the difference between the required and the actual amount of
11 county matching funds.

12 **SECTION 1179.** 46.52 of the statutes is amended to read:

13 **46.52 Systems change grants.** From the appropriation under s. 20.435 (7)
14 (md), the department shall may not distribute more than \$350,000 in each fiscal year
15 to counties to assist in relocating individuals with mental illness from institutional
16 or residential care to less restrictive and more cost-effective community settings and
17 services. The department shall distribute funds to each recipient under this section
18 so as to permit initial phasing in of community services for individuals with mental
19 illness who are relocated or diverted from institutional or residential care and shall
20 eliminate the funding at the end of a period of not more than 5 years in order to
21 provide funding to another county. The department shall require that the
22 community services that are developed under this section are continued, following
23 termination of a county's funding under this section, by use of funding made
24 available to the county from reduced institutional and residential care utilization.

25 **SECTION 1180.** 46.53 of the statutes is amended to read:

1 **46.53 Mental health treatment provider training.** From the
2 appropriation under s. 20.435 (7) (md), the department ~~shall~~ may not distribute more
3 than \$182,000 in each fiscal year to provide training for mental health treatment
4 professionals on new mental health treatment approaches in working with special
5 populations, including seriously mentally ill individuals and children with serious
6 emotional disturbances, and on the use of new mental health treatment medications.

7 **SECTION 1181.** 46.54 of the statutes is amended to read:

8 **46.54 Consumer and family self-help and peer-support programs.**
9 From the appropriation under s. 20.435 (7) (md), the department ~~shall~~ may not
10 distribute ~~\$180,000~~ more than \$480,000 in each fiscal year to increase support for
11 mental health family support projects, employment projects operated by consumers
12 of mental health services, mental health crisis intervention and drop-in projects and
13 public mental health information activities.

14 **SECTION 1182.** 46.56 (15) (a) of the statutes is amended to read:

15 46.56 **(15)** (a) From the appropriation under s. 20.435 ~~(3)~~ (7) (co), the
16 department shall make available funds to implement programs. The funds may be
17 used to pay for the intake, assessment, case planning and service coordination
18 provided under sub. (8) and for expanding the capacity of the county to provide
19 community-based care and treatment for children with severe disabilities.

20 **SECTION 1183.** 46.715 (1) of the statutes is renumbered 46.715 (1m), and 46.715
21 (1m) (intro.), as renumbered, is amended to read:

22 46.715 **(1m)** (intro.) Within the limits of the availability of federal funds, ~~the~~
23 ~~department shall~~, from the appropriation under s. 20.435 ~~(7)~~ ~~(mb)~~ (3) (md), the
24 department may not award ~~not~~ more than \$1,200,000 in each fiscal year to fund
25 programs to limit violence and abuse of controlled substances and controlled

1 substance analogs in neighborhoods, including funding for the creation of Wisconsin
2 against drug environments centers and for the use of neighborhood organizers,
3 culturally representative alcohol and other drug abuse trainers, community
4 speakers and persons to monitor certain court actions, as grants to any of the
5 following applying entities:

6 **SECTION 1184.** 46.715 (1) of the statutes is created to read:

7 46.715 (1) In this section, "nonprofit organization" has the meaning given in
8 s. 560.20 (1) (d).

9 **SECTION 1185.** 46.715 (1m) (d) of the statutes is created to read:

10 46.715 (1m) (d) A community-based nonprofit organization.

11 **SECTION 1186.** 46.75 (2) (a) of the statutes is amended to read:

12 46.75 (2) (a) From the appropriation under s. 20.435 ~~(7)~~ (3) (dn), the
13 department shall award grants to agencies to operate food distribution programs
14 that qualify for participation in the emergency food assistance program under P.L.
15 98-8, as amended.

16 **SECTION 1187.** 46.76 (2) of the statutes is amended to read:

17 46.76 (2) Advise the department, the department of education public
18 instruction and any other relevant state agency on the use of state and federal
19 resources and on the provision and administration of programs for hunger
20 prevention.

21 **SECTION 1188.** 46.76 (5) of the statutes is amended to read:

22 46.76 (5) Submit, by December 31 annually, the plan developed under sub. (4)
23 to the governor, the secretary, the ~~secretary of education~~ state superintendent of
24 public instruction and the appropriate standing committees under s. 13.172 (3).

25 **SECTION 1189.** 46.765 (2) (intro.) of the statutes is amended to read:

1 46.765 (2) PURPOSE; AMOUNT. (intro.) From the appropriation under s. 20.435
2 (7) (3) (dr), the department shall provide start-up grants, awarded by the board on
3 hunger, to one or more agencies, but not to exceed \$20,000 per grant per year, for any
4 of the following purposes:

5 **SECTION 1190.** 46.77 of the statutes is amended to read:

6 **46.77 Food distribution administration.** From the appropriation under s.
7 20.435 (7) (3) (dn), the department shall allocate funds to eligible recipient agencies,
8 as defined in the emergency food assistance act, P.L. 98-8, section 201A, as amended,
9 for the storage, transportation and distribution of commodities provided under the
10 hunger prevention act of 1988, P.L. 100-435, as amended.

11 **SECTION 1191.** 46.80 (2m) (b) of the statutes is amended to read:

12 46.80 (2m) (b) May operate the foster grandparent project specified under 42
13 USC 5011 (a). If the department operates that project, the department shall
14 distribute funds from the appropriation under s. 20.435 (7) (dh) to supplement any
15 federal foster grandparent project funds received under 42 USC 5011 (a).

16 **SECTION 1192.** 46.86 (3m) of the statutes is amended to read:

17 46.86 (3m) From the appropriation under s. 20.435 (7) (md), the department
18 ~~shall~~ may not distribute more than \$900,000 in each fiscal year to fund a
19 multidisciplinary prevention and treatment team in Milwaukee county for
20 cocaine-abusing women and their children. The multidisciplinary prevention and
21 treatment team must coordinate its activities with other prevention and treatment
22 programs in Milwaukee county for cocaine-abusing women and their children.
23 Residents from other counties may be served by the multidisciplinary prevention
24 and treatment team. The department may carry forward funds distributed under

1 this subsection, but not encumbered by December 31, for distribution for the purpose
2 under this subsection in the following calendar year.

3 **SECTION 1193.** 46.86 (5) of the statutes is amended to read:

4 46.86 (5) From the appropriation under s. 20.435 (7) (md), the department shall
5 may not distribute more than \$35,000 in each fiscal year as a grant to the ARC
6 community services center for women and children in Dane county, to address a
7 projected operation deficit of the center; to provide additional funding for
8 transportation and meal expenses for chemically dependent women who receive
9 services from the center; and to provide additional funding for staff of the center.

10 **SECTION 1194.** 46.87 (2) of the statutes is amended to read:

11 46.87 (2) From the appropriations under s. 20.435 (7) (b), (kw) and (o), the
12 department shall allocate funds to agencies designated under sub. (3) (c), to be used
13 for the administration and implementation of an Alzheimer's family and caregiver
14 support program for persons with Alzheimer's disease and their caregivers.

15 **SECTION 1528c.** 46.93 (2) (intro.) of the statutes is amended to read:

16 46.93 (2) PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434
17 (1) (b), the board shall award ~~not more than \$566,300 in fiscal year 1995-96 and not~~
18 ~~more than \$439,300 in fiscal year 1996-97~~ each of fiscal years 1997-98 and 1998-99
19 for grants to organizations to provide adolescent pregnancy prevention programs or
20 pregnancy services that include health care, education, counseling and vocational
21 training. Types of services and programs that are eligible for grants include all of
22 the following:

23 **SECTION 1195.** 46.95 (2) (a) of the statutes is amended to read:

24 46.95 (2) (a) The secretary shall make grants from the appropriations under
25 s. 20.435 ~~(1)~~ (3) (cd) and (hh) to organizations for the provision of any of the services

1 specified in sub. (1) (d). Grants may be made to organizations which have provided
2 those domestic abuse services in the past or to organizations which propose to
3 provide those services in the future. No grant may be made to fund services for child
4 abuse or abuse of elderly persons.

5 **SECTION 1196.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

6 46.95 (2) (f) (intro.) From the appropriations under s. 20.435 (1) (3) (cd) and
7 (hh), the department shall do all of the following:

8 **SECTION 1532c.** 46.95 (2) (f) 1. of the statutes is amended to read:

9 46.95 (2) (f) 1. Award ~~\$95,000~~ \$545,000 in grants each in fiscal year 1997-98
10 and \$995,000 in grants in each fiscal year thereafter to organizations for domestic
11 abuse services that are targeted to children. In awarding the grants, the department
12 shall use a competitive request-for-proposals process and, to the extent possible,
13 shall ensure that the grants are equally distributed on a statewide basis.

14 **SECTION 1197.** 46.972 (2) (b) of the statutes is amended to read:

15 46.972 (2) (b) From the appropriation under s. 20.435 (1) (5) (ce), the
16 department shall allocate up to \$125,000 in each fiscal year as grants to applying
17 public or nonprofit private entities for the costs of providing primary health services
18 and any other services that may be funded by the program under 42 USC 256 to
19 homeless individuals. Entities that receive funds allocated by the department under
20 this paragraph shall provide the primary health services as required under 42 USC
21 256 (f). The department may allocate to an applying entity up to 100% of the amount
22 of matching funds required under 42 USC 256 (e).

23 **SECTION 1198.** 46.972 (3) (b) of the statutes is amended to read:

24 46.972 (3) (b) From the appropriation under s. 20.435 (7) (ce), the department
25 ~~shall allocate up to \$125,000~~ may not allocate more than \$45,000 in each fiscal year

1 to applying public or nonprofit private entities for the costs of providing certain
2 mental health services to homeless individuals with chronic mental illness. Entities
3 that receive funds allocated by the department under this subsection shall provide
4 the mental health services required under 42 USC 290cc-24. The amount that the
5 department allocates to an applying entity may not exceed 50% of the amount of
6 matching funds required under 42 USC 290cc-23.

7 **SECTION 1535m.** 46.974 of the statutes is amended to read:

8 **46.974 Joint alcohol and drug abuse prevention plan.** The department
9 in cooperation with the department of education public instruction shall prepare,
10 and the secretary and the ~~secretary of education~~ state superintendent shall approve,
11 a coordinated plan for the development, testing and implementation of cooperative
12 and integrated school-community alcohol and drug abuse prevention, intervention,
13 treatment and rehabilitation services. The department and the department of
14 education public instruction shall submit a report biennially to the legislature under
15 s. 13.172 (2) on the implementation of the plan.

16 **SECTION 1199.** 46.985 (7) (a) of the statutes is amended to read:

17 46.985 (7) (a) From the appropriations under s. 20.435 (7) (b), (kw) and (o), the
18 department shall allocate to county departments funds for the administration and
19 implementation of the program.

20 **SECTION 1200.** 46.997 (2) (intro.) of the statutes is amended to read:

21 46.997 (2) (intro.) From the appropriation under s. ~~20.435 (6) (a)~~, the
22 department shall allocate not more than \$65,500 in each fiscal year to solicit
23 applications from organizations and provide technical assistance to grantees and,
24 from the appropriation under s. 20.435 (3) (eg), the department shall allocate not
25 more than \$210,000 in each fiscal year to make grants to applying organizations for

1 the provision, on a regional or tribal project basis, of information to communities in
2 order to increase community knowledge about problems of adolescents and
3 information to and activities for adolescents, particularly female adolescents, in
4 order to enable the adolescents to develop skills with respect to all of the following:

5 **SECTION 1201.** 46.997 (5) of the statutes is amended to read:

6 46.997 (5) The department shall work closely with the women’s council and the
7 department of ~~education~~ public instruction, on a continuing basis, concerning the
8 scope and direction of activities under projects funded by the program under sub. (2).

9 **SECTION 1548m.** 47.02 (8) of the statutes is created to read:

10 47.02 (8) The department shall amend the state plan under 29 USC 721 to
11 establish a grant program for the establishment, development or improvement of
12 community rehabilitation programs as authorized under 29 USC 723 (b) (2). Under
13 the grant program, the department shall distribute grants to community
14 rehabilitation programs and shall require any community rehabilitation program
15 that receives a grant to provide funds to match 25% of the amount of the grant
16 awarded.

17 **SECTION 1202.** 47.03 (11) (e) of the statutes is amended to read:

18 47.03 (11) (e) The department shall distribute at least \$218,600 from the
19 appropriations in s. 20.445 (5) (bm) and (na) in each fiscal year for homecraft services
20 relating to the marketing and distribution of homecraft products ~~and to the purchase~~
21 ~~of capital equipment~~ for each client who participates in the homecraft program.

22 **SECTION 1203.** 48.02 (2g) of the statutes is amended to read:

23 48.02 (2g) “County department” means a county department under s. ~~46.215,~~
24 46.22 or 46.23, unless the context requires otherwise.

25 **SECTION 1204.** 48.06 (1) (a) 1. of the statutes is amended to read:

1 48.06 (1) (a) 1. In counties with a population of 500,000 or more, the county
2 board of supervisors department shall provide the court with the services necessary
3 for investigating and supervising child welfare cases ~~by operating a children's court~~
4 ~~center under the supervision of a director who is appointed as provided in s. 46.21~~
5 ~~(1m) (a). The director is the chief administrative officer of the center and of the intake~~
6 ~~and probation sections and secure detention facilities of the center except as~~
7 ~~otherwise provided in this subsection. The director under this chapter. The~~
8 department is charged with providing child welfare intake and dispositional services
9 and with administration of the personnel and services of the child welfare intake and
10 dispositional sections ~~and of the secure detention facilities, and is responsible for~~
11 ~~supervising both the operation of the physical plant and the maintenance and~~
12 ~~improvement of the buildings and grounds of the center of the department.~~ The
13 center department shall include investigative services for all children alleged to be
14 in need of protection or services to be provided by the county department, ~~and the~~
15 ~~services of an assistant district attorney or assistant corporation counsel or both,~~
16 ~~who shall be assigned to the center to provide investigative as well as legal work in~~
17 ~~the cases.~~

18 **SECTION 1205.** 48.06 (1) (a) 2. of the statutes is amended to read:

19 48.06 (1) (a) 2. The chief judge of the judicial administrative district shall
20 formulate written judicial policy governing intake and court services for juvenile
21 child welfare matters under this chapter and the director department shall be
22 charged with executing the judicial policy. The chief judge shall direct and supervise
23 the work of all personnel of the court, except the work of the district attorney or
24 corporation counsel assigned to the court. The chief judge may delegate his or her
25 supervisory functions under s. 48.065 (1).

1 **SECTION 1206.** 48.06 (1) (a) 3. of the statutes is amended to read:

2 48.06 (1) (a) 3. ~~The county board of supervisors shall develop policies and~~
3 ~~establish necessary rules for the management and administration of the nonjudicial~~
4 ~~operations of the children's court center. The director of the center shall report and~~
5 ~~is responsible to the director of the county department for the execution of all~~
6 ~~nonjudicial operational policies and rules governing the center, including activities~~
7 ~~of probation officers whenever they are not performing services for the court. The~~
8 ~~director of the center is also responsible for the preparation and submission to the~~
9 ~~county board of supervisors of the annual budget for the center except for the judicial~~
10 ~~functions or responsibilities which are delegated by law to the judge or judges and~~
11 ~~clerk of circuit court. The county board of supervisors shall make provision in the~~
12 ~~organization of the office of director for the devolution of the director's authority in~~
13 ~~the case of temporary absence, illness, disability to act or a vacancy in position and~~
14 ~~shall establish the general qualifications for the position. The county board of~~
15 ~~supervisors also has the authority to investigate, arbitrate and resolve any conflict~~
16 ~~in the administration of the center as between judicial and nonjudicial operational~~
17 ~~policy and rules. The county board of supervisors does not have authority and may~~
18 ~~not assert jurisdiction over the disposition of any case or child after a written order~~
19 ~~is made under s. 48.21 or if a petition is filed under s. 48.25. All personnel of the~~
20 ~~intake and probation sections and of the secure detention facilities shall be appointed~~
21 ~~under civil service by the director except that existing court service personnel having~~
22 ~~permanent civil service status may be reassigned to any of the respective sections~~
23 ~~within the center specified in this paragraph.~~

24 **SECTION 1207.** 48.06 (1) (am) 1. of the statutes is amended to read:

1 48.06 (1) (am) 1. All intake workers beginning providing services under this
2 chapter who begin employment after May 15, 1980, shall have the qualifications
3 required to perform entry level social work in a county department and shall have
4 successfully completed 30 hours of intake training approved or provided by the
5 department prior to the completion of the first 6 months of employment in the
6 position. The department shall monitor compliance with this subdivision according
7 to rules promulgated by the department.

8 **SECTION 1208.** 48.06 (1) (am) 2. of the statutes is amended to read:

9 48.06 (1) (am) 2. The department shall make training programs available
10 annually that permit intake workers who provide services under this chapter to
11 satisfy the requirements specified under subd. 1.

12 **SECTION 1209.** 48.06 (1) (am) 3. of the statutes is amended to read:

13 48.06 (1) (am) 3. Each intake worker providing services under this chapter
14 whose responsibilities include investigation or treatment of child abuse or neglect
15 shall successfully complete additional training in child abuse and neglect protective
16 services approved by the department under s. 48.981 (8) (d). Not more than 4 hours
17 of the additional training may be applied to the requirement under subd. 1.

18 **SECTION 1210.** 48.06 (1) (b) of the statutes is repealed.

19 **SECTION 1211.** 48.06 (2) (b) 1. of the statutes is amended to read:

20 48.06 (2) (b) 1. All intake workers beginning providing services under this
21 chapter who begin employment after May 15, 1980, shall have the qualifications
22 required to perform entry level social work in a county department and shall have
23 successfully completed 30 hours of intake training approved or provided by the
24 department prior to the completion of the first 6 months of employment in the

1 position. The department shall monitor compliance with this paragraph according
2 to rules promulgated by the department.

3 **SECTION 1212.** 48.06 (2) (b) 2. of the statutes is amended to read:

4 48.06 (2) (b) 2. The department shall make training programs available
5 annually that permit intake workers who provide services under this chapter to
6 satisfy the requirements specified under subd. 1.

7 **SECTION 1213.** 48.06 (2) (c) of the statutes is amended to read:

8 48.06 (2) (c) Each intake worker providing services under this chapter whose
9 responsibilities include investigation or treatment of child abuse or neglect shall
10 successfully complete additional training in child abuse and neglect protective
11 services approved by the department under s. 48.981 (8) (d). Not more than 4 hours
12 of the additional training may be applied to the requirement under par. (b).

13 **SECTION 1214.** 48.06 (3) of the statutes is amended to read:

14 48.06 (3) INTAKE SERVICES. The court ~~or~~, the department in a county having a
15 population of 500,000 or more or the county department responsible for providing
16 intake services under s. 48.067 shall specify one or more persons to provide intake
17 services. If there is more than one such worker, one of the workers shall be
18 designated as chief worker and shall supervise other workers.

19 **SECTION 1215.** 48.069 (1) (intro.) of the statutes is amended to read:

20 48.069 (1) (intro.) The staff of the department, the court, a county department
21 or a licensed child welfare agency designated by the court to carry out the objectives
22 and provisions of this chapter, or, in a county having a population of 500,000 or more,
23 the department or an agency under contract with the department to provide
24 dispositional services, shall:

25 **SECTION 1216.** 48.069 (2) of the statutes is amended to read:

1 48.069 (2) ~~Licensed~~ Except in a county having a population of 500,000 or more,
2 licensed child welfare agencies and the department shall provide services under this
3 section only upon the approval of the agency from whom services are requested. In
4 a county having a population of 500,000 or more, the department or, with the
5 approval of the department, a licensed child welfare agency shall provide services
6 under this section.

7 **SECTION 1217.** 48.069 (3) of the statutes is amended to read:

8 48.069 (3) A court or county department responsible for disposition staff or, in
9 a county having a population of 500,000 or more, the department may agree with the
10 court or county department responsible for providing intake services that the
11 disposition staff may be designated to provide some or all of the intake services.

12 **SECTION 1218.** 48.07 (3) of the statutes is amended to read:

13 48.07 (3) (title) ~~COUNTY~~ THE DEPARTMENT IN POPULOUS COUNTIES. In counties
14 having a population of 500,000 or more, the ~~director of the county~~ department may
15 be ordered by the court to provide services for furnishing emergency shelter care to
16 any child whose need therefor is determined by the intake worker under s. 48.205.
17 The court may authorize the ~~director~~ department to appoint members of the county
18 department to furnish emergency shelter care services for the child. The emergency
19 shelter care may be provided as specified in s. 48.207.

20 **SECTION 1219.** 48.207 (2) of the statutes is amended to read:

21 48.207 (2) If a facility listed in sub. (1) (b) to (k) is used to hold children in
22 custody, or if supervisory services of a home detention program are provided to
23 children held under sub. (1) (a), its authorized rate ~~shall be paid by the county~~ for the
24 care of the child shall be paid by the county in a county having a population of less
25 than 500,000 or by the department in a county having a population of 500,000 or

1 more. If no authorized rate has been established, a reasonable sum to be fixed by the
2 court shall be paid by the county in a county having a population of less than 500,000
3 or by the department in a county having a population of 500,000 or more for the
4 supervision or care of the child.

5 **SECTION 1220.** 48.275 (2) (d) of the statutes is renumbered 48.275 (2) (d) 1. and
6 amended to read:

7 48.275 (2) (d) 1. ~~Reimbursement~~ In a county having a population of less than
8 500,000, reimbursement payments shall be made to the clerk of courts of the county
9 where the proceedings took place. Each payment shall be transmitted to the county
10 treasurer, who shall deposit 25% of the amount paid for state-provided counsel in the
11 county treasury and transmit the remainder to the state treasurer. Payments
12 transmitted to the state treasurer shall be deposited in the general fund and credited
13 to the appropriation account under s. 20.550 (1) (L). The county treasurer shall
14 deposit 100% of the amount paid for county-provided counsel in the county treasury.

15 **SECTION 1221.** 48.275 (2) (d) 2. of the statutes is created to read:

16 48.275 (2) (d) 2. In a county having a population of 500,000 or more,
17 reimbursement payments shall be made to the clerk of courts of the county where the
18 proceedings took place. Each payment shall be transmitted to the state treasurer,
19 who shall deposit the amount paid in the general fund and credit 25% of the amount
20 paid to the appropriation account under s. 20.435 (3) (gx) and the remainder to the
21 appropriation account under s. 20.550 (1) (L).

22 **SECTION 1222.** 48.295 (1) of the statutes is amended to read:

23 48.295 (1) After the filing of a petition and upon a finding by the court that
24 reasonable cause exists to warrant an examination or an alcohol and other drug
25 abuse assessment that conforms to the criteria specified under s. 48.547 (4), the court

1 may order any child coming within its jurisdiction to be examined as an outpatient
2 by personnel in an approved treatment facility for alcohol and other drug abuse, by
3 a physician, psychiatrist or licensed psychologist, or by another expert appointed by
4 the court holding at least a master’s degree in social work or another related field of
5 child development, in order that the child’s physical, psychological, alcohol or other
6 drug dependency, mental or developmental condition may be considered. The court
7 may also order an examination or an alcohol and other drug abuse assessment that
8 conforms to the criteria specified under s. 48.547 (4) of a parent, guardian or legal
9 custodian whose ability to care for a child is at issue before the court. The court shall
10 hear any objections by the child, the child’s parents, guardian or legal custodian to
11 the request for such an examination or assessment before ordering the examination
12 or assessment. The expenses of an examination, if approved by the court, shall be
13 paid by the county of the court ordering the examination in a county having a
14 population of less than 500,000 or by the department in a county having a population
15 of 500,000 or more. The payment for an alcohol and other drug abuse assessment
16 shall be in accordance with s. 48.361.

17 **SECTION 1223.** 48.33 (4) (b) of the statutes is amended to read:

18 48.33 (4) (b) A recommendation for an amount of child support to be paid by
19 either or both of the child’s parents or for referral to the county-designee child support
20 agency under s. 59.53 (5) for the establishment of child support.

21 **SECTION 1224.** 48.345 (4) (b) of the statutes is amended to read:

22 48.345 (4) (b) ~~A~~ The county department in a county having a population of less
23 than 500,000.

24 **SECTION 1225.** 48.345 (4) (bm) of the statutes is created to read:

1 48.345 (4) (bm) The department in a county having a population of 500,000 or
2 more.

3 **SECTION 1226.** 48.345 (11) of the statutes is repealed.

4 **SECTION 1227.** 48.345 (12) (b) of the statutes is amended to read:

5 48.345 (12) (b) The judge shall order the school board to disclose the child's
6 pupil records, as defined under s. 118.125 (1) (d), to the county department,
7 department, in a county having a population of 500,000 or more, or licensed child
8 welfare agency responsible for supervising the child, as necessary to determine the
9 child's compliance with the order under par. (a).

10 **SECTION 1228.** 48.345 (12) (c) of the statutes is amended to read:

11 48.345 (12) (c) The judge shall order the county department, department, in
12 a county having a population of 500,000 or more, or licensed child welfare agency
13 responsible for supervising the child to disclose to the school board, technical college
14 district board or private, nonprofit, nonsectarian agency which is providing an
15 educational program under par. (a) 3. records or information about the child, as
16 necessary to assure the provision of appropriate educational services under par. (a).

17 **SECTION 1229.** 48.345 (13) (a) of the statutes is amended to read:

18 48.345 (13) (a) If the report prepared under s. 48.33 (1) recommends that the
19 child is in need of treatment for the use or abuse of alcohol beverages, controlled
20 substances or controlled substance analogs and its medical, personal, family or social
21 effects, the court may order the child to enter an outpatient alcohol and other drug
22 abuse treatment program at an approved treatment facility. The approved
23 treatment facility shall, under the terms of a service agreement between the county
24 and the approved treatment facility and the county in a county having a population
25 of less than 500,000 or the department in a county having a population of 500,000

1 or more, or with the written informed consent of the child or the child's parent if the
2 child has not attained the age of 12, report to the agency primarily responsible for
3 providing services to the child as to whether the child is cooperating with the
4 treatment and whether the treatment appears to be effective.

5 **SECTION 1230.** 48.345 (13) (b) of the statutes is amended to read:

6 48.345 (13) (b) If the report prepared under s. 48.33 (1) recommends that the
7 child is in need of education relating to the use of alcohol beverages, controlled
8 substances or controlled substance analogs, the court may order the child to
9 participate in an alcohol or other drug abuse education program approved by the
10 court. The person or agency that provides the education program shall, under the
11 terms of a service agreement between the ~~county and the~~ education program and the
12 county in a county having a population of less than 500,000 or the department in a
13 county having a population of 500,000 or more, or with the written informed consent
14 of the child or the child's parent if the child has not attained the age of 12, report to
15 the agency primarily responsible for providing services to the child about the child's
16 attendance at the program.

17 **SECTION 1231.** 48.355 (2) (b) 4. of the statutes is amended to read:

18 48.355 (2) (b) 4. If the child is placed outside the child's home, a designation of
19 the amount of support, if any, to be paid by the child's parent, guardian or trustee,
20 specifying that the support obligation begins on the date of the placement, or a
21 referral to the county designee child support agency under s. 59.53 (5) for
22 establishment of child support.

23 **SECTION 1232.** 48.355 (2) (b) 6. of the statutes is amended to read:

24 48.355 (2) (b) 6. If the child is placed outside the home, ~~the court's a finding that~~
25 continued placement of the child in his or her home would be contrary to the welfare

1 ~~of the child and a finding as to whether a the county department which provides~~
2 ~~social services, the department, in a county having a population of 500,000 or more,~~
3 or the agency primarily responsible for the provision of services under a court order
4 has made reasonable efforts to prevent the removal of the child from the home or, if
5 applicable, that the agency primarily responsible for the provision of services under
6 a court order has made reasonable efforts to make it possible for the child to return
7 to his or her home.

8 **SECTION 1233.** 48.355 (2) (c) of the statutes is amended to read:

9 48.355 (2) (c) If school attendance is a condition of an order under par. (b) 7.,
10 the order shall specify what constitutes a violation of the condition and shall direct
11 the school board of the school district in which the child is enrolled to notify the
12 county department that is responsible for supervising the child ~~or, in a county having~~
13 ~~a population of 500,000 or more, the department~~ within 5 days after any violation of
14 the condition by the child.

15 **SECTION 1234.** 48.355 (2c) (a) (intro.) of the statutes is amended to read:

16 48.355 (2c) (a) (intro.) When a court makes a finding under sub. (2) (b) 6. as to
17 whether a ~~the county department which provides social services, the department, in~~
18 ~~a county having a population of 500,000 or more,~~ or the agency primarily responsible
19 for providing services to the child under a court order has made reasonable efforts
20 to prevent the removal of the child from his or her home, the court's consideration of
21 reasonable efforts shall include, but not be limited to, whether:

22 **SECTION 1235.** 48.36 (1) (a) of the statutes is amended to read:

23 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the
24 court otherwise designates an alternative placement for the child by a disposition
25 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the

1 parent or guardian or, in the case of a transfer of guardianship and custody under
2 s. 48.839 (4), the duty of the former guardian to provide support shall continue even
3 though the legal custodian or the placement designee may provide the support. A
4 copy of the order transferring custody or designating alternative placement for the
5 child shall be submitted to the agency or person receiving custody or placement and
6 the agency or person may apply to the court for an order to compel the parent or
7 guardian to provide the support. Support payments for residential services, when
8 purchased or otherwise funded or provided by the department or a county
9 department under s. ~~46.215~~, 46.22, 46.23, 51.42 or 51.437, shall be determined under
10 s. 46.10 (14).

11 **SECTION 1236.** 48.36 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
12 3, is amended to read:

13 48.36 (1) (b) In determining the amount of support under par. (a), the court may
14 consider all relevant financial information or other information relevant to the
15 parent's earning capacity, including information reported under s. 49.22 (2m) to the
16 department of workforce development, or the county child and ~~spousal~~ support
17 agency, under s. ~~49.22 (2m)~~ 59.53 (5). If the court has insufficient information with
18 which to determine the amount of support, the court shall order the child's parent
19 to furnish a statement of income, assets, debts and living expenses, if the parent has
20 not already done so, to the court within 10 days after the court's order transferring
21 custody or designating an alternative placement is entered or at such other time as
22 ordered by the court.

23 **SECTION 1237.** 48.36 (2) of the statutes is amended to read:

24 48.36 (2) If a child whose legal custody has not been taken from a parent or
25 guardian is given educational and social services, or medical, psychological or

1 psychiatric treatment by order of the court, the cost thereof, if ordered by the court,
2 shall be a charge upon the county in a county having a population of less than 500,000
3 or the department in a county having a population of 500,000 or more. This section
4 does not prevent recovery of reasonable contribution toward the costs from the
5 parent or guardian of the child as the court may order based on the ability of the
6 parent or guardian to pay. This subsection shall be subject to s. 46.03 (18).

7 **SECTION 1238.** 48.36 (3) of the statutes is amended to read:

8 48.36 (3) In determining county or departmental liability, this section does not
9 apply to services specified in ch. 115.

10 **SECTION 1239.** 48.365 (2g) (a) of the statutes is amended to read:

11 48.365 (2g) (a) At the hearing the person or agency primarily responsible for
12 providing services to the child shall file with the court a written report stating to
13 what extent the dispositional order has been meeting the objectives of the plan for
14 the child's rehabilitation or care and treatment. ~~The juvenile offender review~~
15 ~~program may file a written report regarding any child examined by the program.~~

16 **SECTION 1240.** 48.366 (8) of the statutes is amended to read:

17 48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department of corrections
18 may transfer a person subject to an order between secured correctional facilities.
19 After the person attains the age of 17 years, the department of corrections may place
20 the person in a state prison named in s. 302.01. If the person is 15 years of age or
21 over, the department of corrections may transfer the person to the Racine youthful
22 offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). If
23 the department of corrections places a person subject to an order under this section
24 in a state prison, that department shall provide services for that person from the
25 appropriate appropriation under s. 20.410 (1). The department of corrections may

1 transfer a person placed in a state prison under this subsection to or between state
2 prisons named in s. 302.01 without petitioning for revision of the order under sub.
3 (5) (a).

4 **SECTION 1241.** 48.38 (5) (am) of the statutes is amended to read:

5 48.38 (5) (am) The court may appoint an independent agency to designate a
6 panel to conduct a permanency plan review under par. (a). If the court in a county
7 having a population of less than 500,000 appoints an independent agency under this
8 paragraph, the county department of the county of the court shall authorize and
9 contract for the purchase of services from the independent agency. If the court in a
10 county having a population of 500,000 or more appoints an independent agency
11 under this paragraph, the department shall authorize and contract for the purchase
12 of services from the independent agency.

13 **SECTION 1242.** 48.428 (2) (a) of the statutes is amended to read:

14 48.428 (2) (a) Except as provided in par. (b), when a court places a child in
15 sustaining care after an order under s. 48.427 (4), the court shall transfer legal
16 custody of the child to the county department, the department, in a county having
17 a population of 500,000 or more, or a licensed child welfare agency, transfer
18 guardianship of the child to an agency listed in s. 48.427 (3m) (a) 1. to 4. and place
19 the child in the home of a licensed foster parent, licensed treatment foster parent or
20 kinship care relative with whom the child has resided for 6 months or longer.
21 Pursuant to such a placement, this licensed foster parent, licensed treatment foster
22 parent or kinship care relative shall be a sustaining parent with the powers and
23 duties specified in sub. (3).

24 **SECTION 1243.** 48.428 (2) (b) of the statutes is amended to read:

1 48.428 (2) (b) When a court places a child in sustaining care after an order
2 under s. 48.427 (4) with a person who has been appointed as the guardian of the child
3 under s. 48.977 (2), the court may transfer legal custody of the child to the county
4 department, the department, in a county having a population of 500,000 or more, or
5 a licensed child welfare agency, transfer guardianship of the child to an agency listed
6 in s. 48.427 (3m) (a) 1. to 4. and place the child in the home of a licensed foster parent
7 or, licensed treatment foster parent or kinship care relative with whom the child has
8 resided for 6 months or longer. Pursuant to such a placement, that licensed foster
9 parent or, licensed treatment foster parent or kinship care relative shall be a
10 sustaining parent with the powers and duties specified in sub. (3). If the court
11 transfers guardianship of the child to an agency listed in s. 48.427 (3m) (a) 1. to 4.,
12 the court shall terminate the guardianship under s. 48.977.

13 **SECTION 1593t.** 48.48 (16m) of the statutes is created to read:

14 48.48 (16m) To employ under the unclassified service in an office of the
15 department that is located in a 1st class city a director of the office of urban
16 development who shall be appointed by the secretary to serve at the pleasure of the
17 secretary and who shall coordinate the provision of child welfare services in a county
18 having a population of 500,000 or more with the implementation of the Wisconsin
19 works program under ss. 49.141 to 49.161 in a county having a population of 500,000
20 or more.

21 **SECTION 1244.** 48.48 (17) of the statutes is created to read:

22 48.48 (17) (a) In a county having a population of 500,000 or more, to administer
23 child welfare services and to expend such amounts as may be necessary out of any
24 moneys which may be appropriated for child welfare services by the legislature,
25 which may be donated by individuals or private organizations or which may be

1 otherwise provided. The department shall also have authority to do all of the
2 following:

3 1. Investigate the conditions surrounding nonmarital children and children in
4 need of protection or services within the county and to take every reasonable action
5 within its power to secure for them the full benefit of all laws enacted for their benefit.
6 Unless provided by another agency, the department shall offer social services to the
7 caretaker of any child who is referred to it under the conditions specified in this
8 subdivision. This duty shall be discharged in cooperation with the court and with
9 the public officers or boards legally responsible for the administration and
10 enforcement of these laws.

11 2. Accept legal custody of children transferred to it by the court under s. 48.355
12 and to provide special treatment and care if ordered by the court and if providing
13 special treatment and care is not the responsibility of the county department under
14 s. 46.215, 51.42 or 51.437. A court may not order the department to administer
15 psychotropic medications to children who receive special treatment or care under
16 this subdivision.

17 3. Provide appropriate protection and services for children in its care, including
18 providing services for children and their families in their own homes, placing the
19 children in licensed foster homes, licensed treatment foster homes or licensed group
20 homes in this state or another state within a reasonable proximity to the agency with
21 legal custody or contracting for services for them by licensed child welfare agencies,
22 except that the department may not purchase the educational component of private
23 day treatment programs unless the department, the school board as defined in s.
24 115.001 (7) and the state superintendent of public instruction all determine that an
25 appropriate public education program is not available. Disputes between the

1 department and the school district shall be resolved by the state superintendent of
2 public instruction.

3 4. Provide for the moral and religious training of children in its care according
4 to the religious belief of the child or of his or her parents.

5 5. Place children in a county children's home in the county, to accept
6 guardianship of children when appointed by the court and to place children under
7 its guardianship for adoption.

8 6. Provide services to the court under s. 48.06.

9 7. Contract with any parent or guardian or other person for the care and
10 maintenance of any child.

11 8. License foster homes or treatment foster homes in accordance with s. 48.75.

12 9. Use in the media a picture or description of a child in its guardianship for
13 the purpose of finding adoptive parents for that child.

14 10. Administer kinship care as provided in s. 48.57 (3m) and (3p).

15 11. Contract with the county department under s. 46.215, 51.42 or 51.437 or
16 with a licensed child welfare agency to provide any of the services that the
17 department is authorized to provide under this chapter.

18 (b) In performing the functions specified in par. (a), the department may avail
19 itself of the cooperation of any individual or private agency or organization interested
20 in the social welfare of children in the county.

21 (c) From the appropriations under s. 20.435 (3) (cx), (gx), (kw) and (mx), the
22 department may provide funding for the maintenance of any child who meets all of
23 the following criteria:

24 1. Is 18 years of age or older.

1 2. Is enrolled in and regularly attending a secondary education classroom
2 program leading to a high school diploma.

3 3. Received funding under s. 20.435 (3) (cx) or 46.495 (1) (d) immediately prior
4 to his or her 18th birthday.

5 4. Is living in a foster home, treatment foster home, group home or child caring
6 institution.

7 (d) The funding provided for the maintenance of a child under par. (c) shall be
8 in an amount equal to that which the child would receive under s. 20.435 (3) (cx), (gx),
9 (kw) and (mx) or 46.495 (1) (d) if the child were 17 years of age.

10 **SECTION 1245.** 48.551 (2) (a) of the statutes is amended to read:

11 48.551 (2) (a) Training persons who provide counseling to adolescents
12 including school counselors, county or department employes providing child welfare
13 services under s. 48.56 or 48.561 and family planning clinic employes.

14 **SECTION 1246.** Subchapter XII (title) of chapter 48 [precedes 48.56] of the
15 statutes is amended to read:

16 **CHAPTER 48**

17 SUBCHAPTER XII

18 COUNTY CHILD WELFARE SERVICES

19 **SECTION 1247.** 48.56 (title) of the statutes is amended to read:

20 **48.56** (title) **~~County child~~ Child welfare services in counties having**
21 **populations of less than 500,000.**

22 **SECTION 1248.** 48.56 (1) of the statutes is amended to read:

23 **48.56 (1)** Each county having a population of less than 500,000 shall provide
24 child welfare services through its county department.

25 **SECTION 1249.** 48.561 of the statutes is created to read:

1 **48.561 Child welfare services in a county having a population of**
2 **500,000 or more.** (1) Beginning on January 1, 1998, the department shall provide
3 child welfare services in a county having a population of 500,000 or more.

4 (2) Beginning on January 1, 1998, the department shall employ personnel in
5 a county having a population of 500,000 or more who devote all of their time directly
6 or indirectly to child welfare services. Whenever possible, these personnel shall be
7 social workers certified under ch. 457.

8 (3) (a) A county having a population of 500,000 or more shall contribute
9 \$31,280,700 in state fiscal year 1997-98 for the provision of child welfare services in
10 that county by the department.

11 (b) The department of administration and a county having a population of
12 500,000 or more shall consult to determine the method by which the state will collect
13 the amount specified in par. (a). If the department of administration and a county
14 having a population of 500,000 or more reach an agreement as to that method and
15 if that agreement calls for deducting all or part of that amount from any state
16 payment due that county under s. 79.03, 79.04, 79.058, 79.06 or 79.08 or for adding
17 a special charge to the amount of taxes apportioned to and levied on that county
18 under s. 70.60, the department of administration shall notify the department of
19 revenue, by September 15, 1997, of the amount to be deducted from those state
20 payments due or to be added as that special charge. If the department of
21 administration and a county having a population of 500,000 or more do not reach an
22 agreement as to that method by September 15, 1997, the department of
23 administration shall determine that method without the agreement of that county.
24 On or after January 1, 1998, the department of administration shall credit all
25 amounts collected under this paragraph to the appropriation account under s. 20.435

1 (3) (kw) and shall notify the county from which those amounts are collected of that
2 collection.

3 **SECTION 1600d.** 48.561 (1), (2) and (3) of the statutes, as created by 1997
4 Wisconsin Act (this act), are amended to read:

5 48.561 (1) ~~Beginning on January 1, 1998, the~~ The department shall provide
6 child welfare services in a county having a population of 500,000 or more.

7 (2) ~~Beginning on January 1, 1998, the~~ The department shall employ personnel
8 in a county having a population of 500,000 or more who devote all of their time
9 directly or indirectly to child welfare services. Whenever possible, these personnel
10 shall be social workers certified under ch. 457.

11 (3) (a) A county having a population of 500,000 or more shall contribute
12 ~~\$31,280,700~~ \$62,561,400 in each state fiscal year ~~1997-98~~ for the provision of child
13 welfare services in that county by the department.

14 (b) The department of administration and a county having a population of
15 500,000 or more shall consult to determine the method by which the state will collect
16 the amount specified in par. (a). If the department of administration and a county
17 having a population of 500,000 or more reach an agreement as to that method and
18 if that agreement calls for deducting all or part of that amount from any state
19 payment due that county under s. 79.03, 79.04, 79.058, 79.06 or 79.08 or for adding
20 a special charge to the amount of taxes apportioned to and levied on that county
21 under s. 70.60, the department of administration shall notify the department of
22 revenue, by ~~September 15, 1997~~ of each year, of the amount to be deducted from those
23 state payments due or to be added as that special charge. If the department of
24 administration and a county having a population of 500,000 or more do not reach an
25 agreement as to that method by ~~September 15, 1997~~ of each year, the department of

1 administration shall determine that method without the agreement of that county.
2 ~~On or after January 1, 1998, the~~ The department of administration shall credit all
3 amounts collected under this paragraph to the appropriation account under s. 20.435
4 (3) (kw) and shall notify the county from which those amounts are collected of that
5 collection.

6 **SECTION 1250.** 48.57 (title) of the statutes is amended to read:

7 **48.57 (title) Powers and duties of department and county departments**
8 **providing child welfare services.**

9 **SECTION 1251.** 48.57 (1) (intro.) of the statutes is amended to read:

10 48.57 (1) (intro.) Each county department shall administer and expend such
11 amounts as may be necessary out of any moneys which may be appropriated for child
12 welfare purposes by the county board of supervisors or by the legislature, which may
13 be donated by individuals or private organizations. It or which may be otherwise
14 provided. The department shall have the authority specified in s. 48.48 (17). A
15 county department shall have the authority:

16 **SECTION 1252.** 48.57 (1) (c) of the statutes is amended to read:

17 48.57 (1) (c) To provide appropriate protection and services for children in its
18 care, including providing services for children and their families in their own homes,
19 placing the children in licensed foster homes, licensed treatment foster homes or
20 licensed group homes in this state or another state within a reasonable proximity to
21 the agency with legal custody or contracting for services for them by licensed child
22 welfare agencies, except that the county department shall not purchase the
23 educational component of private day treatment programs unless the county
24 department, the school board as defined in s. 115.001 (7) and the ~~department of~~
25 ~~education~~ state superintendent of public instruction all determine that an

1 appropriate public education program is not available. Disputes between the county
2 department and the school district shall be resolved by the ~~department of education~~
3 state superintendent of public instruction.

4 **SECTION 1253.** 48.57 (1) (e) of the statutes is amended to read:

5 48.57 (1) (e) If a county department in a county with a population of 500,000
6 or more and if contracted to do so by the department, to place children in a county
7 children's home in the county under policies adopted by the county board of
8 supervisors, to accept guardianship of children when appointed by the court and to
9 place children under its guardianship for adoption.

10 **SECTION 1254.** 48.57 (3m) (am) (intro.) of the statutes, as affected by 1995
11 Wisconsin Act 289, section 70g, is amended to read:

12 48.57 (3m) (am) (intro.) From the appropriations under s. 20.435 ~~(7) (b) and (c)~~
13 (3) (cz) and (kc), the department shall reimburse counties for payments made under
14 this subsection. A county department shall make payments in the amount of \$215
15 per month to a kinship care relative who is providing care and maintenance for a
16 child if all of the following conditions are met:

17 **SECTION 1255.** 48.57 (3m) (am) (intro.) of the statutes, as affected by 1997
18 Wisconsin Act (this act), is repealed and recreated to read:

19 48.57 (3m) (am) (intro.) From the appropriations under s. 20.435 (3) (cz) and
20 (kc), the department shall reimburse counties having populations of less than
21 500,000 for payments made under this subsection and shall make payments under
22 this subsection in a county having a population of 500,000 or more. A county
23 department and, in a county having a population of 500,000 or more, the department
24 shall make payments in the amount of \$215 per month to a kinship care relative who
25 is providing care and maintenance for a child if all of the following conditions are met:

1 **SECTION 1256.** 48.57 (3m) (am) 1. of the statutes is amended to read:

2 48.57 **(3m)** (am) 1. The kinship care relative applies to the county department
3 or department for payments under this subsection and the county department or
4 department determines that there is a need for the child to be placed with the kinship
5 care relative and that the placement with the kinship care relative is in the best
6 interests of the child.

7 **SECTION 1257.** 48.57 (3m) (am) 2. of the statutes is amended to read:

8 48.57 **(3m)** (am) 2. The county department or department determines that the
9 child meets one or more of the criteria specified in s. 48.13 or 938.13 or that the child
10 would be at risk of meeting one or more of those criteria if the child were to remain
11 in his or her home.

12 **SECTION 1258.** 48.57 (3m) (am) 4. of the statutes is amended to read:

13 48.57 **(3m)** (am) 4. The county department or department conducts a
14 background investigation under sub. (3p) of the kinship care relative, the employes
15 and prospective employes of the kinship care relative who have or would have
16 regular contact with the child for whom the payments would be made and any other
17 adult resident of the kinship care relative's home to determine if the kinship care
18 relative, employe, prospective employe or adult resident has any arrests or
19 convictions that could adversely affect the child or the kinship care relative's ability
20 to care for the child.

21 **SECTION 1259.** 48.57 (3m) (am) 5. of the statutes is amended to read:

22 48.57 **(3m)** (am) 5. The kinship care relative cooperates with the county
23 department or department in the application process, including applying for other
24 forms of assistance for which the kinship care relative may be eligible.

25 **SECTION 1260.** 48.57 (3m) (am) 6. of the statutes is created to read:

1 48.57 (3m) (am) 6. The child for whom the kinship care relative is providing
2 care and maintenance is not receiving supplemental security income under 42 USC
3 1381 to 1383c or state supplemental payments under s. 49.77.

4 **SECTION 1261.** 48.57 (3m) (b) 1. of the statutes is amended to read:

5 48.57 (3m) (b) 1. The county department or, in a county having a population
6 of 500,000 or more, the department shall refer to the attorney responsible for support
7 enforcement under s. ~~59.458 (1)~~ 59.53 (6) (a) the name of the parent or parents of a
8 child for whom a payment is made under par. (am).

9 **SECTION 1262.** 48.57 (3m) (c) of the statutes is amended to read:

10 48.57 (3m) (c) The county department or, in a county having a population of
11 500,000 or more, the department shall require the parent or parents of a child for
12 whom a payment is made under par. (am) to initiate or continue health care
13 insurance coverage for the child.

14 **SECTION 1263.** 48.57 (3m) (d) of the statutes, as affected by 1995 Wisconsin Act
15 289, section 70g, is amended to read:

16 48.57 (3m) (d) A county department or, in a county having a population of
17 500,000 or more, the department shall review a placement of a child for which the
18 county department or department makes payments under par. (am) not less than
19 every 12 months after the county department or department begins making those
20 payments to determine whether the conditions specified in par. (am) continue to
21 exist. If those conditions do not continue to exist, the county department or
22 department shall discontinue making those payments.

23 **SECTION 1614g.** 48.57 (3m) (f) of the statutes is created to read:

24 48.57 (3m) (f) Any person whose application for payments under par. (am) is
25 not acted on promptly or is denied on the grounds that a condition specified in par.

1 (am) 1., 2., 5. or 6. has not been met and any person whose payments under par. (am)
2 are discontinued under par. (d) may petition the department under par. (g) for a
3 review of that action or failure to act. Review is unavailable if the action or failure
4 to act arose more than 45 days before submission of the petition for review.

5 **SECTION 1614h.** 48.57 (3m) (g) of the statutes is created to read:

6 48.57 (3m) (g) 1. Upon receipt of a timely petition under par. (f) the department
7 shall give the applicant or recipient reasonable notice and an opportunity for a fair
8 hearing. The department may make such additional investigation as it considers
9 necessary. Notice of the hearing shall be given to the applicant or recipient and to
10 the county department or subunit of the department whose action or failure to act
11 is the subject of the petition. That county department or subunit of the department
12 may be represented at the hearing. The department shall render its decision as soon
13 as possible after the hearing and shall send a certified copy of its decision to the
14 applicant or recipient and to the county department or subunit of the department
15 whose action or failure to act is the subject of the petition. The decision of the
16 department shall have the same effect as an order of the county department or
17 subunit of the department whose action or failure to act is the subject of the petition.
18 The decision shall be final, but may be revoked or modified as altered conditions may
19 require. The department shall deny a petition for review or shall refuse to grant
20 relief if any of the following applies:

21 a. The petitioner withdraws the petition in writing.

22 b. The sole issue in the petition concerns an automatic payment adjustment or
23 change that affects an entire class of recipients and is the result of a change in state
24 law.

1 c. The petitioner abandons the petition. Abandonment occurs if the petitioner
2 fails to appear in person or by a representative at a scheduled hearing without good
3 cause, as determined by the department.

4 2. If a recipient requests a hearing within 10 days after the date of notice that
5 his or her payments under par. (am) are being discontinued, those payments may not
6 be discontinued until a decision is rendered after the hearing but payments made
7 pending the hearing decision may be recovered by the department if the contested
8 action or failure to act is upheld. The department shall promptly notify the county
9 department of the county in which the recipient resides or, if the recipient resides in
10 a county having a population of 500,000 or more, the subunit of the department
11 administering of the kinship care program in that county that the recipient has
12 requested a hearing. Payments under par. (am) shall be discontinued if any of the
13 following applies:

14 a. The recipient is contesting a state law or a change in state law and not the
15 determination of the payment made on the recipient's behalf.

16 b. The recipient is notified of a change in his or her payments under par. (am)
17 while the hearing decision is pending but the recipient fails to request a hearing on
18 the change.

19 3. The recipient shall be promptly informed in writing if his or her payments
20 under par. (am) are to be discontinued pending the hearing decision.

21 **SECTION 1264.** 48.57 (3p) (b) 1. of the statutes is amended to read:

22 48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m),
23 the county department or, in a county having a population of 500,000 or more, the
24 department of health and family services, with the assistance of the department of
25 justice, shall conduct a background investigation of the applicant.

1 **SECTION 1265.** 48.57 (3p) (b) 2. of the statutes is amended to read:

2 48.57 **(3p)** (b) 2. The county department or, in a county having a population of
3 500,000 or more, the department of health and family services, with the assistance
4 of the department of justice, may conduct a background investigation of any person
5 who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)
6 or at any other time that the county department or department of health and family
7 services considers to be appropriate.

8 **SECTION 1266.** 48.57 (3p) (c) 1. of the statutes is amended to read:

9 48.57 **(3p)** (c) 1. After receipt of an application for payments under sub. (3m),
10 the county department or, in a county having a population of 500,000 or more, the
11 department of health and family services, with the assistance of the department of
12 justice, shall, in addition to the investigation under par. (b), conduct a background
13 investigation of all employes and prospective employes of the applicant who have or
14 would have regular contact with the child for whom those payments are being made
15 and of each adult resident.

16 **SECTION 1267.** 48.57 (3p) (c) 2. of the statutes is amended to read:

17 48.57 **(3p)** (c) 2. The county department or, in a county having a population of
18 500,000 or more, the department of health and family services, with the assistance
19 of the department of justice, may conduct a background investigation of any of the
20 employes or prospective employes of any person who is receiving payments under
21 sub. (3m) who have or would have regular contact with the child for whom those
22 payments are being made and of each adult resident at the time of review under sub.
23 (3m) (d) or at any other time that the county department or department of health and
24 family services considers to be appropriate.

25 **SECTION 1268.** 48.57 (3p) (c) 3. of the statutes is amended to read:

1 48.57 (3p) (c) 3. Before a person ~~that~~ who is receiving payments under sub. (3m)
2 may employ any person in a position in which that person would have regular contact
3 with the child for whom those payments are being made or permit any person to be
4 an adult resident, the county department or, in a county having a population of
5 500,000 or more, the department of health and family services, with the assistance
6 of the department of justice, shall conduct a background investigation of the
7 prospective employe or prospective adult resident unless that person has already
8 been investigated under subd. 1. or 2.

9 **SECTION 1269.** 48.57 (3p) (d) of the statutes is amended to read:

10 48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a
11 nonresident, or at any time within the 5 years preceding the date of the application
12 has been a nonresident, or if the county department or, in a county having a
13 population of 500,000 or more, the department of health and family services
14 determines that the person's employment, licensing or state court records provide a
15 reasonable basis for further investigation, the county department or department of
16 health and family services shall require the person to be photographed and
17 fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's
18 fingerprints. The department of justice may provide for the submission of the
19 fingerprint cards to the federal bureau of investigation for the purposes of verifying
20 the identity of the person fingerprinted and obtaining records of his or her criminal
21 arrest and conviction.

22 **SECTION 1270.** 48.57 (3p) (e) (intro.) of the statutes is amended to read:

23 48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
24 or (c) shall provide the county department or, in a county having a population of

1 500,000 or more, the department of health and family services with all of the
2 following information:

3 **SECTION 1271.** 48.57 (3p) (fm) 1. of the statutes, as affected by 1997 Wisconsin
4 Act 3, is amended to read:

5 48.57 **(3p)** (fm) 1. The county department or, in a county having a population
6 of 500,000 or more, the department of health and family services may provisionally
7 approve the making of payments under sub. (3m) based on the applicant's statement
8 under sub. (3m) (am) 4m. The county department or department of health and family
9 services may not finally approve the making of payments under sub. (3m) unless ~~that~~
10 the county department or department of health and family services receives
11 information from the department of justice indicating that the conviction record of
12 the applicant under the law of this state is satisfactory according to the criteria
13 specified in par. (g) 1. to 3. The county department or department of workforce
14 development health and family services may make payments under sub. (3m)
15 conditioned on the receipt of information from the federal bureau of investigation
16 indicating that the person's conviction record under the law of any other state or
17 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

18 **SECTION 1272.** 48.57 (3p) (fm) 2. of the statutes is amended to read:

19 48.57 **(3p)** (fm) 2. A person receiving payments under sub. (3m) may
20 provisionally employ a person in a position in which that person would have regular
21 contact with the child for whom those payments are being made or provisionally
22 permit a person to be an adult resident if the person receiving those payments states
23 to the county department or, in a county having a population of 500,000 or more, the
24 department of health and family services that the employe or adult resident does not
25 have any arrests or convictions that could adversely affect the child or the ability of

1 the person receiving payments to care for the child. A person receiving payments
2 under sub. (3m) may not finally employ a person in a position in which that person
3 would have regular contact with the child for whom those payments are being made
4 or finally permit a person to be an adult resident until the county department or, in
5 a county having a population of 500,000 or more, the department of health and family
6 services receives information from the department of justice indicating that the
7 person's conviction record under the law of this state is satisfactory according to the
8 criteria specified in par. (g) 1. to 3. and the county department so advises the
9 department of health and family services and the person receiving payments under
10 sub. (3m) or the department of health and family services so advises that person. A
11 person receiving payments under sub. (3m) may finally employ a person in a position
12 in which that person would have regular contact with the child for whom those
13 payments are being made or finally permit a person to be an adult resident
14 conditioned on the receipt of information from the county department or, in a county
15 having a population of 500,000 or more, the department of health and family services
16 that the federal bureau of investigation indicates that the person's conviction record
17 under the law of any other state or under federal law is satisfactory according to the
18 criteria specified in par. (g) 1. to 3.

19 **SECTION 1273.** 48.57 (3p) (g) (intro.) of the statutes, as affected by 1995
20 Wisconsin Act 289, section 71f, is amended to read:

21 48.57 (3p) (g) (intro.) ~~Subject to par. (h), the~~ A county department or, in a county
22 having a population of 500,000 or more, the department of health and family services
23 may not make payments to a person applying for payments under sub. (3m) and a
24 person receiving payments under sub. (3m) may not employ a person in a position
25 in which that person would have regular contact with the child for whom those

1 payments are being made or permit a person to be an adult resident if any of the
2 following applies:

3 **SECTION 1274.** 48.57 (3p) (g) 2. of the statutes is amended to read:

4 48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified
5 in s. 939.62, 939.621, 939.63, 939.64, 939.641 or 939.645 or has been convicted of a
6 violation of the law of any other state or federal law under circumstances under
7 which the applicant or other person would be subject to a penalty specified in any of
8 those sections if convicted in this state.

9 **SECTION 1275.** 48.57 (3p) (g) 3. of the statutes is amended to read:

10 48.57 (3p) (g) 3. The person has been convicted of a violation of ch. 940, 944 or
11 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63 or 948.70, or
12 of a violation of the law of any other state or federal law that would be a violation of
13 ch. 940, 944 or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63
14 or 948.70, if committed in this state, except that the a county department or, in a
15 county having a population of 500,000 or more, the department of health and family
16 services may make payments to a person applying for payments under sub. (3m) and
17 a person receiving payments under sub. (3m) may employ in a position in which the
18 person would have regular contact with the child for whom those payments are being
19 made or permit to be an adult resident a person who has been convicted of a violation
20 of s. 944.30, 944.31 or 944.33 or of a violation of the law of any other state or federal
21 law that would be a violation of s. 944.30, 944.31 or 944.33 if committed in this state,
22 if that violation occurred 20 years or more before the date of the investigation.

23 **SECTION 1276.** 48.57 (3p) (i) of the statutes is amended to read:

24 48.57 (3p) (i) The A county department and, in a county having a population
25 of 500,000 or more, the department of health and family services shall keep

1 confidential all information received under this subsection from the department of
2 justice or the federal bureau of investigation. Such information is not subject to
3 inspection or copying under s. 19.35.

4 **SECTION 1277.** 48.57 (3p) (j) of the statutes is amended to read:

5 48.57 (3p) (j) The A county department or, in a county having a population of
6 500,000 or more, the department of health and family services may charge a fee for
7 conducting a background investigation under this subsection. The fee may not
8 exceed the reasonable cost of conducting the investigation.

9 **SECTION 1278.** 48.58 (1) (b) of the statutes is amended to read:

10 48.58 (1) (b) Provide care for children in need of protection or services, and
11 delinquent juveniles referred by the county department under s. 46.215, if the
12 delinquent juveniles are placed in separate facilities;

13 **SECTION 1279.** 48.59 (1) of the statutes is amended to read:

14 48.59 (1) The county department or, in a county having a population of 500,000
15 or more, the department or an agency under contract with the department shall
16 investigate the personal and family history and environment of any child transferred
17 to its legal custody or placed under its supervision under s. 48.345 and make any
18 physical or mental examinations of the child considered necessary to determine the
19 type of care necessary for the child. The county department, department or agency
20 shall screen a child who is examined under this subsection to determine whether the
21 child is in need of special treatment or care because of alcohol or other drug abuse,
22 mental illness or severe emotional disturbance. The county department, department
23 or agency shall keep a complete record of the information received from the court, the
24 date of reception, all available data on the personal and family history of the child,
25 the results of all tests and examinations given the child and a complete history of all

1 placements of the child while in the legal custody or under the supervision of the
2 county department, department or agency.

3 **SECTION 1280.** 48.60 (1) of the statutes is amended to read:

4 48.60 (1) No person may receive children, with or without transfer of legal
5 custody, to provide care and maintenance for 75 days in any consecutive 12 months'
6 period for 4 or more such children at any one time unless that person obtains a license
7 to operate a child welfare agency from the department. To obtain a license under this
8 subsection to operate a child welfare agency, a person must meet the minimum
9 requirements for a license established by the department under s. 48.67 and pay the
10 applicable license fee under s. 48.615 (1) (a) or (b). A license issued under this
11 subsection is valid ~~for 2 years after the date of issuance, unless sooner revoked or~~
12 ~~suspended~~ until revoked or suspended, but shall be reviewed every 2 years as
13 provided in s. 48.66 (5).

14 **SECTION 1281.** 48.60 (3) of the statutes is amended to read:

15 48.60 (3) Before issuing or continuing any license to a child welfare agency
16 under this section, the department of health and family services shall review the
17 need for the additional placement resources that would be made available by the
18 licensing or ~~relicensing~~ continuing the license of any child welfare agency after
19 August 5, 1973, providing care authorized under s. 48.61 (3). Neither the
20 department of health and family services nor the department of corrections may
21 make any placements to any child welfare agency where the departmental review
22 required under this subsection has failed to indicate the need for the additional
23 placement resources.

24 **SECTION 1282.** 48.615 (1) (a) of the statutes is amended to read:

1 48.615 (1) (a) Before the department may issue a license under s. 48.60 (1) to
2 a child welfare agency that regularly provides care and maintenance for children
3 within the confines of its building, the child welfare agency must pay to the
4 department a biennial fee of \$100 \$110, plus a biennial fee of \$15 \$16.50 per child,
5 based on the number of children that the child welfare agency is licensed to serve.

6 **SECTION 1283.** 48.615 (1) (a) of the statutes, as affected by 1997 Wisconsin Act
7 (this act), is repealed and recreated to read:

8 48.615 (1) (a) Before the department may issue a license under s. 48.60 (1) to
9 a child welfare agency that regularly provides care and maintenance for children
10 within the confines of its building, the child welfare agency must pay to the
11 department a biennial fee of \$121, plus a biennial fee of \$18.15 per child, based on
12 the number of children that the child welfare agency is licensed to serve.

13 **SECTION 1284.** 48.615 (1) (b) of the statutes is amended to read:

14 48.615 (1) (b) Before the department may issue a license under s. 48.60 (1) to
15 a child welfare agency that places children in licensed foster homes, licensed
16 treatment foster homes and licensed group homes, the child welfare agency must pay
17 to the department a biennial fee of ~~\$210~~ \$231.

18 **SECTION 1285.** 48.615 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
19 (this act), is repealed and recreated to read:

20 48.615 (1) (b) Before the department may issue a license under s. 48.60 (1) to
21 a child welfare agency that places children in licensed foster homes, licensed
22 treatment foster homes and licensed group homes, the child welfare agency must pay
23 to the department a biennial fee of \$254.10

24 **SECTION 1286.** 48.615 (1) (c) of the statutes is amended to read:

1 48.615 (1) (c) A child welfare agency that wishes to ~~renew~~ continue a license
2 issued under s. 48.60 (1) shall pay the applicable fee under par. (a) or (b) by the
3 ~~renewal~~ continuation date of the license.

4 **SECTION 1287.** 48.615 (2) of the statutes is amended to read:

5 48.615 (2) A child welfare agency that wishes to ~~renew~~ continue a license issued
6 under s. 48.60 (1) and that fails to pay the applicable fee under sub. (1) (a) or (b) by
7 the ~~renewal~~ continuation date of the license or a new child welfare agency that fails
8 to pay the applicable fee under sub. (1) (a) or (b) by 30 days before the opening of the
9 child welfare agency shall pay an additional fee of \$5 per day for every day after the
10 deadline that the agency fails to pay the fee.

11 **SECTION 1639m.** 48.62 (4) of the statutes is amended to read:

12 48.62 (4) Monthly payments in foster care shall be provided according to the
13 age-related rates specified in this subsection. Beginning on January 1, ~~1993~~ 1998,
14 the age-related rates are: ~~\$240~~ \$289 for children aged 4 and under; ~~\$267~~ \$315 for
15 children aged 5 to 11; ~~\$327~~ \$358 for children aged 12 to 14 and ~~\$337~~ \$374 for children
16 aged 15 to 17. Beginning on January 1, ~~1994~~ 1999, the age-related rates are: ~~\$276~~
17 \$296 for children aged 4 and under; ~~\$301~~ \$323 for children aged 5 to 11; ~~\$344~~ \$367
18 for children aged 12 to 14; and ~~\$361~~ \$383 for children aged 15 to 17. Beginning on
19 ~~January 1, 1995~~, the age-related rates are: ~~\$282~~ for children aged 4 and under; ~~\$307~~
20 for children aged 5 to 11; ~~\$349~~ for children aged 12 to 14; and ~~\$365~~ for children aged
21 ~~15 to 17~~. In addition to these grants for basic maintenance, the department shall
22 make supplemental payments for special needs, exceptional circumstances, care in
23 a treatment foster home and initial clothing allowances according to rules
24 promulgated by the department.

25 **SECTION 1288.** 48.625 (1) of the statutes is amended to read:

1 48.625 (1) Any person who receives, with or without transfer of legal custody,
2 5 to 8 children, to provide care and maintenance for those children shall obtain a
3 license to operate a group home from the department. To obtain a license under this
4 subsection to operate a group home, a person must meet the minimum requirements
5 for a license established by the department under s. 48.67 and pay the license fee
6 under sub. (2). A license issued under this subsection is valid ~~for 2 years after the~~
7 ~~date of issuance, unless sooner revoked or suspended~~ until revoked or suspended, but
8 shall be reviewed every 2 years as provided in s. 48.66 (5).

9 **SECTION 1289.** 48.625 (2) (a) of the statutes is amended to read:

10 48.625 (2) (a) Before the department may issue a license under sub. (1) to a
11 group home, the group home must pay to the department a biennial fee of ~~\$100~~ \$110,
12 plus a biennial fee of ~~\$15~~ \$16.50 per child, based on the number of children that the
13 group home is licensed to serve. A group home that wishes to ~~renew~~ continue a
14 license issued under sub. (1) shall pay the fee under this paragraph by the ~~renewal~~
15 continuation date of the license. A new group home shall pay the fee under this
16 paragraph no later than 30 days before the opening of the group home.

17 **SECTION 1290.** 48.625 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 48.625 (2) (a) Before the department may issue a license under sub. (1) to a
20 group home, the group home must pay to the department a biennial fee of \$121, plus
21 a biennial fee of \$18.15 per child, based on the number of children that the group
22 home is licensed to serve. A group home that wishes to continue a license issued
23 under sub. (1) shall pay the fee under this paragraph by the continuation date of the
24 license. A new group home shall pay the fee under this paragraph no later than 30
25 days before the opening of the group home.

1 **SECTION 1291.** 48.625 (2) (b) of the statutes is amended to read:

2 48.625 (2) (b) A group home that wishes to ~~renew~~ continue a license issued
3 under sub. (1) and that fails to pay the fee under par. (a) by the ~~renewal~~ continuation
4 date of the license or a new group home that fails to pay the fee under par. (a) by 30
5 days before the opening of the group home shall pay an additional fee of \$5 per day
6 for every day after the deadline that the group home fails to pay the fee.

7 **SECTION 1292.** 48.627 (2) (a) of the statutes is amended to read:

8 48.627 (2) (a) Before the department, a county department or a licensed child
9 welfare agency may issue ~~or~~, renew or continue a foster home, treatment foster home
10 or family-operated group home license, the licensing agency shall require the
11 applicant to furnish proof satisfactory to the licensing agency that he or she has
12 homeowner's or renter's liability insurance that provides coverage for negligent acts
13 or omissions by children placed in a foster home, treatment foster home or
14 family-operated group home that result in bodily injury or property damage to 3rd
15 parties.

16 **SECTION 1293.** 48.65 (1) of the statutes is amended to read:

17 48.65 (1) No person may for compensation provide care and supervision for 4
18 5 or more children under the age of 7 for less than 24 hours a day unless that person
19 obtains a license to operate a day care center from the department except that a
20 person who is a Level I certified family day care provider, as established by the
21 department of workforce development under s. 49.155 (1d), may for compensation
22 provide care and supervision for up to 6 unrelated children under the age of 7 for less
23 than 24 hours a day without obtaining a license to operate a day care center from the
24 department. To obtain a license under this subsection to operate a day care center,
25 a person must meet the minimum requirements for a license established by the

1 department under s. 48.67 and pay the license fee under sub. (3). A license issued
2 under this subsection is valid for ~~2 years after the date of issuance, unless sooner~~
3 ~~revoked or suspended~~ until revoked or suspended, but shall be reviewed every 2
4 years as provided in s. 48.66 (5).

5 **SECTION 1294.** 48.65 (1m) (b) 2. of the statutes is amended to read:

6 48.65 (1m) (b) 2. The department of health and family services, with the
7 assistance of the department of justice, shall conduct a background investigation of
8 any person who, on July 1, 1996, is a day care provider licensed under this section
9 or contracted for under s. 120.13 (14) or who, on July 1, 1996, has an application for
10 licensure or a contract offer pending, within 6 months after July 1, 1996, or on the
11 person's application for license continuation or contract renewal, whichever is
12 earlier.

13 **SECTION 1295.** 48.65 (1m) (b) 3. of the statutes is amended to read:

14 48.65 (1m) (b) 3. Subject to subd. 2., the department of health and family
15 services may, at the time of renewal continuation of the license or renewal of the
16 contract of a day care provider licensed under this section or contracted for under s.
17 120.13 (14), or at any other time that the department considers to be appropriate,
18 conduct, with the assistance of the department of justice, a background investigation
19 of that day care provider.

20 **SECTION 1296.** 48.65 (1m) (c) 2. of the statutes is amended to read:

21 48.65 (1m) (c) 2. The department of health and family services, with the
22 assistance of the department of justice, shall conduct a background investigation of
23 each adult resident of a person who, on July 1, 1996, is licensed under this section
24 or contracted for under s. 120.13 (14) or who, on July 1, 1996, has an application for
25 licensure or a contract offer pending, within 6 months after that date or on the

1 person's application for license continuation or contract renewal, whichever is
2 earlier.

3 **SECTION 1297.** 48.65 (1m) (c) 3. of the statutes is amended to read:

4 48.65 (1m) (c) 3. Subject to subd. 2., the department of health and family
5 services may, at the time of ~~renewal~~ continuation of the license or renewal of the
6 contract of a day care provider licensed under this section or contracted for under s.
7 120.13 (14) or at any other time that the department considers to be appropriate,
8 conduct, with the assistance of the department of justice, a background investigation
9 of any employe or prospective employe of the day care provider who has or would have
10 regular contact with any child receiving day care from the day care provider or of any
11 adult resident of the day care provider.

12 **SECTION 1298.** 48.65 (3) (a) of the statutes is amended to read:

13 48.65 (3) (a) Before the department may issue a license under sub. (1) to a day
14 care center that provides care and supervision for ~~4~~ 5 to 8 children, the day care
15 center must pay to the department a biennial fee of \$50 \$55. Before the department
16 may issue a license under sub. (1) to a day care center that provides care and
17 supervision for 9 or more children, the day care center must pay to the department
18 a biennial fee of \$25 \$27.50, plus a biennial fee of \$7 \$7.70 per child, based on the
19 number of children that the day care center is licensed to serve. A day care center
20 that wishes to ~~renew~~ continue a license issued under sub. (1) shall pay the applicable
21 fee under this paragraph by the ~~renewal~~ continuation date of the license. A new day
22 care center shall pay the applicable fee under this paragraph no later than 30 days
23 before the opening of the day care center.

24 **SECTION 1299.** 48.65 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
25 (this act), is repealed and recreated to read:

1 48.65 (3) (a) Before the department may issue a license under sub. (1) to a day
2 care center that provides care and supervision for 5 to 8 children, the day care center
3 must pay to the department a biennial fee of \$60.50. Before the department may
4 issue a license under sub. (1) to a day care center that provides care and supervision
5 for 9 or more children, the day care center must pay to the department a biennial fee
6 of \$30.25, plus a biennial fee of \$8.47 per child, based on the number of children that
7 the day care center is licensed to serve. A day care center that wishes to continue a
8 license issued under sub. (1) shall pay the applicable fee under this paragraph by the
9 continuation date of the license. A new day care center shall pay the applicable fee
10 under this paragraph no later than 30 days before the opening of the day care center.

11 **SECTION 1300.** 48.65 (3) (b) of the statutes is amended to read:

12 48.65 (3) (b) A day care center that wishes to ~~renew~~ continue a license issued
13 under par. (a) and that fails to pay the applicable fee under par. (a) by the ~~renewal~~
14 continuation date of the license or a new day care center that fails to pay the
15 applicable fee under par. (a) by 30 days before the opening of the day care center shall
16 pay an additional fee of \$5 per day for every day after the deadline that the group
17 home fails to pay the fee.

18 **SECTION 1301.** 48.651 (1) (intro.) of the statutes is amended to read:

19 48.651 (1) (intro.) Each county department shall certify, according to the
20 standards adopted by the department of workforce development under s. ~~46.03 (21)~~
21 49.155 (1d), each day care provider reimbursed for child care services provided to
22 families determined eligible under ss. 49.132 (2r) and (4) and 49.155 (1m), unless the
23 provider is a day care center licensed under s. 48.65 or is established or contracted
24 for under s. 120.13 (14). Each county may charge a fee to cover the costs of
25 certification. The county shall certify the following categories of day care providers:

1 **SECTION 1302.** 48.651 (1) (a) of the statutes is amended to read:

2 48.651 (1) (a) Level I certified family day care providers, as established by the
3 department ~~under s. 46.03 (21)~~ of workforce development under s. 49.155 (1d). No
4 county may certify a provider under this paragraph if the provider is a relative of all
5 of the children for whom he or she provides care. ~~The department may establish by~~
6 ~~rule other requirements for certification under this paragraph.~~

7 **SECTION 1303.** 48.651 (1) (b) of the statutes is amended to read:

8 48.651 (1) (b) Level II certified family day care providers, as established by the
9 department ~~under s. 46.03 (21)~~. ~~In establishing the requirements for certification~~
10 ~~under this paragraph, the department may not include a requirement for training~~
11 ~~for providers. The department may establish by rule requirements for certification~~
12 ~~under this paragraph~~ of workforce development, under s. 49.155 (1d).

13 **SECTION 1304.** 48.66 (1) of the statutes is amended to read:

14 48.66 (1) The department shall license and supervise child welfare agencies,
15 as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities,
16 as required by s. ~~48.48~~ 938.22, and day care centers, as required by s. 48.65. The
17 department may license foster homes or treatment foster homes, as provided by s.
18 48.62, and may license and supervise county departments in accordance with the
19 procedures specified in this section and in ss. 48.67 to 48.74. The department of
20 corrections may license a child welfare agency to operate a secured child caring
21 institution, as defined in s. 938.02 (15g), for holding in secure custody children who
22 have been convicted under s. 938.183 or adjudicated delinquent under s. 938.34 (4d),
23 (4h) or (4m) and referred to the child welfare agency by the court or the department
24 of corrections and to provide supervision, care and maintenance for those children.
25 A license issued under this subsection, other than a license to operate a foster home,

1 treatment foster home or secured child caring institution, is valid until revoked or
2 suspended. A license issued under this subsection to operate a foster home,
3 treatment foster home or secured child caring institution may be for any term not to
4 exceed 2 years from the date of issuance. No license issued under this subsection is
5 transferrable.

6 **SECTION 1305.** 48.66 (4) of the statutes is repealed.

7 **SECTION 1306.** 48.66 (5) of the statutes is repealed and recreated to read:

8 48.66 (5) A child welfare agency, group home, day care center or shelter care
9 facility license, other than a probationary license, is valid until revoked or
10 suspended, but shall be reviewed every 2 years after the date of issuance as provided
11 in this subsection. At least 30 days prior to the continuation date of the license, the
12 licensee shall submit to the department an application for continuance of the license
13 in the form and containing the information that the department requires. If the
14 minimum requirements for a license established under s. 48.67 are met, the
15 application is approved, the applicable fee referred to in s. 48.68 (1) is paid, any
16 forfeiture under s. 48.715 (3) (a) or penalty under s. 48.76 that is due is paid and, for
17 a day care center, the fee under s. 48.65 (1m) (j) is paid, the department shall continue
18 the license for an additional 2-year period, unless sooner suspended or revoked. If
19 the application is not timely filed, the department shall issue a warning to the
20 licensee. If the licensee fails to apply for continuance of the license within 30 days
21 after receipt of the warning, the department may revoke the license as provided in
22 s. 48.715 (4) and (4m) (b).

23 **SECTION 1307.** 48.67 of the statutes is amended to read:

24 **48.67 Rules governing child welfare agencies, day care centers, foster**
25 **homes, treatment foster homes, group homes, shelter care facilities and**

1 **county departments.** The department shall promulgate rules establishing
2 minimum requirements for the issuance of licenses to, and establishing standards
3 for the operation of, child welfare agencies, day care centers, foster homes, treatment
4 foster homes, group homes, shelter care facilities and county departments. These
5 rules shall be designed to protect and promote the health, safety and welfare of the
6 children in the care of all licensees. The department shall consult with the
7 department of commerce and the department of ~~education~~ public instruction before
8 promulgating these rules.

9 **SECTION 1308.** 48.68 (1) of the statutes is amended to read:

10 48.68 (1) After receipt of an application for a license, the department shall
11 investigate to determine if the applicant meets the minimum requirements for a
12 license adopted by the department under s. 48.67. In determining whether to issue
13 or continue a license, the department may consider any action by the applicant, or
14 by an employe of the applicant, that constitutes a substantial failure by the applicant
15 or employe to protect and promote the health, safety and welfare of a child. Upon
16 satisfactory completion of this investigation and payment of the fee required under
17 s. 48.615 (1) (a) or (b), 48.625 (2) (a), 48.65 (3) (a) or 938.22 (7) (b), the department
18 shall issue a license under s. 48.66 (1) or, if applicable, a probationary license under
19 s. 48.69 or, if applicable, shall continue a license under s. 48.66 (5). At the time of
20 initial licensure and license renewal, the department shall provide a foster home
21 licensee with written information relating to the age-related monthly foster care
22 rates and supplemental payments specified in s. 48.62 (4), including payment
23 amounts, eligibility requirements for supplemental payments and the procedures for
24 applying for supplemental payments.

25 **SECTION 1309.** 48.68 (2) of the statutes is amended to read:

1 48.68 (2) Before ~~renewing~~ continuing the license of any child welfare agency
2 or group home, the department shall consider all formal complaints filed under s.
3 48.745 (2) and the disposition of each during the ~~current license~~ previous 2-year
4 period.

5 **SECTION 1310.** 48.715 (3) (c) of the statutes is amended to read:

6 48.715 (3) (c) Refusal to ~~renew~~ continue a license or a probationary license.

7 **SECTION 1311.** 48.715 (4) (e) of the statutes is created to read:

8 48.715 (4) (e) The licensee has failed to apply for a continuance of the license
9 within 30 days after receipt of the warning under s. 48.66 (5).

10 **SECTION 1312.** 48.715 (4m) (b) of the statutes is amended to read:

11 48.715 (4m) (b) For revocations under sub. (4) (b) ~~or~~, (c) or (e), the department
12 may revoke the license or probationary license immediately upon written notice to
13 the licensee of the revocation and the grounds for revocation.

14 **SECTION 1313.** 48.72 of the statutes is amended to read:

15 **48.72 Appeal procedure.** Any person aggrieved by the department's refusal
16 or failure to issue ~~or~~, renew or continue a license or by any action taken by the
17 department under s. 48.715 has the right to an administrative hearing provided for
18 contested cases in ch. 227. To receive an administrative hearing under ch. 227, the
19 aggrieved person shall send to the department a written request for a hearing under
20 s. 227.44 within 10 days after the date of the department's refusal or failure to issue
21 ~~or~~, renew or continue a license or the department's action taken under s. 48.715. The
22 department shall hold an administrative hearing under s. 227.44 within 30 days
23 after receipt of the request for the administrative hearing unless the aggrieved
24 person consents to an extension of that time period. Judicial review of the
25 department's decision may be had as provided in ch. 227.

1 **SECTION 1314.** 48.735 of the statutes is amended to read:

2 **48.735 Immunization requirements; day care centers.** The department,
3 after notice to a day care center licensee, may suspend, revoke or refuse to ~~renew~~
4 continue a day care center license in any case in which the department finds that
5 there has been a substantial failure to comply with the requirements of s. 252.04.

6 **SECTION 1315.** 48.737 of the statutes is amended to read:

7 **48.737 Lead screening, inspection and reduction requirements; day**
8 **care centers.** The department, after notice to a day care provider certified under
9 s. 48.651, or a day care center that holds a license under s. 48.65 or a probationary
10 license under s. 48.69, may suspend, revoke or refuse to renew or continue a license
11 or certification in any case in which the department finds that there has been a
12 substantial failure to comply with any rule promulgated under s. 254.162, 254.168
13 or 254.172.

14 **SECTION 1316.** 48.75 (title) of the statutes is amended to read:

15 **48.75 (title) Foster homes and treatment foster homes licensed by**
16 **~~county departments~~ public licensing agencies and by child welfare**
17 **agencies.**

18 **SECTION 1317.** 48.75 (1) of the statutes is renumbered 48.75 (1d) and amended
19 to read:

20 **48.75 (1d)** Child welfare agencies, if licensed to do so by the department, and
21 ~~county departments~~ public licensing agencies may license foster homes and
22 treatment foster homes under the rules promulgated by the department under s.
23 48.67 governing the licensing of foster homes and treatment foster homes. A foster
24 home or treatment foster home license shall be issued for a term not to exceed 2 years
25 from the date of issuance, is not transferable and may be revoked by the child welfare

1 agency or by the ~~county department~~ public licensing agency because the licensee has
2 substantially and intentionally violated any provision of this chapter or of the rules
3 of the department promulgated pursuant to s. 48.67 or because the licensee fails to
4 meet the minimum requirements for a license. The licensee shall be given written
5 notice of any revocation and the grounds therefor.

6 **SECTION 1318.** 48.75 (1b) of the statutes is created to read:

7 48.75 (1b) In this section, “public licensing agency” means a county
8 department or, in a county having a population of 500,000 or more, the department.

9 **SECTION 1319.** 48.75 (1g) (a) (intro.) of the statutes is amended to read:

10 48.75 (1g) (a) (intro.) A ~~county department~~ public licensing agency may license
11 a foster home only if the foster home is located in the county of the ~~county department~~
12 public licensing agency, except that a ~~county department~~ public licensing agency
13 may license a foster home located in another county if any of the following applies:

14 **SECTION 1320.** 48.75 (1g) (a) 2. of the statutes is amended to read:

15 48.75 (1g) (a) 2. A foster parent licensed by the ~~county department~~ public
16 licensing agency moves to the other county with a child who has been placed in the
17 foster parent’s home and the license will allow the foster parent to continue to care
18 for that child.

19 **SECTION 1321.** 48.75 (1g) (a) 3. of the statutes is amended to read:

20 48.75 (1g) (a) 3. The county of the ~~county department~~ public licensing agency
21 issuing the license and the county in which the foster home is located are contiguous.

22 **SECTION 1322.** 48.75 (1g) (a) 4. of the statutes is amended to read:

23 48.75 (1g) (a) 4. The county of the ~~county department~~ public licensing agency
24 issuing the license has a population of 500,000 or more and the placement is for
25 adoption under s. 48.833, 48.835 or 48.837.

1 **SECTION 1323.** 48.75 (1g) (c) (intro.) of the statutes is amended to read:

2 48.75 (1g) (c) (intro.) No license may be issued under ~~this subsection~~ par. (a)
3 1., 2. or 3. unless the ~~county department~~ public licensing agency issuing the license
4 has notified the ~~county department~~ public licensing agency of the county in which
5 the foster home will be located of its intent to issue the license and the 2 ~~county~~
6 ~~departments~~ public licensing agencies have entered into a written agreement under
7 this paragraph. A ~~county department~~ public licensing agency is not required to enter
8 into any agreement under this paragraph allowing the ~~county department~~ public
9 licensing agency of another county to license a foster home within its jurisdiction.
10 The written agreement shall include all of the following:

11 **SECTION 1324.** 48.75 (1g) (c) 1. of the statutes is amended to read:

12 48.75 (1g) (c) 1. A statement that the ~~county department~~ public licensing
13 agency issuing the license is responsible for providing services to the child who is
14 placed in the foster home, as specified in the agreement.

15 **SECTION 1325.** 48.75 (1g) (c) 2. of the statutes is amended to read:

16 48.75 (1g) (c) 2. A statement that the ~~county department~~ public licensing
17 agency issuing the license is responsible for the costs of the placement and any
18 related costs, as specified in the agreement.

19 **SECTION 1326.** 48.75 (1g) (d) of the statutes is amended to read:

20 48.75 (1g) (d) If the ~~county department~~ public licensing agency issuing a
21 license under ~~this subsection~~ par. (a) 1., 2. or 3. violates the agreement under par. (c),
22 the ~~county department~~ public licensing agency of the county in which the foster home
23 is located may terminate the agreement and, subject to ss. 48.357 and 48.64, require
24 the ~~county department~~ public licensing agency that issued the license to remove the
25 child from the foster home within 30 days after receipt, by the ~~county department~~

1 public licensing agency that issued the license, of notification of the termination of
2 the agreement.

3 **SECTION 1327.** 48.75 (1r) of the statutes is amended to read:

4 48.75 (1r) At the time of initial licensure and license renewal, the child welfare
5 agency or ~~county department~~ public licensing agency issuing a license under sub. (1)
6 (1d) or (1g) shall provide the licensee with written information relating to the
7 age-related monthly foster care rates and supplemental payments specified in s.
8 48.62 (4), including payment amounts, eligibility requirements for supplemental
9 payments and the procedures for applying for supplemental payments.

10 **SECTION 1328.** 48.75 (2) of the statutes is amended to read:

11 48.75 (2) Any foster home or treatment foster home applicant or licensee of a
12 ~~county department~~ public licensing agency or a child welfare agency may, if
13 aggrieved by the failure to issue or renew its license or by revocation of its license,
14 appeal as provided in s. 48.72.

15 **SECTION 1329.** 48.831 (4) (c) of the statutes is amended to read:

16 48.831 (4) (c) If the court finds that adoption is not in the child's best interest,
17 the court shall order that the child be placed in the guardianship of the department
18 and place the child in the custody of a county department or, in a county having a
19 population of 500,000 or more, the department or an agency under contract with the
20 department.

21 **SECTION 1330.** 48.832 of the statutes is amended to read:

22 **48.832 (title) Transfer of guardianship upon revocation of guardian's**
23 **license or contract.** If the department revokes the license of a county department
24 licensed under s. 48.57 (1) (e) ~~or~~ (hm) to accept guardianship, or of a child welfare
25 agency licensed under s. 48.61 (5) to accept guardianship, or if the department

1 terminates the contract of a county department licensed under s. 48.57 (1) (e) to
2 accept guardianship, the department shall file a motion in the court that appointed
3 the guardian for each child in the guardianship of the county department or agency,
4 requesting that the court transfer guardianship and custody of the child. The motion
5 may specify a county department or child welfare agency that has consented to
6 accept guardianship of the child. The court shall transfer guardianship and custody
7 of the child either to the county department or child welfare agency specified in the
8 motion or to another county department under s. 48.57 (1) (e) or (hm) or a child
9 welfare agency under s. 48.61 (5) which consents to the transfer. If no county
10 department or child welfare agency consents, the court shall transfer guardianship
11 and custody of the child to the department.

12 **SECTION 1331.** 48.837 (4) (d) of the statutes is amended to read:

13 48.837 (4) (d) May, at the request of a petitioning parent, or on its own motion
14 after ordering the child taken into custody under s. 48.19 (1) (c), order the
15 department or a county department under s. 48.57 (1) (e) or (hm) to place the child,
16 pending the hearing on the petition, in any home licensed under s. 48.62 except the
17 home of the proposed adoptive parents or a relative of the proposed adoptive parents.

18 **SECTION 1332.** 48.839 (4) (b) of the statutes is amended to read:

19 48.839 (4) (b) Shall transfer legal custody of the child to the department, in a
20 county having a population of 500,000 or more, to a county department or to a child
21 welfare agency licensed under s. 48.60.

22 **SECTION 1333.** 48.88 (2) (c) of the statutes is amended to read:

23 48.88 (2) (c) If a stepparent has filed a petition for adoption and no agency has
24 guardianship of the child, the court shall order the department, in a county having
25 a population of 500,000 or more, or a county department or, with the consent of the

1 department in a county having a population of less than 500,000 or a licensed child
2 welfare agency, order the department or the child welfare agency to conduct a
3 screening, consisting of no more than one interview with the petitioner and a check
4 of the petitioner's background through public records, including records maintained
5 by the department or any county department under s. 48.981. The department,
6 county department or child welfare agency that conducts the screening shall file a
7 report of the screening with the court within 30 days. After reviewing the report, the
8 court may proceed to act on the petition, may order the department in a county
9 having a population of 500,000 or more or the county department to conduct an
10 investigation as described under par. (a) (intro.) or may order the department in a
11 county having a population of less than 500,000 or a licensed child welfare agency
12 to make the investigation if the department or child welfare agency consents.

13 **SECTION 1334.** 48.93 (1d) of the statutes is amended to read:

14 48.93 (1d) All records and papers pertaining to an adoption proceeding shall
15 be kept in a separate locked file and may not be disclosed except under sub. (1g) or
16 (1r), s. 46.03 (29), 48.432, 48.433, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order of the
17 court for good cause shown.

18 **SECTION 1335.** 48.977 (4) (a) 6. of the statutes is amended to read:

19 48.977 (4) (a) 6. A county department under s. 46.22 or 46.23 or, if the child has
20 been placed pursuant to an order under ch. 938, a county department under s.
21 46.215, 46.22 or 46.23.

22 **SECTION 1336.** 48.981 (1) (ag) of the statutes is created to read:

23 48.981 (1) (ag) "Agency" means a county department, the department in a
24 county having a population of 500,000 or more or a licensed child welfare agency

1 under contract with a county department or the department in a county having a
2 population of 500,000 or more to perform investigations under this section.

3 **SECTION 1337.** 48.981 (3) (a) of the statutes is amended to read:

4 48.981 (3) (a) *Referral of report.* A person required to report under sub. (2) shall
5 immediately inform, by telephone or personally, the county department or, in a
6 county having a population of 500,000 or more, the department or a licensed child
7 welfare agency under contract with the department or the sheriff or city, village or
8 town police department of the facts and circumstances contributing to a suspicion of
9 child abuse or neglect or to a belief that abuse or neglect will occur. The sheriff or
10 police department shall within 12 hours, exclusive of Saturdays, Sundays or legal
11 holidays, refer to the county department or, in a county having a population of
12 500,000 or more, the department or a licensed child welfare agency under contract
13 with the department all cases reported to it. The county department, department
14 or licensed child welfare agency may require that a subsequent report be made in
15 writing. Each county department, the department and a licensed child welfare
16 agency under contract with the department shall adopt a written policy specifying
17 the kinds of reports it will routinely report to local law enforcement authorities.

18 **SECTION 1338.** 48.981 (3) (c) 1. of the statutes is amended to read:

19 48.981 (3) (c) 1. Within 24 hours after receiving a report under par. (a), the
20 ~~county department or licensed child welfare agency under contract with the county~~
21 ~~department~~ agency shall, in accordance with the authority granted to the
22 department under s. 48.48 (17) (a) 1. or the county department under s. 48.57 (1) (a),
23 initiate a diligent investigation to determine if the child is in need of protection or
24 services. The investigation shall be conducted in accordance with standards
25 established by the department for conducting child abuse and neglect investigations.

1 If the investigation is of a report of abuse or neglect or threatened abuse or neglect
2 by a caregiver specified in sub. (1) (am) 5. to 8. who continues to have access to the
3 child or a caregiver specified in sub. (1) (am) 1. to 4., or of a report that does not
4 disclose who is suspected of the abuse or neglect and in which the investigation does
5 not disclose who abused or neglected the child, the investigation shall also include
6 observation of or an interview with the child, or both, and, if possible, an interview
7 with the child's parents, guardian or legal custodian. If the investigation is of a
8 report of abuse or neglect or threatened abuse or neglect by a caregiver who continues
9 to reside in the same dwelling as the child, the investigation shall also include, if
10 possible, a visit to that dwelling. At the initial visit to the child's dwelling, the person
11 making the investigation shall identify himself or herself and the ~~county department~~
12 ~~or licensed child welfare agency~~ involved to the child's parents, guardian or legal
13 custodian. ~~The county department or licensed child welfare agency under contract~~
14 ~~with the county department~~ agency may contact, observe or interview the child at
15 any location without permission from the child's parent, guardian or legal custodian
16 if necessary to determine if the child is in need of protection or services, except that
17 the person making the investigation may enter a child's dwelling only with
18 permission from the child's parent, guardian or legal custodian or after obtaining a
19 court order to do so.

20 **SECTION 1339.** 48.981 (3) (c) 2. a. of the statutes is amended to read:

21 48.981 (3) (c) 2. a. If the person making the investigation is an employe of the
22 county department or, in a county having a population of 500,000 or more, the
23 department or a licensed child welfare agency under contract with the department
24 and he or she determines that it is consistent with the child's best interest in terms
25 of physical safety and physical health to remove the child from his or her home for

1 immediate protection, he or she shall take the child into custody under s. 48.08 (2)
2 or 48.19 (1) (c) and deliver the child to the intake worker under s. 48.20.

3 **SECTION 1340.** 48.981 (3) (c) 3. of the statutes is amended to read:

4 48.981 (3) (c) 3. If the county department or, in a county having a population
5 of 500,000 or more, the department or a licensed child welfare agency under contract
6 with the department determines that a child, any member of the child's family or the
7 child's guardian or legal custodian is in need of services, the county department,
8 department or licensed child welfare agency shall offer to provide appropriate
9 services or to make arrangements for the provision of services. If the child's parent,
10 guardian or legal custodian refuses to accept the services, the county department,
11 department or licensed child welfare agency may request that a petition be filed
12 under s. 48.13 alleging that the child who is the subject of the report or any other child
13 in the home is in need of protection or services.

14 **SECTION 1341.** 48.981 (3) (c) 4. of the statutes is amended to read:

15 48.981 (3) (c) 4. The county department or, in a county having a population of
16 500,000 or more, the department or a licensed child welfare agency under contract
17 with the department shall determine, within 60 days after receipt of a report,
18 whether abuse or neglect has occurred or is likely to occur. The determination shall
19 be based on a preponderance of the evidence produced by the investigation. A
20 determination that abuse or neglect has occurred may not be based solely on the fact
21 that the child's parent, guardian or legal custodian in good faith selects and relies on
22 prayer or other religious means for treatment of disease or for remedial care of the
23 child. In making a determination that emotional damage has occurred, the county
24 department or, in a county having a population of 500,000 or more, the department
25 or a licensed child welfare agency under contract with the department shall give due

1 regard to the culture of the subjects and shall establish that the person alleged to be
2 responsible for the emotional damage is neglecting, refusing or unable for reasons
3 other than poverty to remedy the harm. This subdivision does not prohibit a court
4 from ordering medical services for the child if the child's health requires it.

5 **SECTION 1342.** 48.981 (3) (c) 5. of the statutes is amended to read:

6 48.981 (3) (c) 5. ~~The county department and licensed child welfare agency~~
7 ~~under contract with the county department~~ agency shall maintain a record of its
8 actions in connection with each report it receives. The record shall include a
9 description of the services provided to any child and to the parents, guardian or legal
10 custodian of the child. ~~The county department and licensed child welfare agency~~
11 ~~under contract with the county department~~ agency shall update the record every 6
12 months until the case is closed.

13 **SECTION 1343.** 48.981 (3) (c) 6. of the statutes is amended to read:

14 48.981 (3) (c) 6. ~~The county department or licensed child welfare agency under~~
15 ~~contract with the county department~~ agency shall, within 60 days after it receives
16 a report from a person required under sub. (2) to report, inform the reporter what
17 action, if any, was taken to protect the health and welfare of the child who is the
18 subject of the report.

19 **SECTION 1344.** 48.981 (3) (c) 6m. of the statutes is amended to read:

20 48.981 (3) (c) 6m. If a person who is not required under sub. (2) to report makes
21 a report and is a relative of the child, other than the child's parent, that person may
22 make a written request to the ~~county department or licensed child welfare agency~~
23 ~~under contract with the county department~~ agency for information regarding what
24 action, if any, was taken to protect the health and welfare of the child who is the
25 subject of the report. ~~A county department or licensed child welfare~~ An agency that

1 receives a written request under this subdivision shall, within 60 days after it
2 receives the report or 20 days after it receives the written request, whichever is later,
3 inform the reporter in writing of what action, if any, was taken to protect the health
4 and welfare of the child, unless a court order prohibits that disclosure, and of the duty
5 to keep the information confidential under sub. (7) (e) and the penalties for failing
6 to do so under sub. (7) (f). ~~The county department or licensed child welfare agency~~
7 may petition the court ex parte for an order prohibiting that disclosure and, if the
8 ~~county department or licensed child welfare agency~~ does so, the time period within
9 which the information must be disclosed is tolled on the date the petition is filed and
10 remains tolled until the court issues a decision. The court may hold an ex parte
11 hearing in camera and shall issue an order granting the petition if the court
12 determines that disclosure of the information would not be in the best interests of the
13 child.

14 **SECTION 1345.** 48.981 (3) (c) 7. of the statutes is amended to read:

15 48.981 (3) (c) 7. The county department or, in a county having a population of
16 500,000 or more, the department or a licensed child welfare agency under contract
17 with the department shall cooperate with law enforcement officials, courts of
18 competent jurisdiction, tribal governments and other human service services
19 agencies to prevent, identify and treat child abuse and neglect. The county
20 department or, in a county having a population of 500,000 or more, the department
21 or a licensed child welfare agency under contract with the department shall
22 coordinate the development and provision of services to abused and neglected
23 children and to families where abuse or neglect has occurred or to children and
24 families where circumstances justify a belief that abuse or neglect will occur.

25 **SECTION 1346.** 48.981 (3) (c) 8. of the statutes is amended to read:

1 48.981 (3) (c) 8. Using the format prescribed by the department, each county
2 department shall provide the department with information about each report that
3 it the county department receives or that is received by a licensed child welfare
4 agency that is under contract with the county department and about each
5 investigation it that the county department or a licensed child welfare agency under
6 contract with the county department conducts. Using the format prescribed by the
7 department, a licensed child welfare agency under contract with the department
8 shall provide the department with information about each report that the child
9 welfare agency receives and about each investigation that the child welfare agency
10 conducts. This information shall be used by the department to monitor services
11 provided by county departments or licensed child welfare agencies under contract
12 with county departments or the department. The department shall use
13 nonidentifying information to maintain statewide statistics on child abuse and
14 neglect, and for planning and policy development.

15 **SECTION 1347.** 48.981 (3) (c) 9. of the statutes is amended to read:

16 48.981 (3) (c) 9. The ~~county~~ agency may petition for child abuse restraining
17 orders and injunctions under s. 48.25 (6).

18 **SECTION 1348.** 48.981 (3) (cm) of the statutes is amended to read:

19 48.981 (3) (cm) *Contract with licensed child welfare agencies.* A county
20 department may contract with a licensed child welfare agency to fulfill its the county
21 department's duties specified under par. (c) 1., 2. b., 5., 6., 6m. and 8. The department
22 may contract with a licensed child welfare agency to fulfill the department's duties
23 specified under par. (c) 1., 2. a., 3., 4., 5., 6., 6m., 7., 8. and 9. in a county having a
24 population of 500,000 or more. The confidentiality provisions specified in sub. (7)

1 shall apply to any licensed child welfare agency with which a county department or
2 the department contracts.

3 **SECTION 1349.** 48.981 (3) (d) of the statutes is amended to read:

4 48.981 (3) (d) *Independent investigation.* 1. In this paragraph, “agent”
5 includes, but is not limited to, a foster parent, treatment foster parent or other person
6 given custody of a child or a human services professional employed by a county
7 department under s. 51.42 or 51.437 or by a child welfare agency who is working with
8 the child under contract with or under the supervision of the department in a county
9 having a population of 500,000 or more or a county department under s. 46.215 or
10 46.22.

11 2. If an agent or employe of ~~a county department or licensed child welfare~~
12 ~~agency under contract with the county department~~ an agency required to investigate
13 under this subsection is the subject of a report, or if the ~~county department or~~
14 ~~licensed child welfare agency under contract with the county department~~ agency
15 determines that, because of the relationship between the ~~county department or~~
16 ~~licensed child welfare agency under contract with the county department~~ agency and
17 the subject of a report, there is a substantial probability that the ~~county department~~
18 ~~or licensed child welfare agency under contract with the county department~~ agency
19 would not conduct an unbiased investigation, the ~~county department or licensed~~
20 ~~child welfare agency under contract with the county department~~ agency shall, after
21 taking any action necessary to protect the child, notify the department. Upon receipt
22 of the notice, the department, in a county having a population of less than 500,000
23 or a county department or child welfare agency designated by the department in any
24 county shall conduct an independent investigation. If the department designates a
25 county department under s. ~~46.215, 46.22, 46.23, 51.42 or 51.437~~, that county

1 department shall conduct the independent investigation. If a licensed child welfare
2 agency agrees to conduct the independent investigation, the department may
3 designate ~~that~~ the child welfare agency to do so. The powers and duties of the
4 department or designated county department or child welfare agency making an
5 independent investigation are those given to county departments under par. (c).

6 **SECTION 1350.** 48.981 (5) of the statutes is amended to read:

7 48.981 (5) CORONER'S REPORT. Any person or official required to report cases of
8 suspected child abuse or neglect who has reasonable cause to suspect that a child
9 died as a result of child abuse or neglect shall report the fact to the appropriate
10 medical examiner or coroner. The medical examiner or coroner shall accept the
11 report for investigation and shall report the findings to the appropriate district
12 attorney; to the department, or, in a county having a population of 500,000 or more,
13 to a licensed child welfare agency under contract with the department; to the county
14 department and, if the institution making the report initially is a hospital, to the
15 hospital.

16 **SECTION 1351.** 48.981 (7) (a) (intro.) of the statutes is amended to read:

17 48.981 (7) (a) (intro.) All reports made under this section, notices provided
18 under sub. (3) (bm) and records maintained by ~~the department, county departments~~
19 ~~or licensed child welfare agencies under contract with the county departments~~ an
20 agency and other persons, officials and institutions shall be confidential. Reports
21 and records may be disclosed only to the following persons:

22 **SECTION 1352.** 48.981 (7) (a) 1m. of the statutes is amended to read:

23 48.981 (7) (a) 1m. A reporter described in sub. (3) (c) 6m. who makes a written
24 request to ~~the county department or licensed child welfare agency under contract~~
25 ~~with the county department~~ an agency for information regarding what action, if any,

1 was taken to protect the health and welfare of the child who is the subject of the
2 report, unless a court order under sub. (3) (c) 6m. prohibits disclosure of that
3 information to that reporter, except that the only information that may be disclosed
4 is information in the record regarding what action, if any, was taken to protect the
5 health and welfare of the child who is the subject of the report.

6 **SECTION 1353.** 48.981 (7) (a) 2. of the statutes is amended to read:

7 48.981 (7) (a) 2. Appropriate staff of ~~the department, a county department or~~
8 ~~licensed child welfare agency under contract with the county departments, an~~
9 agency or a tribal social services department.

10 **SECTION 1354.** 48.981 (7) (a) 5. of the statutes is amended to read:

11 48.981 (7) (a) 5. A professional employe of a county department under s. 51.42
12 or 51.437 who is working with the child under contract with or under the supervision
13 of the county department under s. ~~46.215 or 46.22~~ or, in a county having a population
14 of 500,000 or more, the department or a licensed child welfare agency under contract
15 with the department.

16 **SECTION 1355.** 48.981 (7) (a) 6. of the statutes is amended to read:

17 48.981 (7) (a) 6. A multidisciplinary child abuse and neglect team recognized
18 by the county department or, in a county having a population of 500,000 or more, the
19 department or a licensed child welfare agency under contract with the department.

20 **SECTION 1356.** 48.981 (7) (a) 6m. of the statutes is amended to read:

21 48.981 (7) (a) 6m. A person employed by a child advocacy center recognized by
22 the county board ~~or,~~ the county department or, in a county having a population of
23 500,000 or more, the department or a licensed child welfare agency under contract
24 with the department, to the extent necessary to perform the services for which the

1 center is recognized by the county board ~~or~~, the county department, the department
2 or the licensed child welfare agency.

3 **SECTION 1357.** 48.981 (7) (a) 8. of the statutes is amended to read:

4 48.981 (7) (a) 8. A law enforcement officer or law enforcement agency or a
5 district attorney for purposes of investigation or prosecution.

6 **SECTION 1358.** 48.981 (7) (a) 11. of the statutes is amended to read:

7 48.981 (7) (a) 11. The county corporation counsel or district attorney
8 representing the interests of the public, the agency legal counsel and the counsel or
9 guardian ad litem representing the interests of a child in proceedings under subd.
10 10., 10g or 10j.

11 **SECTION 1359.** 48.981 (7) (a) 11r. of the statutes is amended to read:

12 48.981 (7) (a) 11r. A volunteer appointed or person employed by a
13 court-appointed special advocate program recognized by the county board or the
14 county department or, in a county having a population of 500,000 or more, the
15 department or a licensed child welfare agency under contract with the department,
16 to the extent necessary to perform the advocacy services in proceedings related to a
17 petition under s. 48.13 for which the court-appointed special advocate program is
18 recognized by the county board ~~or~~, county department or department.

19 **SECTION 1360.** 48.981 (7) (a) 13. of the statutes is amended to read:

20 48.981 (7) (a) 13. The department, a county department under s. 48.57 (1) (e)
21 or (hm) or a licensed child welfare agency ordered to conduct a screening or an
22 investigation of a stepparent under s. 48.88 (2) (c).

23 **SECTION 1361.** 48.981 (7) (a) 15. of the statutes is amended to read:

1 48.981 (7) (a) 15. A child fatality review team recognized by the county
2 department or, in a county having a population of 500,000 or more, the department
3 or a licensed child welfare agency under contract with the department.

4 **SECTION 1362.** 48.981 (7) (cm) of the statutes is amended to read:

5 48.981 (7) (cm) ~~A county~~ An agency may disclose information from its records
6 for use in proceedings under s. 48.25 (6), 813.122 or 813.125.

7 **SECTION 1363.** 48.981 (7) (d) of the statutes is amended to read:

8 48.981 (7) (d) The department may have access to any report or record
9 maintained by ~~a county department or licensed child welfare agency under contract~~
10 ~~with a county department~~ an agency under this section.

11 **SECTION 1364.** 48.981 (8) (a) of the statutes is amended to read:

12 48.981 (8) (a) The department ~~and, the~~ county departments and a licensed
13 child welfare agency under contract with the department in a county having a
14 population of 500,000 or more to the extent feasible shall conduct continuing
15 education and training programs for staff of the department, the county
16 departments, a licensed child welfare agency under contract with the department or
17 a county department, and the tribal social services departments, persons and
18 officials required to report, the general public and others as appropriate. The
19 programs shall be designed to encourage reporting of child abuse and neglect, to
20 encourage self-reporting and voluntary acceptance of services and to improve
21 communication, cooperation and coordination in the identification, prevention and
22 treatment of child abuse and neglect. The department ~~and, the~~ county departments
23 and a licensed child welfare agency under contract with the department in a county
24 having a population of 500,000 or more shall develop public information programs
25 about child abuse and neglect.

1 **SECTION 1365.** 48.981 (8) (c) of the statutes is amended to read:

2 48.981 (8) (c) In meeting its responsibilities under par. (a) or (b), the
3 department ~~or~~, a county department or a licensed child welfare agency under
4 contract with the department in a county having a population of 500,000 or more may
5 contract with any public or private organization which meets the standards set by
6 the department. In entering into the contracts the department ~~or~~, county
7 department or licensed child welfare agency shall give priority to parental
8 organizations combating child abuse and neglect.

9 **SECTION 1366.** 48.981 (8) (d) 1. of the statutes is amended to read:

10 48.981 (8) (d) 1. Each ~~county department or licensed child welfare agency~~
11 ~~under contract with a county department~~ agency staff member and supervisor whose
12 responsibilities include investigation or treatment of child abuse and neglect shall
13 successfully complete training in child abuse and neglect protective services
14 approved by the department. The department shall monitor compliance with this
15 subdivision according to rules promulgated by the department.

16 **SECTION 1367.** 48.981 (8) (d) 2. of the statutes is amended to read:

17 48.981 (8) (d) 2. Each year the department shall make available training
18 programs that permit intake workers and ~~county department or licensed child~~
19 ~~welfare agency under contract with a county department~~ agency staff members and
20 supervisors to satisfy the requirements under subd. 1. and s. 48.06 (1) (am) 3. and
21 (2) (c).

22 **SECTION 1368.** 48.981 (10) of the statutes is amended to read:

23 48.981 (10) CURRENT LIST OF TRIBAL AGENTS. The department shall annually
24 provide to each ~~county department~~ agency described in sub. (3) (bm) (intro.) a current
25 list of all tribal agents in the state.

1 **SECTION 1733m.** 48.982 (2) (d) of the statutes is amended to read:

2 48.982 (2) (d) Solicit and accept contributions, grants, gifts and bequests for the
3 children's trust fund or for any other purpose for which a contribution, grant, gift or
4 bequest is made and received. Moneys received under this paragraph may be
5 deposited in the appropriation accounts under s. 20.433 (1) (i), (q) or (r). This
6 paragraph does not apply to moneys received under s. 341.14 (6r) (b) 6.

7 **SECTION 1369.** 48.982 (2) (g) (intro.) of the statutes is amended to read:

8 48.982 (2) (g) (intro.) In coordination with the departments of health and social
9 services and education public instruction:

10 **SECTION 1734m.** 48.982 (2m) (intro.) of the statutes is amended to read:

11 48.982 (2m) DONATION USES. (intro.) If money is accepted by the board for the
12 children's trust fund or for any other purpose under sub. (2) (d), except moneys
13 received under s. 341.14 (6r) (b) 6., the board shall use the money in accordance with
14 the wishes of the donor to do any of the following:

15 **SECTION 1370.** 48.985 (1) of the statutes is amended to read:

16 48.985 (1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s.
17 20.435 (3) (n), the department shall expend not more than ~~\$543,700~~ \$273,700 in each
18 fiscal year 1995-96 and not more than \$543,700 in fiscal year 1996-97 of the moneys
19 received under 42 USC 620 to 626 for the department's expenses in connection with
20 administering the expenditure of funds received under 42 USC 620 to 626, ~~for child~~
21 ~~welfare projects and services provided or purchased by the department,~~ and for child
22 abuse and neglect independent investigations ~~and for providing child-at-risk field~~
23 ~~training to counties.~~

24 **SECTION 1371.** 48.985 (2) (a) of the statutes is renumbered 48.985 (2) and
25 amended to read:

1 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
2 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
3 ~~\$3,919,800 in each~~ \$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000
4 in fiscal year 1998-99 of the moneys received under 42 USC 620 to 626 to county
5 departments under ss. 46.215, 46.22 and 46.23 for the provision or purchase of child
6 welfare projects and services, for services to children and families and for
7 family-based child welfare services.

8 **SECTION 1372.** 48.985 (3) of the statutes is amended to read:

9 48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation account
10 under s. 20.410 (3) (~~oo~~) (ko), the department of corrections shall allocate, to county
11 departments under ss. 46.215, 46.22 and 46.23 for the provision of services under s.
12 301.26, not more than \$1,100,000 in each fiscal year.

13 **SECTION 1373.** 49.025 (2) (a) (intro.) of the statutes is amended to read:

14 49.025 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a
15 year, the department shall pay to the county, in accordance with s. 49.031, from the
16 appropriation under s. 20.435 (~~1~~) (5) (bt), an amount for that year determined as
17 follows:

18 **SECTION 1374.** 49.027 (2) (a) (intro.) of the statutes is amended to read:

19 49.027 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a
20 year, the department shall pay to the county, in accordance with s. 49.031, from the
21 appropriation under s. 20.435 (~~1~~) (5) (bu), an amount for that year determined as
22 follows:

23 **SECTION 1375.** 49.027 (2) (a) 1. d. of the statutes is amended to read:

1 49.027 (2) (a) 1. d. The department shall multiply the amount determined
2 under subd. 1. c. by the amount appropriated under s. 20.435 (1) (5) (bu) for relief
3 block grants for that year.

4 **SECTION 1376.** 49.029 (2) of the statutes is amended to read:

5 49.029 (2) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the
6 appropriation under s. 20.435 (1) (5) (bs), the department shall distribute a relief
7 block grant to each eligible tribal governing body in an amount and in a manner
8 determined in accordance with rules promulgated by the department. The
9 department shall promulgate the rules after consulting with all tribal governing
10 bodies eligible for a relief block grant. In promulgating rules under this section, the
11 department shall consider each tribe's economic circumstances and need for health
12 care services.

13 **SECTION 1741m.** 49.114 of the statutes is created to read:

14 **49.114 Contract powers of the department. (1) RELIGIOUS ORGANIZATIONS;**
15 **LEGISLATIVE PURPOSE.** The purpose of this section is to allow the department to
16 contract with, or award grants to, religious organizations, under any program
17 administered by the department, on the same basis as any other nongovernmental
18 provider without impairing the religious character of such organizations, and
19 without diminishing the religious freedom of beneficiaries of assistance funded
20 under such program.

21 **(2) NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS.** If the department is
22 authorized under ch. 16 to contract with a nongovernmental entity, or is authorized
23 to award grants to a nongovernmental entity, religious organizations are eligible, on
24 the same basis as any other private organization, as contractors under any program
25 administered by the department so long as the programs are implemented consistent

1 with the First Amendment of the U.S. Constitution and article I, section 18, of the
2 Wisconsin Constitution. Except as provided in sub. (10), the department may not
3 discriminate against an organization that is or applies to be a contractor on the basis
4 that the organization has a religious character.

5 **(3) RELIGIOUS CHARACTER AND FREEDOM.** (a) The department shall allow a
6 religious organization with which the department contracts or to which the
7 department awards a grant to retain its independence from state and local
8 governments, including the organization's control over the definition, development,
9 practice and expression of its religious beliefs.

10 (b) The department may not require a religious organization to alter its form
11 of internal governance or to remove religious art, icons, scripture or other symbols
12 in order to be eligible for a contract or grant.

13 **(4) RIGHTS OF BENEFICIARIES OF ASSISTANCE.** If an individual has an objection to
14 the religious character of the organization or institution from which the individual
15 receives, or would receive, assistance funded under any program administered by
16 the department, the department shall provide such individual, if otherwise eligible
17 for such assistance, within a reasonable period of time after the date of the objection
18 with assistance from an alternative provider that is accessible to the individual. The
19 value of the assistance offered by the alternative provider may not be less than the
20 value of the assistance which the individual would have received from the religious
21 organization.

22 **(5) EMPLOYMENT PRACTICES.** To the extent permitted under federal law, a
23 religious organization's exemption provided under 42 USC 2000e-1a regarding
24 employment practices is not affected by its participation in, or receipt of funds from,
25 programs administered by the department.

1 **(6) NONDISCRIMINATION AGAINST BENEFICIARIES.** A religious organization may not
2 discriminate against an individual in regard to rendering assistance funded under
3 any program administered by the department on the basis of religion, a religious
4 belief or refusal to actively participate in a religious practice.

5 **(7) FISCAL ACCOUNTABILITY.** (a) Except as provided in par. (b), any religious
6 organization that contracts with, or receives a grant from, the department is subject
7 to the same laws and rules as other contractors to account in accord with generally
8 accepted auditing principles for the use of such funds provided under such programs.

9 (b) If the religious organization segregates funds provided under programs
10 administered by the department into separate accounts, then only the financial
11 assistance provided with those funds shall be subject to audit.

12 **(8) COMPLIANCE.** Any party that seeks to enforce its rights under this section
13 may assert a civil action for injunctive relief against the entity or agency that
14 allegedly commits the violation.

15 **(9) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.** No funds provided
16 directly to religious organizations by the department may be expended for sectarian
17 worship, instruction or proselytization.

18 **(10) PREEMPTION.** Nothing in this section may be construed to preempt any
19 provision of federal law, the U.S. Constitution, the Wisconsin Constitution or any
20 other statute that prohibits or restricts the expenditure of federal or state funds in
21 or by religious organizations.

22 **SECTION 1377.** 49.124 (1) of the statutes is renumbered 49.124 (1) (intro.) and
23 amended to read:

24 49.124 (1) (title) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, “food;

1 (b) “Food stamp program” means the federal food stamp program under 7 USC
2 2011 to ~~2029~~ 2036.

3 **SECTION 1378.** 49.124 (1) (ag) of the statutes is created to read:

4 49.124 (1) (ag) “Controlled substance” has the meaning given in 21 USC 802
5 (6).

6 **SECTION 1379.** 49.124 (1) (am) of the statutes is created to read:

7 49.124 (1) (am) “Custodial parent” has the meaning given in s. 49.141 (1) (b).

8 **SECTION 1380.** 49.124 (1) (c) of the statutes is created to read:

9 49.124 (1) (c) “Noncustodial parent” has the meaning given in s. 49.141 (1) (h).

10 **SECTION 1381.** 49.124 (1) (d) of the statutes is created to read:

11 49.124 (1) (d) “Parent” has the meaning given in s. 49.141 (1) (j).

12 **SECTION 1382.** 49.124 (1) (e) of the statutes is created to read:

13 49.124 (1) (e) “Wisconsin works employment position” has the meaning given
14 in s. 49.141 (1) (r).

15 **SECTION 1383.** 49.124 (1g) of the statutes is created to read:

16 49.124 (1g) DENIAL OF ELIGIBILITY. An individual is ineligible to participate in
17 the food stamp program in a month that any of the following is true:

18 (a) The individual is a custodial parent of a child who is under the age of 18 and
19 who has an absent parent, or the individual lives with and exercises parental control
20 over a child who is under the age of 18 and who has an absent parent, and the
21 individual does not fully cooperate in efforts directed at establishing the paternity
22 of the child, if necessary, and obtaining support payments, if any, or other payments
23 or property, if any, to which that individual or the child may have rights. This
24 paragraph does not apply if the individual has good cause for refusing to cooperate,
25 as determined by the department in accordance with federal law and regulations.

1 (b) The individual is a man who is alleged to be the father under s. 767.45 of
2 a child under the age of 18 and the individual refuses to cooperate, as determined by
3 the department in accordance with federal law and regulations, in efforts directed
4 at establishing the paternity of the child.

5 (c) If the individual is a noncustodial mother of a child under the age of 18 and
6 the paternity of the father has not been established, the individual refuses to
7 cooperate, as determined by the department in accordance with federal law and
8 regulations, in efforts directed at establishing the paternity of the child.

9 (d) The individual is a noncustodial parent of a child under the age of 18 and
10 the individual refuses to cooperate, as determined by the department in accordance
11 with federal law and regulations, in providing or obtaining support for the child.

12 (e) The individual is obligated by court order to provide child support payments
13 and is delinquent in making those court-ordered payments. This paragraph does not
14 apply if any of the following applies:

15 1. The delinquency equals less than 3 months of the court-ordered support
16 payments.

17 2. A court or county child support agency under s. 59.53 (5) is allowing the
18 individual to delay the child support payments.

19 3. The individual is complying with a payment plan approved by a county child
20 support agency under s. 59.53 (5) to provide support for the child of the individual.

21 **SECTION 1384.** 49.124 (1m) (a) of the statutes is amended to read:

22 49.124 (1m) (a) The department shall administer an employment and training
23 program for recipients under the food stamp program. The department may contract
24 with a Wisconsin works agency to administer the employment and training program
25 under this section subsection. Except as provided in pars. (b) and (bm), the

1 department may require able individuals who are 18 to 60 years of age who are not
2 participants in a Wisconsin works employment position, as defined in s. 49.141 (1)
3 (~~r~~), to participate in the employment and training program under this section. To the
4 extent permitted by federal law or waiver, and except as provided in par. (cm), the
5 department may distribute food stamp benefits on a pay-for-performance basis, as
6 determined under par. (c). The maximum number of hours an individual may be
7 required to work may not exceed 40 hours per week subsection.

8 **SECTION 1751b.** 49.124 (1m) (c) of the statutes is repealed.

9 **SECTION 1751c.** 49.124 (1m) (cm) of the statutes is amended to read:

10 49.124 (1m) (cm) ~~Notwithstanding par. (c), the~~ The amount of food stamp
11 benefits paid to a recipient who is a participant in a Wisconsin works employment
12 position under s. 49.147 (4) or (5) shall be calculated based on the pre-sanction
13 benefit amount received s. 49.148.

14 **SECTION 1751g.** 49.124 (1m) (cm) of the statutes, as affected by 1997 Wisconsin
15 Act ... (this act), is amended to read:

16 49.124 (1m) (cm) The amount of food stamp benefits paid to a recipient who is
17 a participant in a Wisconsin works employment position under s. 49.147 (4) (b) or (5)
18 shall be calculated based on the pre-sanction benefit amount received s. 49.148.

19 **SECTION 1385.** 49.124 (1n) of the statutes is created to read:

20 49.124 (1n) INELIGIBILITY FOR NONCOMPLIANCE WITH WORK REQUIREMENTS. An
21 individual who fails to comply with the work requirements under sub. (1m) (a)
22 without good cause is ineligible to participate in the food stamp program under this
23 section as follows:

24 (a) For the first occurrence of noncompliance, one month, or until the person
25 complies with the work requirements under sub. (1m) (a), whichever is later.

1 (b) For the 2nd occurrence of noncompliance, 3 months, or until the person
2 complies with the work requirements under sub. (1m) (a), whichever is later.

3 (c) For the 3rd and subsequent occurrences of noncompliance, 6 months, or
4 until the person complies with the work requirements under sub. (1m) (a), whichever
5 is later.

6 **SECTION 1386.** 49.124 (3) of the statutes is amended to read:

7 49.124 (3) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS. The
8 department shall withhold the value of food stamp losses for which a county or
9 federally recognized American Indian tribe is liable under sub. (2) from the payment
10 to the county or tribe under s. 20.445 (3) (~~de~~) (dz) and (nL) and reimburse the federal
11 government from the funds withheld.

12 **SECTION 1387.** 49.124 (5) of the statutes is created to read:

13 49.124 (5) DRUG CONVICTIONS. (a) The department shall require an applicant
14 for, or recipient under, the food stamp program to state in writing whether the
15 applicant or recipient or any member of the applicant's or recipient's household has
16 been convicted, in any state or federal court of a felony that has as an element
17 possession, use or distribution of a controlled substance. The department shall
18 require an applicant or recipient, or member of the applicant's or recipient's
19 household to submit to a test for use of a controlled substance as a condition of
20 continued eligibility if, after August 22, 1996, but not more than 5 years prior to the
21 date the written statement is made, the applicant or recipient or the member of the
22 applicant's or recipient's household was convicted in any state or federal court of a
23 felony that had as an element possession, use or distribution of a controlled
24 substance. If the test results are positive with respect to any individual, the
25 department may not consider the needs of that individual in determining the

1 household's eligibility for the food stamp program for at least 12 months from the
2 date of the test. The department shall, however, consider the income and resources
3 of that individual to be available to the household.

4 (b) If an individual whose needs are not considered under par. (a) submits to
5 a test for use of a controlled substance at least 12 months after the date that the
6 department first disregarded that individual's needs under par. (a), and if the test
7 results are negative, the department shall consider the individual's needs in
8 determining the eligibility of the individual's household.

9 **SECTION 1388.** 49.124 (6) of the statutes is created to read:

10 49.124 (6) INELIGIBILITY FOR FUGITIVE FELONS. No person is eligible for the food
11 stamp program in a month in which that person is a fugitive felon under 7 USC 2015
12 (k) (1) or is violating a condition of probation or parole imposed by a state or federal
13 court.

14 **SECTION 1389.** 49.127 (8) (a) 2. of the statutes is amended to read:

15 49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than
16 \$5,000, a person who violates this section may be fined not more than \$10,000 or
17 imprisoned for not more than 5 years or both.

18 **SECTION 1390.** 49.127 (8) (b) 2. of the statutes is amended to read:

19 49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than
20 \$5,000, a person who violates this section may be fined not more than \$10,000 or
21 imprisoned for not more than 5 years or both.

22 **SECTION 1391.** 49.127 (8) (c) of the statutes is created to read:

23 49.127 (8) (c) For any offense under this section, if the value of the food coupons
24 is \$5,000 or more, a person who violates this section may be fined not more than
25 \$250,000 or imprisoned for not more than 20 years or both.

1 **SECTION 1392.** 49.127 (8) (d) of the statutes is renumbered 49.127 (8) (d) 1.
2 (intro.) and amended to read:

3 49.127 (8) (d) 1. (intro.) In addition to the penalties applicable under par. (a)
4 or, (b) or (c), the court ~~may~~ shall suspend a person who violates this section from
5 participation in the food stamp program ~~up to 18 months.~~ as follows:

6 2. The person may apply to the county department under s. 46.215, 46.22 or
7 46.23 or the federally recognized American Indian tribal governing body or, if the
8 person is a supplier, to the federal department of agriculture for reinstatement
9 following the period of suspension, if the suspension is not permanent.

10 **SECTION 1393.** 49.127 (8) (d) 1. a., b. and c. of the statutes are created to read:

11 49.127 (8) (d) 1. a. For a first offense under this section, one year. The court
12 may extend the suspension by not more than 18 months.

13 b. For a 2nd offense under this section, 2 years. The court may extend the
14 suspension by not more than 18 months.

15 c. For a 3rd offense under this section, permanently.

16 **SECTION 1394.** 49.127 (8) (d) 1m. of the statutes is created to read:

17 49.127 (8) (d) 1m. In addition to the penalties applicable under par. (a), (b) or
18 (c), a court shall permanently suspend from the food stamp program a person who
19 has been convicted of an offense under 7 USC 2024 (b) or (c) involving an item covered
20 by 7 USC 2024 (b) or (c) having a value of \$500 or more.

21 **SECTION 1395.** 49.127 (8) (e) of the statutes is created to read:

22 49.127 (8) (e) 1. If a court finds that a person traded a controlled substance, as
23 defined in s. 961.01 (4), for food coupons, the court shall suspend the person from
24 participation in the food stamp program as follows:

25 a. Upon the first such finding, for 2 years.

1 b. Upon the 2nd such finding, permanently.

2 2. If a court finds that a person traded firearms, ammunition or explosives for
3 food coupons, the court shall suspend the person permanently from participation in
4 the food stamp program.

5 **SECTION 1396.** 49.127 (8) (f) of the statutes is created to read:

6 49.127 (8) (f) Notwithstanding par. (d), in addition to the penalties applicable
7 under par. (a), (b) or (c), the court shall suspend from the food stamp program for a
8 period of 10 years a person who fraudulently misstates or misrepresents his or her
9 identity or place of residence for the purpose of receiving multiple benefits
10 simultaneously under the food stamp program.

11 **SECTION 1397.** 49.13 of the statutes is repealed.

12 **SECTION 1398.** 49.131 (1) of the statutes is renumbered 49.155 (1) (ag) and
13 amended to read:

14 49.155 (1) (ag) ~~In this section, “child~~ “Child care provider” means a provider
15 licensed under s. 48.65, certified under s. 48.651 or established or contracted for
16 under s. 120.13 (14).

17 **SECTION 1399.** 49.131 (2) (intro.) of the statutes is renumbered 49.155 (1g)
18 (intro.) and amended to read:

19 49.155 (1g) (intro.) Subject to sub. (4) (1j) and s. 16.54 (2), the department shall,
20 within the limits of the availability of the federal child care and development block
21 grant funds received under 42 USC 9858, do all of the following:

22 **SECTION 1400.** 49.131 (2) (a) of the statutes is repealed.

23 **SECTION 1401.** 49.131 (2) (b) 1. and (c) 1., 2., 3. and 4. of the statutes are
24 consolidated, renumbered 49.131 (2) (b) 1m. and amended to read:

1 49.131 (2) (b) 1m. From the appropriation under s. 20.445 (3) (mc), distribute
2 \$190,800 ~~\$4,315,000~~ in fiscal year ~~1995-96~~ 1997-98 and \$197,700 ~~\$4,315,000~~ in
3 fiscal year ~~1996-97~~ 1998-99 for the purposes of providing technical assistance for
4 child care providers and of administering the child care programs funded under s.
5 20.445 (3) (cp) and (md). (e) 1. For program under this section and for grants under
6 s. 49.136 (2) for the start-up and expansion of child day care services, and for child
7 day care start-up and expansion planning, \$430,000 in fiscal year ~~1995-96~~ and
8 \$226,400 in fiscal year ~~1996-97~~. 2. For for grants under s. 49.134 (2) for child day
9 care resource and referral services, \$960,000 in fiscal year ~~1995-96~~ and \$960,000,
10 in fiscal year ~~1996-97~~. 3. For for grants under s. 49.137 (3) to assist child care
11 providers in meeting the quality of care standards established under s. 49.132 (4) (e)
12 sub. (1d) and for a system of rates or a program of grants, as provided under s. 49.132
13 (4) (e) sub. (1d), to reimburse child care providers that meet those quality of care
14 standards, \$1,559,200 in fiscal year ~~1995-96~~ and \$1,576,700 in fiscal year ~~1996-97~~.
15 If an amount distributed under this subdivision will not be fully expended, the
16 department may transfer the unexpended funds to the distribution under subd. 4.
17 4. For and for grants under s. 49.137 (2) and contracts under s. 49.137 (4) to improve
18 the quality of child day care services in this state, \$450,000 in fiscal year ~~1995-96~~
19 and \$450,000 in fiscal year ~~1996-97~~, plus any amounts that the department
20 transfers to this distribution under subd. 3.

21 **SECTION 1402.** 49.131 (2) (b) 1m. of the statutes, as affected by 1997 Wisconsin
22 Act (this act), is renumbered 49.155 (1g) (b).

23 **SECTION 1403.** 49.131 (2) (b) 2. of the statutes is amended to read:

24 49.131 (2) (b) 2. From the appropriation under s. 20.445 (3) (mc) transfer
25 \$1,026,800 ~~\$1,687,400~~ in fiscal year ~~1996-97~~ 1997-98 and \$1,687,400 in fiscal year

1 1998-99 to the appropriation under s. 20.435 (6) (kx) for the purpose of day care
2 center licensing under s. 48.65.

3 **SECTION 1404.** 49.131 (2) (b) 2. of the statutes, as affected by 1997 Wisconsin
4 Act (this act), is renumbered 49.155 (1g) (c).

5 **SECTION 1405.** 49.131 (2) (c) (intro.) of the statutes is repealed.

6 **SECTION 1406.** 49.131 (3) of the statutes is repealed.

7 **SECTION 1407.** 49.131 (4) of the statutes is renumbered 49.155 (1j) and
8 amended to read:

9 49.155 (1j) If the department receives unanticipated federal child care and
10 development block grant funds under 42 USC 9858 and it proposes to allocate the
11 unanticipated funds so that an allocation limit in sub. ~~(2)~~ (1g) is exceeded, the
12 department shall submit a plan for the proposed allocation to the secretary of
13 administration. If the secretary of administration approves the plan, he or she shall
14 submit it to the joint committee on finance. If the cochairpersons of the committee
15 do not notify the secretary of administration within 14 working days after the date
16 of his or her submittal that the committee has scheduled a meeting for the purpose
17 of reviewing the plan ~~within 14 working days after the date of his or her submittal~~,
18 the department may implement the plan, notwithstanding any allocation limit
19 under sub. ~~(2)~~ (1g). If within 14 working days after the date of the submittal by the
20 secretary of administration the cochairpersons of the committee notify him or her
21 that the committee has scheduled a meeting for the purpose of reviewing the plan,
22 the department may implement the plan, notwithstanding sub. ~~(2)~~ (1g), only with the
23 approval of the committee.

24 **SECTION 1408.** 49.132 (2) (a) of the statutes is amended to read:

1 49.132 (2) (a) ~~The~~ Within the limits of available federal funds and from the
2 appropriation under s. 20.445 (3) (cm) the department shall distribute the funds
3 ~~allocated under s. 49.13~~ for at-risk and low-income child care services under subs.
4 (2m) and (3) to county departments under s. 46.215, 46.22 or 46.23 and to private
5 nonprofit child care providers ~~who~~ agencies that provide child care for the children
6 of migrant workers ~~or shall reimburse child care providers who provide at-risk and~~
7 low-income child care.

8 **SECTION 1409.** 49.132 (4) (am) of the statutes is amended to read:

9 49.132 (4) (am) A parent who is gainfully employed, or who is less than 20 years
10 of age and is enrolled in an educational program, who is in need of child care services
11 and who applies for aid on or after May 10, 1996, is eligible for aid under this section
12 if the family income of the applicant is equal to or less than 165% of the poverty line.
13 An applicant who is eligible under this paragraph and who began receiving aid under
14 this section on or after May 10, 1996, continues to be eligible for aid under this section
15 until the family income of the applicant is greater than 200% of the poverty line.

16 **SECTION 1410.** 49.132 (6) of the statutes is amended to read:

17 49.132 (6) SUNSET. This section does not apply beginning on ~~the first day of the~~
18 ~~6th month beginning after the date specified in the notice under s. 49.141 (2) (d)~~
19 October 1, 1997.

20 **SECTION 1411.** 49.134 (2) (a) of the statutes is amended to read:

21 49.134 (2) (a) From the allocation under s. ~~49.131 (2) (e) 2.~~ 49.131 (2) (b) 1m.,
22 the department shall make grants to local agencies to fund child care resource and
23 referral services provided by those local agencies. The department shall provide an
24 allocation formula to determine the amount of a grant awarded under this section.

1 **SECTION 1412.** 49.134 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is amended to read:

3 49.134 (2) (a) From the allocation under s. ~~49.131 (2) (b) 1m.~~ 49.155 (1g) (b), the
4 department shall make grants to local agencies to fund child care resource and
5 referral services provided by those local agencies. The department shall provide an
6 allocation formula to determine the amount of a grant awarded under this section.

7 **SECTION 1413.** 49.136 (2) (a) of the statutes is amended to read:

8 49.136 (2) (a) From the allocation under s. ~~49.131 (2) (c) 1.~~ 49.131 (2) (b) 1m.,
9 the department shall award grants for the start-up or expansion of child care
10 services.

11 **SECTION 1414.** 49.136 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
12 (this act), is amended to read:

13 49.136 (2) (a) From the allocation under s. ~~49.131 (2) (b) 1m.~~ 49.155 (1g) (b), the
14 department shall award grants for the start-up or expansion of child care services.

15 **SECTION 1415.** 49.137 (2) (a) of the statutes is amended to read:

16 49.137 (2) (a) From the allocation under s. ~~49.131 (2) (c) 4.~~ 49.131 (2) (b) 1m.,
17 the department may award grants to child care providers that meet the quality of
18 care standards established under s. ~~49.132 (4) (e) or 49.155 (6)~~ 49.155 (1d) (b) to
19 improve the retention of skilled and experienced child care staff. In awarding grants
20 under this subsection, the department shall consider the applying child care
21 provider's total enrollment of children and average enrollment of children who
22 receive or are eligible for publicly funded care from the child care provider.

23 **SECTION 1416.** 49.137 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
24 (this act), is amended to read:

1 49.137 (2) (a) From the allocation under s. ~~49.131 (2) (b) 1m.~~ 49.155 (1g) (b), the
2 department may award grants to child care providers that meet the quality of care
3 standards established under s. ~~49.132 (4) (e) or 49.155 (6)~~ 49.155 (1d) (b) to improve
4 the retention of skilled and experienced child care staff. In awarding grants under
5 this subsection, the department shall consider the applying child care provider's
6 total enrollment of children and average enrollment of children who receive or are
7 eligible for publicly funded care from the child care provider.

8 **SECTION 1417.** 49.137 (3) (a) of the statutes is amended to read:

9 49.137 (3) (a) From the allocation under s. ~~49.131 (2) (e) 3.~~ 49.131 (2) (b) 1m.,
10 the department may award grants to child care providers for assistance in meeting
11 the quality of care standards established under s. ~~49.132 (4) (e)~~ 49.155 (1d) (b).

12 **SECTION 1418.** 49.137 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
13 (this act), is amended to read:

14 49.137 (3) (a) From the allocation under s. ~~49.131 (2) (b) 1m.~~ 49.155 (1g) (b), the
15 department may award grants to child care providers for assistance in meeting the
16 quality of care standards established under s. ~~49.132 (4) (e)~~ 49.155 (1d) (b).

17 **SECTION 1419.** 49.137 (4) (intro.) of the statutes is amended to read:

18 49.137 (4) TRAINING AND TECHNICAL ASSISTANCE CONTRACTS. (intro.) From the
19 allocation under s. ~~49.131 (2) (e) 4.~~ 49.131 (2) (b) 1m., the department may contract
20 with one or more agencies for the provision of training and technical assistance to
21 improve the quality of child care provided in this state. The training and technical
22 assistance activities contracted for under this subsection may include any of the
23 following activities:

24 **SECTION 1420.** 49.137 (4) (intro.) of the statutes, as affected by 1997 Wisconsin
25 Act (this act), is amended to read:

1 49.137 (4) TRAINING AND TECHNICAL ASSISTANCE CONTRACTS. (intro.) From the
2 allocation under s. 49.131 (2) (b) 1m. 49.155 (1g) (b), the department may contract
3 with one or more agencies for the provision of training and technical assistance to
4 improve the quality of child care provided in this state. The training and technical
5 assistance activities contracted for under this subsection may include any of the
6 following activities:

7 **SECTION 1788m.** 49.137 (4) (gm) of the statutes is created to read:

8 49.137 (4) (gm) Providing training to child care providers in providing child
9 care for children with special needs and developing a network of child care providers
10 who are qualified to provide child care for children with special needs.

11 **SECTION 1421.** 49.138 (1) of the statutes is renumbered 49.138 (1m), and 49.138
12 (1m) (intro.), as renumbered, is amended to read:

13 49.138 (1m) (intro.) The department shall implement a program of emergency
14 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
15 energy crisis. ~~Eligibility shall not exceed the limitations for federal participation~~
16 ~~defined by applicable federal laws and regulations.~~ The department shall establish
17 the maximum amount of aid to be granted, except for cases of energy crisis, per family
18 member based on the funding available under s. 20.445 (3) (dc) and (p) (md). The
19 department need not establish the maximum amount by rule under ch. 227. The
20 department shall publish the maximum amount and annual changes to it in the
21 Wisconsin administrative register. Emergency assistance provided to needy persons
22 under this section in cases of fire, flood, natural disaster or energy crisis may only
23 be provided to a needy person once in a 12-month period. Emergency assistance
24 provided to needy persons under this section in cases of homelessness may be used
25 only to obtain a permanent living accommodation and, except as provided in sub. (2),

1 may only be provided to a needy person once in a 36-month period. For the purposes
2 of this section, a family is considered to be homeless if any of the following applies:

3 **SECTION 1422.** 49.138 (1d) of the statutes is created to read:

4 49.138 (1d) In this section:

5 (a) "Administering agency" means the department or, if the department has
6 contracted with a Wisconsin works agency under sub. (3), the Wisconsin works
7 agency.

8 (b) "Needy person" has the meaning specified by the department by rule.

9 **SECTION 1423.** 49.138 (2) of the statutes is amended to read:

10 49.138 (2) Emergency assistance provided to a person under sub. (1) (1m) (c)
11 may be provided once in a 12-month period.

12 **SECTION 1424.** 49.138 (3) of the statutes is created to read:

13 49.138 (3) The department may contract with a Wisconsin works agency to
14 administer this section.

15 **SECTION 1425.** 49.138 (4) of the statutes is created to read:

16 49.138 (4) (a) Any individual whose application for emergency assistance
17 under this section is not acted upon with reasonable promptness after the filing of
18 the application, as defined by the department by rule, or is denied in whole or in part,
19 or who believes that the assistance amount was calculated incorrectly, may petition
20 the administering agency for a review of such action. Review is unavailable if the
21 action by the administering agency occurred more than 45 days prior to submission
22 of the petition for review.

23 (b) Upon a timely petition under par. (a), the administering agency shall give
24 the petitioner reasonable notice and opportunity for a review. The administering
25 agency shall render its decision as soon as possible after the review and shall send

1 by 1st class mail a certified copy of its decision to the petitioner. The administering
2 agency shall deny a petition for a review or shall refuse to grant relief if the petitioner
3 does any of the following:

4 1. Withdraws the petition in writing.

5 2. Abandons the petition. Abandonment occurs if the petitioner fails to appear
6 in person or by representative at a scheduled review without good cause, as defined
7 by the department by rule.

8 (c) If the administering agency is a Wisconsin works agency, the department
9 may review the decision of the Wisconsin works agency if, within 14 days after the
10 date on which the certified copy of the decision of the Wisconsin works agency is
11 mailed, the applicant or participant petitions the department for a review of that
12 decision.

13 **SECTION 1426.** 49.141 (1) (j) of the statutes is renumbered 49.141 (1) (j) (intro.)
14 and amended to read:

15 49.141 (1) (j) (intro.) "Parent" means either a any of the following:

16 1. A biological parent,~~a.~~

17 2. A person who has consented to the artificial insemination of his wife under
18 s. 891.40,~~or a.~~

19 3. A parent by adoption.

20 **SECTION 1427.** 49.141 (1) (j) 4. of the statutes is created to read:

21 49.141 (1) (j) 4. A man adjudged in a judicial proceeding to be the biological
22 father of a child if the child is a nonmarital child who is not adopted or whose parents
23 do not subsequently intermarry under s. 767.60.

24 **SECTION 1428.** 49.141 (1) (j) 5. of the statutes is created to read:

1 49.141 (1) (j) 5. A man who has signed and filed with the state registrar under
2 s. 69.15 (3) (b) 3. a statement acknowledging paternity.

3 **SECTION 1429.** 49.141 (1) (p) of the statutes is amended to read:

4 49.141 (1) (p) “Wisconsin works” means the assistance program for families
5 with dependent children, administered under ss. 49.141 to 49.161, except that
6 “Wisconsin works” does not include the Wisconsin works health plan under s. 49.153,
7 unless a waiver under s. 49.153 (1m) is granted and in effect or federal legislation
8 that permits the application of s. 49.153 is enacted.

9 **SECTION 1430.** 49.141 (2) (a) of the statutes is amended to read:

10 49.141 (2) (a) If necessary, the department shall request a waiver from the
11 secretaries of the federal department of health and human services, the federal
12 department of agriculture and the federal social security administration or shall
13 seek the passage of federal legislation to permit the department to conduct the
14 Wisconsin works program in lieu of the aid to families with dependent children
15 program under s. 49.19, the job opportunities and basic skills program under s.
16 49.193, the parental responsibility pilot program under s. 49.25 and the
17 work-not-welfare program under s. 49.27 and as part of the food stamp program
18 under 7 USC 2011 to 2029 ~~and the medical assistance program under 42 USC 1396~~
19 ~~to 1396u.~~

20 **SECTION 1431.** 49.141 (7) (c) of the statutes is created to read:

21 49.141 (7) (c) Except as provided in par. (d), in addition to the penalties
22 applicable under par. (a) or (b), a person shall be suspended from participating in
23 Wisconsin works, except s. 49.153, for a period of 10 years, beginning on the date of
24 conviction, if the person is convicted in a federal or state court for any of the following:

1 1. Violating sub. (6) (a) with respect to his or her identity or place of residence
2 for the purpose of receiving simultaneously from this state and at least one other
3 state assistance funded by a block grant under Title I of the Federal Personal
4 Responsibility and Work Opportunity Reconciliation Act of 1996.

5 2. Fraudulently misstating or misrepresenting his or her identity or place of
6 residence for the purpose of receiving simultaneously from this state and at least one
7 other state benefits under the medical assistance program under 42 USC 1396 et seq.

8 3. Fraudulently misstating or misrepresenting his or her identity or place of
9 residence for the purpose of receiving simultaneously in this state and at least one
10 other state benefits under the federal food stamp program under 7 USC 2011 to 2029.

11 4. Fraudulently misstating or misrepresenting his or her identity or place of
12 residence for the purpose of receiving simultaneously in this state and at least one
13 other state benefits under the federal supplemental security income program under
14 42 USC 1381 to 1383d.

15 **SECTION 1432.** 49.141 (7) (d) of the statutes is created to read:

16 49.141 (7) (d) A person who has been suspended from participating in
17 Wisconsin works under par. (c) and whom the president of the United States has
18 pardoned with respect to the conduct for which the person had been suspended may
19 have his or her eligibility to participate in Wisconsin works reinstated beginning on
20 the first day of the first month beginning after the pardon.

21 **SECTION 1801g.** 49.143 (2) (b) of the statutes is amended to read:

22 49.143 (2) (b) Establish a children's services network. The children's services
23 network shall provide information about community resources available to the
24 dependent children in a Wisconsin works group, including charitable food and
25 clothing centers; subsidized and low-income housing; transportation subsidies; the

1 state supplemental food program for women, infants and children under s. 253.06;
2 and child care programs. In a county having a population of 500,000 or more, a
3 children's services network shall, in addition, provide a forum for those persons who
4 are interested in the delivery of child welfare services and other services to children
5 and families in the geographical area under sub. (6) served by that children's services
6 network to communicate with and make recommendations to the providers of those
7 services in that geographical area with respect to the delivery of those services in that
8 area.

9 **SECTION 1801m.** 49.143 (2) (e) of the statutes is amended to read:

10 49.143 (2) (e) Certify To the extent permitted under federal law or waiver,
11 certify eligibility for and issue food coupons to eligible Wisconsin works participants
12 in conformity with 7 USC 2011 to 2029.

13 **SECTION 1433.** 49.145 (2) (i) of the statutes is amended to read:

14 49.145 (2) (i) The individual is not receiving supplemental security income
15 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 and, if
16 the individual is a dependent child, the custodial parent of the individual does not
17 receive a payment on behalf of the individual under s. 49.775.

18 **SECTION 1434.** 49.145 (2) (n) of the statutes is renumbered 49.145 (2) (n) 1.
19 (intro.) and amended to read:

20 49.145 (2) (n) 1. (intro.) Beginning Except as provided in subd. 4., beginning
21 on the date on which the individual has attained the age of 18, the total number of
22 months in which the individual or any adult member of the individual's Wisconsin
23 works group has actively participated in the job opportunities and basic skills
24 program under s. 49.193 or has participated in a Wisconsin works employment
25 position or both, or has received benefits under, any of the following or any

1 combination of the following does not exceed 60 months. ~~The months need not be~~
2 ~~consecutive. Participation in the, whether or not consecutive:~~

3 a. The job opportunities and basic skills program under s. 49.193. Active
4 participation in the job opportunities and basic skills program begins to count toward
5 the 60-month limit beginning on ~~July~~ October 1, 1996.

6 3. A Wisconsin works agency may extend the time limit under this paragraph
7 only if the Wisconsin works agency determines, in accordance with rules
8 promulgated by the department, that unusual circumstances exist that warrant an
9 extension of the participation period.

10 **SECTION 1435.** 49.145 (2) (n) 1. b. of the statutes is created to read:

11 49.145 (2) (n) 1. b. A Wisconsin works employment position.

12 **SECTION 1436.** 49.145 (2) (n) 1. c. of the statutes is created to read:

13 49.145 (2) (n) 1. c. Any program in this state or in any other state funded by
14 a federal block grant for temporary assistance for needy families under title I of P.L.
15 104-193, if the individual received benefits under that program that were
16 attributable to funds provided by the federal government.

17 **SECTION 1437.** 49.145 (2) (n) 2. of the statutes is created to read:

18 49.145 (2) (n) 2. Except as provided in subd. 4., in calculating the number of
19 months in which the individual participated under subd. 1., the Wisconsin works
20 agency shall include any month in which any adult member of a Wisconsin works
21 group participated in a Wisconsin works employment position, if the individual was
22 a member of that Wisconsin works group during that month.

23 **SECTION 1438.** 49.145 (2) (n) 4. of the statutes is created to read:

24 49.145 (2) (n) 4. In calculating the number of months under subds. 1. and 2.,
25 a Wisconsin works agency shall exclude, to the extent permitted under federal law,

1 any month during which any adult in the Wisconsin works group participated in any
2 activity listed under subd. 1. a. to c. while living on a federally recognized American
3 Indian reservation, in an Alaskan Native village or, in Indian country, as defined in
4 18 USC 1151, occupied by an Indian tribe, if, during that month, all of the following
5 applied:

6 a. At least 1,000 individuals were living on the reservation or in the village or
7 Indian country.

8 b. At least 50% of the adults living on the reservation or in the village or Indian
9 country were unemployed.

10 **SECTION 1439.** 49.145 (2) (r) of the statutes is created to read:

11 49.145 (2) (r) The individual is not a fugitive felon under 42 USC 608 (a) (9) (A)
12 (i).

13 **SECTION 1440.** 49.145 (2) (rm) of the statutes is created to read:

14 49.145 (2) (rm) The individual is not violating a condition of probation or parole
15 imposed under federal or state law.

16 **SECTION 1441.** 49.145 (2) (s) of the statutes is created to read:

17 49.145 (2) (s) The individual assigns to the state any right of the individual or
18 of any dependent child of the individual to support or maintenance from any other
19 person, including any right to amounts accruing during the time that any Wisconsin
20 works benefit is paid to the individual. If a minor who is a beneficiary of any
21 Wisconsin works benefit is also the beneficiary of support under a judgment or order
22 that includes support for one or more children not receiving a benefit under
23 Wisconsin works, any support payment made under the judgment or order is
24 assigned to the state during the period that the minor is a beneficiary of the
25 Wisconsin works benefit in the amount that is the proportionate share of the minor

1 receiving the benefit under Wisconsin works, except as otherwise ordered by the
2 court on the motion of a party. Amounts assigned to the state under this paragraph
3 remain assigned to the state until that amount of benefits paid that represents the
4 amount due as support or maintenance has been recovered. No amount of support
5 that begins to accrue after the individual ceases to receive benefits under Wisconsin
6 works may be considered assigned to this state. Except as provided in s. 49.1455, any
7 money received by the department in a month under an assignment to the state
8 under this paragraph for an individual applying for or participating in Wisconsin
9 works shall be paid to the individual applying for or participating in Wisconsin
10 works.

11 **SECTION 1442.** 49.145 (2) (v) of the statutes is created to read:

12 49.145 (2) (v) The individual states in writing whether the individual has been
13 convicted in any state or federal court of a felony that has as an element possession,
14 use or distribution of a controlled substance, as defined in 21 USC 802 (6).

15 **SECTION 1443.** 49.145 (3) (b) 2. of the statutes is amended to read:

16 49.145 (3) (b) 2. Child support payments received by the individual on behalf
17 of a child who is a member of the Wisconsin works group. The Wisconsin works
18 agency shall not include child support payments received by the department under
19 an assignment under sub. (2) (s) unless the department has distributed the money
20 to the individual.

21 **SECTION 1812am.** 49.1455 of the statutes is created to read:

22 **49.1455 Child support demonstration project.** The department may
23 conduct a demonstration project, pursuant to the terms and conditions of a federal
24 waiver, under which the department may pay to an individual whom the department
25 has selected to be part of a control group a portion of the amount of child support

1 received by the department under an assignment by the individual under s. 49.145
2 (2) (s).

3 **SECTION 1812b.** 49.147 (1) (title) and (a) (title) of the statutes are repealed.

4 **SECTION 1812c.** 49.147 (1) (intro.) of the statutes is created to read:

5 49.147 (1) DEFINITIONS. (intro.) In this section:

6 **SECTION 1812d.** 49.147 (1) (a) of the statutes is renumbered 49.147 (1) (c) and
7 amended to read:

8 49.147 (1) (c) ~~In this section,~~ “unsubsidized “Unsubsidized employment” means
9 employment for which the Wisconsin works agency provides no wage subsidy to the
10 employer including self-employment and entrepreneurial activities.

11 **SECTION 1812e.** 49.147 (1) (b) of the statutes is created to read:

12 49.147 (1) (b) “Disabled” has the meaning given in s. 46.985 (1) (d).

13 **SECTION 1812f.** 49.147 (4) of the statutes is repealed and recreated to read:

14 49.147 (4) COMMUNITY SERVICE JOB. (a) *Administration.* A Wisconsin works
15 agency shall administer a community service job program as part of its
16 administration of Wisconsin works to improve the employability of an individual who
17 is not otherwise able to obtain sufficient employment, as determined by the
18 Wisconsin works agency, by providing work experience and training, if necessary, to
19 assist the individual to move promptly into unsubsidized public or private
20 employment or a trial job. In determining an appropriate placement for a
21 participant, a Wisconsin works agency shall give placement under this subsection
22 priority over a placement under sub. (5). Community service jobs shall be limited to
23 projects that the department determines would serve a useful public purpose or
24 projects the cost of which is partially or wholly offset by revenue generated by the
25 projects. After every 6 months of an individual’s participation under this subsection

1 and at the conclusion of each assignment under this subsection, a Wisconsin works
2 agency shall reassess the individual's employability.

3 (b) *Grant-paying community service job.* 1. 'Required hours.' Except as
4 provided in subd. 1m., a participant under this paragraph may be required to
5 participate in any of the following:

6 a. Education and training activities for not more than 10 hours per week
7 assigned as part of an employability plan developed by the Wisconsin works agency.
8 The department shall establish by rule permissible education and training under
9 this subd. 1. a., which shall include a course of study meeting the standards
10 established under s. 115.29 (4) for the granting of a declaration of equivalency of high
11 school graduation, technical college courses and educational courses that provide an
12 employment skill. Permissible education under this subd. 1. a. shall also include
13 English as a 2nd language courses that the Wisconsin works agency determines
14 would facilitate an individual's efforts to obtain employment and adult basic
15 education courses that the Wisconsin works agency determines would facilitate an
16 individual's efforts to obtain employment.

17 b. A community service job for not more than 30 hours per week.

18 c. For the first 2 weeks of participation under this paragraph, an assessment
19 and motivational training program identified by the community steering committee
20 under s. 49.143 (2) (a) 10. The Wisconsin works agency may require not more than
21 40 hours of participation per week under this subd. 1. c. in lieu of the participation
22 requirements under subd. 1. a. and b.

23 1m. 'Education for 18-year-old and 19-year-old students.' A Wisconsin works
24 agency shall permit a participant under this paragraph who has not obtained the age
25 of 20 and who has not obtained a high school diploma or a declaration of equivalency

1 of high school graduation to attend high school or enroll in a course of study meeting
2 the standards established under s. 115.29 (4) for the granting of a declaration of
3 equivalency of high school graduation to satisfy, in whole or in part, the required
4 hours of participation in a community service job under subd. 1.

5 2. 'Time-limited participation.' An individual may participate under this
6 paragraph in a particular community service job for a maximum of 6 months, with
7 an opportunity for a 3-month extension under circumstances approved by the
8 department. An individual may participate in more than one community service job
9 under this paragraph, but may not exceed a total of 24 months of participation under
10 this subsection. The months need not be consecutive. The department or, with the
11 approval of the department, the Wisconsin works agency may grant an extension to
12 the 24-month limit on a case-by-case basis if the Wisconsin works agency
13 determines that the individual has made all appropriate efforts to find unsubsidized
14 employment and has been unable to find unsubsidized employment because local
15 labor market conditions preclude a reasonable employment opportunity in
16 unsubsidized employment for that participant, as determined by a Wisconsin works
17 agency and approved by the department, and if the Wisconsin works agency
18 determines, and the department agrees, that no trial job opportunities are available
19 in the specified local labor market.

20 3. 'Worker's compensation.' A participant under this paragraph is an employe
21 of the Wisconsin works agency for purposes of worker's compensation coverage,
22 except to the extent that the person for whom the participant is performing work
23 provides worker's compensation.

24 (c) *Wage-paying community service job.* 1. 'Definition.' In this paragraph,
25 "employer" means a nonprofit, nonstock corporation organized under ch. 181 with

1 which the Wisconsin works agency contracts under subd. 1m. to provide employment
2 to a participant.

3 1g. 'Limited scope.' The department shall permit this paragraph to be
4 implemented by 2 Wisconsin works agencies in Milwaukee County that are selected
5 by the department based on requests received by the department from those
6 Wisconsin works agencies.

7 1m. 'Employment arrangement.' A Wisconsin works agency may contract with
8 a nonprofit, nonstock corporation organized under ch. 181 to provide employment to
9 the participant. The contract shall require the Wisconsin works agency to reimburse
10 the employer for the amounts paid by the employer for the wages and payroll taxes
11 of the participant.

12 2. 'Eligibility.' A Wisconsin works agency may not place an individual under
13 this paragraph unless the individual is working at least 15 hours per week in an
14 unsubsidized job.

15 3. 'Work supplementation.' The Wisconsin works agency may require a
16 participant under this paragraph to work not more than the lesser of the following
17 in a community service job under this paragraph:

18 a. Fifteen hours per week.

19 b. The difference between 40 hours and the number of hours that the
20 participant works in an unsubsidized job.

21 4. 'Time-limited participation.' An individual may participate under this
22 paragraph in a particular community service job for a maximum of 3 months, with
23 an opportunity for a one-month extension under circumstances approved by the
24 department. An individual may participate in more than one community service job
25 under this paragraph, but may not exceed a total of 24 months of participation under

1 this subsection. The months need not be consecutive. The department or, with the
2 approval of the department, the Wisconsin works agency may grant an extension to
3 the 24-month limit on a case-by-case basis if the Wisconsin works agency
4 determines that the individual has made all appropriate efforts to find unsubsidized
5 employment and has been unable to find adequate unsubsidized employment
6 because local labor market conditions preclude a reasonable employment
7 opportunity in unsubsidized employment for that participant, as determined by a
8 Wisconsin works agency and approved by the department, and if the Wisconsin
9 works agency determines, and the department agrees, that no trial job opportunities
10 are available in the specified local labor market.

11 5. 'Worker's compensation.' The Wisconsin works agency shall provide the
12 participant with worker's compensation coverage, except to the extent that the
13 employer for whom the participant is performing work provides worker's
14 compensation.

15 6. 'Sunset.' This paragraph does not apply after September 30, 2001.

16 **SECTION 1812g.** 49.147 (4) (as) of the statutes is amended to read:

17 49.147 (4) (as) *Required hours.* Except as provided in ~~par.~~ pars. (at) and (av),
18 a Wisconsin works agency may require a participant placed in a community service
19 job program to work not more than 30 hours per week in a community service job.
20 A Wisconsin works agency may require a participant placed in the community
21 service job program to participate in education or training activities for not more
22 than 10 hours per week.

23 **SECTION 1812h.** 49.147 (4) (av) of the statutes is created to read:

24 49.147 (4) (av) *Education for 18-year-old and 19-year-old students.* A
25 Wisconsin works agency shall permit a participant under this subsection who has not

1 obtained the age of 20 and who has not obtained a high school diploma or a
2 declaration of equivalency of high school graduation to attend high school or enroll
3 in a course of study meeting the standards established under s. 115.29 (4) for the
4 granting of a declaration of equivalency of high school graduation to satisfy, in whole
5 or in part, the required hours of participation in a community service job under par.
6 (as).

7 **SECTION 1812j.** 49.147 (5) (bm) of the statutes is amended to read:

8 49.147 (5) (bm) *Education or training activities.* ~~A Except as provided in par.~~
9 (bw), a participant under this subsection may be required to participate in education
10 and training activities assigned as part of an employability plan developed by the
11 Wisconsin works agency. The department shall establish by rule permissible
12 education and training under this paragraph, which shall include a course of study
13 meeting the standards established under s. 115.29 (4) for the granting of a
14 declaration of equivalency of high school graduation, technical college courses and
15 educational courses that provide an employment skill. Permissible education under
16 this paragraph shall also include English as a 2nd language courses that the
17 Wisconsin works agency determines would facilitate an individual's efforts to obtain
18 employment and adult basic education courses that the Wisconsin works agency
19 determines would facilitate an individual's efforts to obtain employment.

20 **SECTION 1812k.** 49.147 (5) (bs) of the statutes is amended to read:

21 49.147 (5) (bs) *Required hours.* Except as provided in ~~par.~~ pars. (bt) and (bw),
22 a Wisconsin works agency may require a participant placed in a transitional
23 placement to engage in activities under par. (b) 1. for up to 28 hours per week. A
24 Wisconsin works agency may require a participant placed in a transitional

1 placement to participate in education or training activities under par. (bm) for not
2 more than 12 hours per week.

3 **SECTION 1812p.** 49.147 (5) (bt) of the statutes is amended to read:

4 49.147 (5) (bt) *Motivational training.* ~~A~~ Except as provided in par. (bw), a
5 Wisconsin works agency may require a participant, during the first 2 weeks of
6 participation under this subsection, to participate in an assessment and
7 motivational training program identified by the community steering committee
8 under s. 49.143 (2) (a) 10. The Wisconsin works agency may require not more than
9 40 hours of participation per week under this paragraph in lieu of the participation
10 requirement under par. (bs).

11 **SECTION 1812t.** 49.147 (5) (bw) of the statutes is created to read:

12 49.147 (5) (bw) *Certain single parents of disabled children.* A participant may
13 not be required to participate in education and training activities under par. (bm),
14 the work requirement under par. (bs) or motivational training under par. (bt) if all
15 of the following conditions are met:

- 16 1. The participant is a single parent of a disabled child.
17 2. The Wisconsin works agency determines that the participant is needed in
18 the home for at least 40 hours per week to provide care for the disabled child.

19 **SECTION 1812u.** 49.147 (5) (c) of the statutes is amended to read:

20 49.147 (5) (c) *Worker's compensation.* A participant under this subsection who
21 is not exempt under par. (bw) is an employe of the Wisconsin works agency for
22 purposes of worker's compensation coverage, except to the extent that the person for
23 whom the participant is performing work provides worker's compensation coverage.

24 **SECTION 1444.** 49.147 (6) (c) of the statutes is amended to read:

1 49.147 (6) (c) *Distribution and administration.* From the appropriation
2 appropriations under s. 20.445 (3) (e), (jL) and (md), the department shall distribute
3 funds for job access loans to a Wisconsin works agency, which shall administer the
4 loans in accordance with rules promulgated by the department.

5 **SECTION 1445.** 49.147 (6) (d) 2. of the statutes is amended to read:

6 49.147 (6) (d) 2. The individual has graduated from high school or has met the
7 standards established by the ~~secretary of education~~ state superintendent of public
8 instruction for the granting of a declaration of equivalency of high school graduation
9 under s. 115.29 (4).

10 **SECTION 1446.** 49.148 (1) (b) of the statutes is amended to read:

11 49.148 (1) (b) *Community service jobs.* For a participant in a community service
12 job, a monthly grant of ~~\$555~~ \$673, paid by the Wisconsin works agency or by the
13 department under sub. (2). For every hour that the participant misses work or
14 education or training activities without good cause, ~~the Wisconsin works agency~~
15 ~~shall reduce the grant amount~~ shall be reduced by ~~\$4.25~~ \$5.15. Good cause shall be
16 determined by the financial and employment planner in accordance with rules
17 promulgated by the department. Good cause shall include required court
18 appearances for a victim of domestic abuse. If a participant in a community service
19 job is required to work fewer than 30 hours per week because the participant has
20 unsubsidized employment, as defined in s. 49.147 (1) (a), the grant amount under
21 this paragraph may be reduced by an amount equal to the product of \$5.15 and the
22 difference between 30 and the number of hours the participant is required to work.

23 **SECTION 1815c.** 49.148 (1) (b) of the statutes, as affected by 1997 Wisconsin Act

24 (this act), is renumbered 49.148 (1) (b) 1. and amended to read:

1 49.148 (1) (b) 1. For a participant in a community service job under s. 49.147
2 (4) (b), a monthly grant of \$673, paid by the Wisconsin works agency or by the
3 department under sub. (2). For every hour that the participant misses work or
4 education or training activities without good cause, the grant amount shall be
5 reduced by \$5.15. Good cause shall be determined by the financial and employment
6 planner in accordance with rules promulgated by the department. Good cause shall
7 include required court appearances for a victim of domestic abuse.

8 **SECTION 1815d.** 49.148 (1) (b) 2. of the statutes is created to read:

9 49.148 (1) (b) 2. For a participant in a community service job under s. 49.147
10 (4) (c), minimum wage for every hour actually worked in the community service job,
11 not to exceed 15 hours per week, paid by the employer, as defined in s. 49.147 (4) (c)
12 1.

13 **SECTION 1447.** 49.148 (1) (c) of the statutes is amended to read:

14 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
15 placement, a grant of \$518 ~~\$628~~, paid monthly by the Wisconsin works agency or by
16 the department under sub. (2). For every hour that the participant fails to
17 participate in any required activity without good cause, including any activity under
18 s. 49.147 (5) (b) 1. a. to e., ~~the Wisconsin works agency shall reduce the grant amount~~
19 shall be reduced by \$4.25 \$5.15. Good cause shall be determined by the financial and
20 employment planner in accordance with rules promulgated by the department. Good
21 cause shall include required court appearances for a victim of domestic abuse.

22 **SECTION 1448.** 49.148 (1m) (a) of the statutes is amended to read:

23 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and
24 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
25 monthly grant of \$555 \$673 unless another adult member of the custodial parent's

1 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
2 works employment position or is employed in unsubsidized employment, as defined
3 in s. 49.147 (1) (a). A Wisconsin works agency may not require a participant under
4 this subsection to participate in any employment positions. Receipt of a grant under
5 this subsection does not constitute participation in a Wisconsin works employment
6 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b)
7 or (5) (b) 2. if the child is born to the participant not more than 10 months after the
8 date that the participant was first determined to be eligible for assistance under s.
9 49.19 or for a Wisconsin works employment position.

10 **SECTION 1817b.** 49.148 (1m) (a) of the statutes, as affected by 1997 Wisconsin
11 Act (this act), is amended to read:

12 49.148 **(1m)** (a) A custodial parent of a child who is 12 weeks old or less and
13 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
14 monthly grant of \$673 unless another adult member of the custodial parent's
15 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
16 works employment position or is employed in unsubsidized employment, as defined
17 in s. 49.147 (1) (a). A Wisconsin works agency may not require a participant under
18 this subsection to participate in any employment positions. Receipt of a grant under
19 this subsection does not constitute participation in a Wisconsin works employment
20 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b)
21 2. or (c) 4. or (5) (b) 2. if the child is born to the participant not more than 10 months
22 after the date that the participant was first determined to be eligible for assistance
23 under s. 49.19 or for a Wisconsin works employment position.

24 **SECTION 1817c.** 49.148 (1m) (b) of the statutes is amended to read:

1 49.148 (1m) (b) Receipt of a grant under this subsection constitutes
2 participation in a Wisconsin works employment position for purposes of the time
3 limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) 2. or (c) 4. or (5) (b) 2. if the
4 child is born to the participant more than 10 months after the date that the
5 participant was first determined to be eligible for assistance under s. 49.19 or for a
6 Wisconsin works employment position unless the child was conceived as a result of
7 a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not
8 indicate a freely given agreement to have sexual intercourse or of incest in violation
9 of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a
10 physician and to law enforcement authorities.

11 **SECTION 1449.** 49.148 (3) of the statutes is amended to read:

12 49.148 (3) WISCONSIN WORKS HEALTH PLAN. A If a waiver under s. 49.153 (1m)
13 is granted and in effect or federal legislation that permits the application of s. 49.153
14 is enacted, a participant in a Wisconsin works employment position shall participate
15 in the Wisconsin works health plan under s. 49.153. The participant and shall pay
16 a premium in an amount and in the manner established under s. 49.153 (4) (d).

17 **SECTION 1450.** 49.148 (4) of the statutes is created to read:

18 49.148 (4) DRUG TESTING. (a) A Wisconsin works agency shall require a
19 participant in a community service job or transitional placement who, after August
20 22, 1996, was convicted in any state or federal court of a felony that had as an element
21 possession, use or distribution of a controlled substance to submit to a test for use of
22 a controlled substance as a condition of continued eligibility. If the test results are
23 positive, the Wisconsin works agency shall decrease the pre-sanction benefit
24 amount for that participant by not more than 15% for not fewer than 12 months, or
25 for the remainder of the participant's period of participation in a community service

1 job or transitional placement, if less than 12 months. If, at the end of 12 months, the
2 individual is still a participant in a community service job or transitional placement
3 and submits to another test for use of a controlled substance and if the results of the
4 test are negative, the Wisconsin works agency shall discontinue the reduction under
5 this subsection.

6 (b) The Wisconsin works agency may require an individual who tests positive
7 for use of a controlled substance under par. (a) to participate in a drug abuse
8 evaluation, assessment and treatment program as part of the participation
9 requirement under s. 49.147 (4) (as) or (5) (bs).

10 (c) Paragraph (a) does not apply if the participant was convicted more than 5
11 years prior to the date on which the participant applied for a Wisconsin works
12 employment position.

13 **SECTION 1451.** 49.152 (1) of the statutes is amended to read:

14 49.152 (1) PETITION FOR REVIEW. Any individual whose application for any
15 component of Wisconsin works under s. 49.147 (1) to (5) is not acted upon by the
16 Wisconsin works agency with reasonable promptness after the filing of the
17 application, as defined by the department by rule, or is denied in whole or in part,
18 whose benefit is modified or canceled, or who believes that the benefit was calculated
19 incorrectly or that the employment position in which the individual was placed is
20 inappropriate, may petition the Wisconsin works agency for a review of such action.
21 Review is unavailable if the action by the Wisconsin works agency occurred more
22 than 45 days prior to submission of the petition for review.

23 **SECTION 1452.** 49.152 (2) (a) (intro.) of the statutes is amended to read:

24 49.152 (2) (a) (intro.) Upon a timely petition under sub. (1), the Wisconsin
25 works agency shall give the applicant or participant reasonable notice and

1 opportunity for a review. The Wisconsin works agency shall render its decision as
2 soon as possible after the review and shall send by 1st class mail a certified copy of
3 its decision to the last-known address of the applicant or participant. The Wisconsin
4 works agency shall deny a petition for a review or shall refuse to grant relief if the
5 petitioner does any of the following:

6 **SECTION 1453.** 49.152 (2) (b) 1. of the statutes is amended to read:

7 49.152 (2) (b) 1. Within ~~15~~ 14 days of ~~receiving~~ after the date on which the
8 certified copy of the decision of the Wisconsin works agency is mailed, the applicant
9 or participant petitions the department for a review of that decision.

10 **SECTION 1454.** 49.152 (2) (c) 1. of the statutes is amended to read:

11 49.152 (2) (c) 1. Within ~~15~~ 14 days after ~~receiving~~ the date on which the certified
12 copy of the decision of the Wisconsin works agency is mailed, the applicant petitions
13 the department for a review of the decision.

14 **SECTION 1455.** 49.152 (3) of the statutes is created to read:

15 49.152 (3) REMEDIES. (a) If, following review under sub. (2), the Wisconsin
16 works agency or the department determines that an individual, whose application
17 for a Wisconsin works employment position was denied based on eligibility, was in
18 fact eligible, or that the individual was placed in an inappropriate Wisconsin works
19 employment position, the Wisconsin works agency shall place the individual in the
20 first available Wisconsin works employment position that is appropriate for that
21 individual, as determined by the Wisconsin works agency or the department. An
22 individual who is placed in a Wisconsin works employment position under this
23 paragraph is eligible for the benefit for that position under s. 49.148 beginning on the
24 date on which the individual begins participation under s. 49.147.

1 (b) If, following review under sub. (2), the Wisconsin works agency or the
2 department determines that a participant's benefit was improperly modified or
3 canceled, or was calculated incorrectly, the Wisconsin works agency shall restore the
4 benefit to the level determined to be appropriate by the Wisconsin works agency or
5 by the department retroactive to the date on which the benefit was first improperly
6 modified or canceled or incorrectly calculated.

7 **SECTION 1456.** 49.153 (1m) of the statutes is created to read:

8 49.153 (1m) WAIVER. (a) If necessary, the department of health and family
9 services shall request a waiver from the secretary of the federal department of health
10 and human services or shall seek the passage of federal legislation to permit the
11 application of this section as part of the medical assistance program under 42 USC
12 1396 to 1396u. If a waiver is granted or federal legislation is enacted, the department
13 of health and family services shall publish a notice in the Wisconsin Administrative
14 Register indicating the date on which this section will first be implemented. If a
15 waiver is granted and in effect or federal legislation is enacted, the department of
16 health and family services, in consultation with the department of workforce
17 development, shall implement this section beginning no later than the first day of
18 the 3rd month beginning after the waiver is granted or the federal legislation is
19 enacted.

20 (b) Notwithstanding subch. IV, if a waiver under par. (a) is granted and in effect
21 or federal legislation is enacted, beginning on the date stated in the notice under par.
22 (a), the department of health and family services may terminate the eligibility for
23 medical assistance under subch. IV of persons who are eligible to participate in the
24 health plan under this section.

25 **SECTION 1457.** 49.153 (3g) (a) 1. of the statutes is amended to read:

1 49.153 (3g) (a) 1. The individual meets the criteria under s. 49.145 (2) (c), (f),
2 (g), (i), (L) ~~and~~, (m) and (s) and resides in this state.

3 **SECTION 1458.** 49.153 (4) (b) 1u. of the statutes is created to read:

4 49.153 (4) (b) 1u. The Wisconsin works health plan may cover an
5 over-the-counter drug if the department of health and family services determines
6 that the over-the-counter drug is more cost-effective than the prescription drug
7 equivalent.

8 **SECTION 1459.** 49.153 (4) (b) 2. c. of the statutes is amended to read:

9 49.153 (4) (b) 2. c. ~~Over-the-counter~~ Except as provided in subd. 1u.,
10 over-the-counter drugs.

11 **SECTION 1460.** 49.153 (4) (c) of the statutes is amended to read:

12 49.153 (4) (c) *Distribution of payments.* From the appropriations under s.
13 20.435 (1) (5) (b) and (o), the department of health and family services shall make
14 payments to a health maintenance organization or other health care provider with
15 which the department of health and family services has contracted under par. (a) in
16 accordance with a payment schedule established by contract.

17 **SECTION 1837d.** 49.153 (4) (d) 3. b. of the statutes is amended to read:

18 49.153 (4) (d) 3. b. For a participant in a grant-paying community service job
19 or transitional placement, the Wisconsin works agency shall deduct the premium
20 from the participant's monthly grant amount under s. 49.148 (1) (b) 1. or (c).

21 **SECTION 1461.** 49.155 (1) (a) of the statutes is renumbered 49.155 (1) (am).

22 **SECTION 1462.** 49.155 (1) (c) of the statutes is created to read:

23 49.155 (1) (c) Notwithstanding s. 49.141 (1) (j), "parent" means a custodial
24 parent, guardian, foster parent, treatment foster parent, legal custodian or a person
25 acting in the place of a parent.

1 **SECTION 1463.** 49.155 (1d) of the statutes is created to read:

2 49.155 **(1d)** CHILD CARE CERTIFICATION RULES. (a) The department shall
3 promulgate rules establishing standards for the certification of child care providers
4 under s. 48.651. In establishing the requirements for certification as a Level I
5 certified family day care provider, the department shall permit a Level I certified
6 family day care provider to provide care for no more than 6 children under the age
7 of 7 who are unrelated to the provider, subject to a maximum limitation of 6 children
8 of any age, including children who are related to the provider, but not including
9 children 7 years of age or over who are the natural, adopted or foster children of the
10 provider. In establishing the requirements for certification as a Level II certified
11 family day care provider, the department may not include a requirement for training
12 for providers.

13 (b) The department shall promulgate rules to establish quality of care
14 standards for child care providers that are higher than the quality of care standards
15 required for licensure under s. 48.65 or for certification under s. 48.651. The
16 standards established by rules promulgated under this paragraph shall consist of
17 the standards provided for the accreditation of day care centers by the national
18 association for the education of young children or any other comparable standards
19 that the department may establish, including standards regarding the turnover of
20 child care provider staff and the training and benefits provided for child care
21 provider staff.

22 **SECTION 1464.** 49.155 (1g) (title) of the statutes is created to read:

23 49.155 **(1g)** (title) DISTRIBUTION OF FUNDS.

24 **SECTION 1465.** 49.155 (1j) (title) of the statutes is created to read:

25 49.155 **(1j)** (title) UNANTICIPATED FEDERAL FUNDS.

1 **SECTION 1466.** 49.155 (1m) (a) (intro.) of the statutes is amended to read:

2 49.155 **(1m)** (a) (intro.) The individual is a ~~eustodial~~ parent of a child who is
3 under the age of 13, or is a person who, under s. 48.57 (3m), is providing care and
4 maintenance for a child who is under the age of 13, and child care services for that
5 child are needed in order for the individual to do any of the following:

6 **SECTION 1467.** 49.155 (1m) (a) 1m. of the statutes is created to read:

7 49.155 **(1m)** (a) 1m. If the individual is under 20 years of age, but is not subject
8 to the school attendance requirement under s. 49.26 (1) (ge) and the individual
9 resides with his or her custodial parent or with a kinship care relative under s. 48.57
10 (3m) or is in a foster home or treatment foster home licensed under s. 48.62, a group
11 home or an independent living arrangement supervised by an adult, obtain a high
12 school diploma or participate in a course of study meeting the standards established
13 by the state superintendent of public instruction for the granting of a declaration of
14 equivalency of high school graduation.

15 **SECTION 1468.** 49.155 (1m) (a) 3. of the statutes is amended to read:

16 49.155 **(1m)** (a) 3. Work in a Wisconsin works employment position, including
17 participation in job search, orientation and training activities under s. 49.147 (2) (a)
18 and in education or training activities under s. 49.147 (3) (am), (4) (am) or (5) (bm).

19 **SECTION 1845b.** 49.155 (1m) (a) 3. of the statutes, as affected by 1997 Wisconsin
20 Act (this act), is amended to read:

21 49.155 **(1m)** (a) 3. Work in a Wisconsin works employment position, including
22 participation in job search, orientation and training activities under s. 49.147 (2) (a)
23 and in education or training activities under s. 49.147 (3) (am), (4) ~~(am)~~ (b) 1. a. or
24 (5) (bm).

25 **SECTION 1845m.** 49.155 (1m) (a) 3m. of the statutes is created to read:

1 49.155 (1m) (a) 3m. Participate in a job search or work experience component
2 of the food stamp employment and training program under s. 49.124 (1m).

3 **SECTION 1469.** 49.155 (1m) (a) 4. (intro.) of the statutes is amended to read:

4 49.155 (1m) (a) 4. (intro.) Participate in other employment skills training,
5 including an English as a 2nd language course, if the Wisconsin works agency
6 determines that the course would facilitate the individual's efforts to obtain
7 employment; a course of study meeting the standards established by the ~~secretary~~
8 ~~of education~~ state superintendent of public instruction under s. 115.29 (4) for the
9 granting of a declaration of equivalency of high school graduation; a course of study
10 at a technical college; or participation in educational courses that provide an
11 employment skill, as determined by the department. An individual may receive aid
12 under this subdivision for up to one year. An individual may not receive aid under
13 this subdivision unless the individual meets at least one of the following conditions:

14 **SECTION 1846d.** 49.155 (1m) (a) 4. (intro.) of the statutes, as affected by 1997
15 Wisconsin Act (this act), is repealed and recreated to read:

16 49.155 (1m) (a) 4. (intro.) Participate in other employment skills training,
17 including an English as a 2nd language course, if the Wisconsin works agency
18 determines that the course would facilitate the individual's efforts to obtain
19 employment; a course of study meeting the standards established by the state
20 superintendent of public instruction under s. 115.29 (4) for the granting of a
21 declaration of equivalency of high school graduation; a course of study at a technical
22 college, if the Wisconsin works agency determines that the course would facilitate
23 the individual's efforts to obtain or maintain employment; or participation in
24 educational courses that provide an employment skill, as determined by the
25 department. An individual may receive aid under this subdivision for up to two

1 years. An individual may not receive aid under this subdivision unless the
2 individual meets at least one of the following conditions:

3 **SECTION 1470.** 49.155 (1m) (b) of the statutes is renumbered 49.155 (1m) (b)
4 (intro.) and amended to read:

5 49.155 (1m) (b) (intro.) The individual meets the eligibility ~~conditions~~ criteria
6 under s. all of the following:

7 1. Section 49.145 (2) (c) to, (f) and (g) and,

8 3. Section 49.145 (3) (a), except that an individual may be eligible for a child
9 care subsidy under this section regardless of the number of days the individual has
10 resided in this state prior to applying for the child care subsidy.

11 **SECTION 1471.** 49.155 (1m) (b) 2. of the statutes is created to read:

12 49.155 (1m) (b) 2. Section 49.145 (2) (s).

13 **SECTION 1472.** 49.155 (1m) (c) of the statutes is renumbered 49.155 (1m) (c) 1.
14 and amended to read:

15 49.155 (1m) (c) 1. The gross income of the individual's family is at or below
16 165% of the poverty line for a family the size of the individual's family or, for an
17 individual who is already receiving a child care subsidy under this section, the gross
18 income of the individual's family is at or below 200% of the poverty line for a family
19 the size of the individual's family. In calculating the gross income of the family, the
20 Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. to
21 3.

22 **SECTION 1473.** 49.155 (1m) (c) (intro.) of the statutes is created to read:

23 49.155 (1m) (c) (intro.) Any of the following applies:

24 **SECTION 1474.** 49.155 (1m) (c) 2. of the statutes is created to read:

1 49.155 **(1m)** (c) 2. The individual was eligible under s. 49.132 (4) (am) for aid
2 under s. 49.132 and received aid under s. 49.132 on or after May 10, 1996, but lost
3 eligibility solely because of increased income, and the gross income of the individual's
4 family is at or below 200% of the poverty line for a family the size of the individual's
5 family. This subdivision does not apply to an individual whose family's gross income
6 increased to more than 200% of the poverty line for a family the size of the
7 individual's family.

8 **SECTION 1475.** 49.155 (1m) (c) 3. of the statutes is created to read:

9 49.155 **(1m)** (c) 3. The individual was eligible for a child care subsidy under s.
10 49.191 (2) on or after May 10, 1996, and received a child care subsidy on or after May
11 10, 1996, but lost the subsidy solely because of increased income, and the gross
12 income of the individual's family is at or below 200% of the poverty line for a family
13 the size of the individual's family. This subdivision does not apply to an individual
14 whose family's gross income increased to more than 200% of the poverty line for a
15 family the size of the individual's family.

16 **SECTION 1476.** 49.155 (3m) of the statutes is created to read:

17 49.155 **(3m)** DISTRIBUTION OF CHILD CARE FUNDS TO COUNTIES AND CERTAIN CHILD
18 CARE PROVIDERS. (a) The department shall reimburse child care providers or shall
19 distribute funds to county departments under s. 46.215, 46.22 or 46.23 for child care
20 services provided under this section and to private nonprofit agencies that provide
21 child care for children of migrant workers.

22 (b) Not more than 5%, or \$20,000, whichever is greater, of the funds distributed
23 under par. (a) may be used for the costs of administering the program under this
24 section.

1 (c) From the funds distributed under par. (a), a county may provide child care
2 services itself, purchase child care services from a child care provider, provide
3 vouchers to an eligible parent for the payment of child care services provided by a
4 child care provider, reimburse an eligible parent for payments made by the parent
5 to a child care provider for child care services, adopt, with the approval of the
6 department, any other arrangement that the county considers appropriate or use
7 any combination of these methods to provide child care.

8 (d) No funds distributed under par. (a) may be used to provide care for a child
9 by a person who resides with the child, unless the county determines that the care
10 is necessary because of a special health condition of the child.

11 **SECTION 1477.** 49.155 (6) (a) of the statutes is amended to read:

12 49.155 (6) (a) ~~The department~~ Subject to review and approval by the
13 department, each county shall establish the maximum reimbursement rate ~~that a~~
14 ~~county department under s. 46.215, 46.22 or 46.23 may pay for~~ licensed child care
15 services provided under this section. ~~The department~~ A county shall set the rate so
16 that at least 75% of the number of places for children within the licensed capacity of
17 all child care providers in each that county ~~or in a multicounty area determined by~~
18 ~~the department~~ can be purchased at or below that maximum rate.

19 **SECTION 1478.** 49.155 (6) (b) of the statutes is amended to read:

20 49.155 (6) (b) ~~The department~~ Subject to review and approval by the
21 department, each county shall set a maximum reimbursement rate ~~that a county~~
22 ~~department under s. 46.215, 46.22 or 46.23 may pay for~~ Level I certified family day
23 care providers for services provided to eligible individuals under this section. The
24 maximum rate set under this paragraph may not exceed 75% of the rate established
25 under par. (a).

1 **SECTION 1479.** 49.155 (6) (c) of the statutes is amended to read:

2 49.155 (6) (c) ~~The department~~ Subject to review and approval by the
3 department, each county shall set a maximum reimbursement rate ~~that a county~~
4 ~~department under s. 46.215, 46.22 or 46.23 may pay for Level II certified family day~~
5 ~~care providers for services provided to eligible individuals~~ under this section. The
6 maximum rate set under this paragraph may not exceed 50% of the rate established
7 under par. (a).

8 **SECTION 1480.** 49.155 (6) (d) of the statutes is amended to read:

9 49.155 (6) (d) The department may promulgate rules to establish a system of
10 ~~rates for child care programs that exceed the quality of care standards required for~~
11 ~~licensure under s. 48.65 or for certification under s. 48.651 (1) (a)~~ or a program of
12 grants that the department will pay to child care providers that meet the higher
13 quality of care standards established by rules promulgated under sub. (1d) (b). If a
14 system of rates is established under this paragraph, the rates under that system
15 shall be higher than the rates established under pars. (a) to (c).

16 **SECTION 1857m.** 49.161 (1) of the statutes is amended to read:

17 49.161 (1) (title) TRIAL JOBS AND WAGE-PAYING COMMUNITY SERVICE JOBS
18 OVERPAYMENTS. Notwithstanding s. 49.96, the department shall recover an
19 overpayment of benefits paid under s. 49.148 (1) (a) and (b) 2. from an individual who
20 receives or has received benefits paid under s. 49.148 (1) (a) or (b) 2. The value of the
21 benefit liable for recovery under this subsection may not exceed the amount that the
22 department paid in wage subsidies with respect to that participant while the
23 participant was ineligible to participate. The department shall promulgate rules
24 establishing policies and procedures for administrating this subsection.

25 **SECTION 1857n.** 49.161 (2) of the statutes is amended to read:

1 49.161 (2) (title) ~~COMMUNITY~~ GRANT-PAYING COMMUNITY SERVICE JOBS AND
2 TRANSITIONAL PLACEMENTS OVERPAYMENTS. Except as provided in sub. (3), the
3 department shall recover an overpayment of benefits paid under s. 49.148 (1) (b) 1.
4 and (c) from an individual who continues to receive benefits under s. 49.148 (1) (b)
5 1. and (c) by reducing the amount of the individual's benefit payment by no more than
6 10%.

7 **SECTION 1857o.** 49.170 of the statutes is created to read:

8 **49.170 Payments for certain tribal economic support programs. (1)**

9 DEFINITION. In this section, "tribal economic support program" means an economic
10 support program, operated by a federally recognized American Indian tribe or band
11 in this state, that is funded under P.L. 104-193, section 103, and is not part of the
12 Wisconsin works program under ss. 49.141 to 49.161.

13 (2) DEPARTMENT PLAN. The department shall develop a plan for making
14 payments, from the appropriation under s. 20.445 (3) (dz), to each federally
15 recognized American Indian tribe or band in this state that operates a tribal
16 economic support program, for the purpose of operating that tribal economic support
17 program. As a condition of receiving a payment under this section, the tribal
18 economic support program shall meet all requirements specified in the plan. These
19 requirements shall be similar to the requirements of the Wisconsin works program
20 under ss. 49.141 to 49.161. The plan shall specify the method of determining the
21 amount of the payment to be made for each tribal economic support program.

22 (3) JOINT COMMITTEE ON FINANCE APPROVAL. No later than January 1, 1998, the
23 department shall submit the plan under sub. (2) to the cochairpersons of the joint
24 committee on finance for review by the joint committee on finance. The department

1 may not make a payment under the plan unless the plan is approved by the joint
2 committee on finance.

3 (4) PAYMENTS. If the joint committee on finance approves the plan submitted
4 under sub. (3), the department shall make payments, from the appropriation under
5 s. 20.445 (3) (dz), in the manner specified in the plan.

6 **SECTION 1857p.** 49.175 of the statutes is created to read:

7 **49.175 Public assistance and local assistance funding. (1) FUNDS**
8 DISTRIBUTION. Except as provided in sub. (2), within the limits of the appropriations
9 under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em), (g), (jg), (jL), (L), (Lm), (mc), (md),
10 (nL), (pm) and (ps), the department shall allocate the following amounts for the
11 following purposes:

12 (a) *Aid to families with dependent children.* For benefits under s. 49.19,
13 \$28,400,000 in fiscal year 1997-98.

14 (b) *Wisconsin works.* For payments to Wisconsin works agencies for subsidized
15 employment and office costs and as a supplement for long-term and refugee cases,
16 \$267,692,100 in fiscal year 1997-98 and \$283,771,800 in fiscal year 1998-99.

17 (c) *Wisconsin works agency contingency fund.* For contingency payments to
18 Wisconsin works agencies for subsidized employment and office costs to be
19 distributed under criteria established by the department, \$25,000,000 in the
20 1997-99 fiscal biennium.

21 (d) *Job opportunities and basic skills program.* For services provided under s.
22 49.193, \$15,079,800 in fiscal year 1997-98.

23 (e) *County income maintenance administration.* For county income
24 maintenance administration, \$6,665,600 in fiscal year 1997-98.

1 (f) *State administration of public assistance programs.* For state
2 administration of public assistance programs, \$37,449,500 in fiscal year 1997–98
3 and \$34,338,100 in fiscal year 1998–99.

4 (g) *Emergency assistance.* For emergency assistance under s. 49.138,
5 \$3,300,000 in each fiscal year.

6 (h) *Funeral expenses.* For funeral expenses under s. 49.30, \$3,300,000 in each
7 fiscal year.

8 (i) *Learnfare case management.* For case management services for learnfare
9 pupils under s. 49.26 (2), \$2,619,100 in each fiscal year.

10 (j) *Local learnfare projects.* For local projects under the learnfare program
11 under s. 49.26, \$450,000 in fiscal year 1997–98.

12 (k) *Children first.* For services under the work experience program for
13 noncustodial parents under s. 49.36, \$1,316,400 in each fiscal year.

14 (L) *County fraud investigations and error reduction.* For county fraud
15 investigations and error reductions under s. 49.197, \$588,000 in each fiscal year.

16 (m) *Job access loans.* For job access loans under s. 49.147 (6), \$3,645,600 in
17 fiscal year 1997–98 and \$866,900 in fiscal year 1998–99.

18 (n) *Employment skills advancement grants.* For employment skills
19 advancement grants under s. 49.185, \$833,300 in fiscal year 1997–98 and \$1,000,000
20 in fiscal year 1998–99.

21 (o) *Direct child care services.* For direct child care services under s. 49.155,
22 \$155,547,200 in fiscal year 1997–98 and \$177,427,200 in fiscal year 1998–99.

23 (p) *Indirect child care services.* For indirect child care services under s. 49.131
24 (2) (b), \$6,002,400 in each fiscal year. Notwithstanding sub. (2), the department may

1 not use any funds allocated under this paragraph for any other purpose under this
2 subsection.

3 (q) *Reserve for benefit payments in a county with a population of 500,000 or*
4 *more.* For a reserve for benefit payments in a county with a population of 500,000
5 or more, \$11,000,000 in fiscal year 1997-98 and \$10,000,000 in fiscal year 1998-99.

6 (r) *Wisconsin works contracts in certain counties.* For contracts with persons
7 for oversight of the administrative structure of Wisconsin works, and of Wisconsin
8 works agencies, in counties having a population of 500,000 or more, \$1,000,000 in
9 each fiscal year.

10 (s) *New hope project.* For the new hope project under s. 49.37, \$1,560,000 in
11 fiscal year 1997-98 and \$690,000 in fiscal year 1998-99.

12 (t) *Transportation assistance.* For transportation assistance under s. 49.157,
13 \$1,000,000 in fiscal year 1997-98 and \$2,000,000 in fiscal year 1998-99. The
14 department may not distribute the funds under this paragraph unless the joint
15 committee on finance supplements the appropriate appropriation from the
16 appropriation under s. 20.865 (4) (m).

17 (u) *Hospital paternity incentives.* For hospital paternity incentive payments
18 under s. 69.14 (1) (cm), \$54,000 in fiscal year 1997-98 and \$144,000 in fiscal year
19 1998-99.

20 (v) *Youth village program.* For the youth village program under s. 118.42,
21 \$500,000 in each fiscal year. The department may not distribute funds under this
22 paragraph if the youth village program does not comply with s. 118.42 (1) (e).

23 (w) *Transfer of federal funds to the department of health and family services.*
24 For the transfer of federal funds to the department of health and family services, as
25 provided in s. 20.445 (3) (md), for the following purposes, the following amounts:

1 1. ‘Kinship care assistance.’ For the kinship care program under s. 48.57 (3m)
2 and (3p), \$15,720,400 in fiscal year 1997–98 and \$22,116,400 in fiscal year 1998–99.

3 2. ‘Children of recipients of supplemental security income.’ For payments made
4 under s. 49.775 for the support of the dependent children of recipients of
5 supplemental security income, \$1,570,700 in fiscal year 1997–98 and \$458,800 in
6 fiscal year 1998–99.

7 3. ‘Community aids.’ For community aids, \$31,800,000 in each fiscal year.

8 4. ‘Milwaukee County liaison.’ For a Milwaukee County child welfare liaison
9 funded from the appropriation under s. 20.435 (8) (kx), \$104,000 in fiscal year
10 1997–98 and \$108,100 in fiscal year 1998–99.

11 **(2) TRANSFER OF FUNDS.** (a) With the approval of the secretary of
12 administration, the department may use not more than 10% of the amounts required
13 to be allocated for a purpose specified in any paragraph under sub. (1) for any other
14 purpose specified in any other paragraph under sub. (1) in each fiscal year.

15 (b) The department may use more than 10% if all of the following conditions
16 are met:

17 1. The secretary of administration approves the transfer.

18 2. The department submits a request for the transfer to the joint committee on
19 finance and the joint committee on finance does not, within 14 days after receiving
20 the request, schedule a meeting to review the transfer. If, within 14 days after
21 receiving the request, the joint committee on finance schedules a meeting to review
22 the transfer, the department may not use for another purpose specified under any
23 paragraph under sub. (1) more than 10% of the amounts required to allocated for a
24 different purpose specified in any other paragraph under sub. (1) unless it is
25 approved by the committee, which may modify the proposed transfer.

1 **SECTION 1857pm.** 49.175 (1) (intro.) of the statutes, as created by 1997
2 Wisconsin Act (this act), is amended to read:

3 49.175 (1) FUNDS DISTRIBUTION. (intro.) Except as provided in sub. (2), within
4 the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em),
5 (~~g~~), (jg), (jL), (~~k~~), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the department shall
6 allocate the following amounts for the following purposes:

7 **SECTION 1857q.** 49.175 (1) (b) of the statutes, as created by 1997 Wisconsin Act
8 (this act), is renumbered 49.175 (1) (b) 1. and amended to read:

9 49.175 (1) (b) 1. For Except as provided in subd. 2., for payments to Wisconsin
10 works agencies for subsidized employment and office costs and as a supplement for
11 long-term and refugee cases, \$267,692,100 in fiscal year 1997-98 and \$283,771,800
12 in fiscal year 1998-99.

13 **SECTION 1857r.** 49.175 (1) (b) 2. of the statutes is created to read:

14 49.175 (1) (b) 2. The department of revenue shall determine the amount that
15 is required to pay claims approved under s. 71.07 (9e) for participants under s. 49.147
16 (4) (c). The department of workforce development shall subtract that amount from
17 the allocation in subd. 1. and transfer the amount to the appropriation under s.
18 20.835 (2) (k).

19 **SECTION 1481.** 49.185 (1m) of the statutes is created to read:

20 49.185 (1m) FUNDING. Payments for grants awarded under this section shall
21 be made from the appropriations under s. 20.445 (3) (em) and (md).

22 **SECTION 1858m.** 49.185 (5) of the statutes is amended to read:

23 49.185 (5) APPLICABILITY. This section applies beginning on the first day of the
24 ~~6th month beginning after the date stated in the notice under s. 49.141 (2) (d).~~

25 **SECTION 1482.** 49.19 (10) (a) of the statutes is amended to read:

1 49.19 (10) (a) Aid under this section may also be granted to a nonrelative who
2 cares for a child dependent upon the public for proper support in a foster home or
3 treatment foster home having a license under s. 48.62, in a foster home or treatment
4 foster home located within the boundaries of a federally recognized American Indian
5 reservation in this state and licensed by the tribal governing body of the reservation
6 or in a group home licensed under s. 48.625 or to a minor custodial parent who cares
7 for the dependent child, regardless of the cause or prospective period of dependency.
8 The state shall reimburse counties pursuant to the procedure under s. 46.495 (2) and
9 the percentage rate of participation set forth in s. 46.495 (1) (d) for aid granted under
10 this subsection except that if the child does not have legal settlement in the granting
11 county, state reimbursement shall be at 100%. The county department under s.
12 46.215 or 46.22 shall determine the legal settlement of the child. A child under one
13 year of age shall be eligible for aid under this subsection irrespective of any other
14 residence requirement for eligibility within this section.

15 **SECTION 1483.** 49.19 (10) (d) of the statutes is amended to read:

16 49.19 (10) (d) Aid may also be paid under this section to a licensed foster home
17 or, treatment foster home, ~~to a group home licensed under s. 48.625~~ or ~~to a~~
18 child-caring institution by the state when the child is in the custody or guardianship
19 of the state, when the child is a ward of an American Indian tribal court in this state
20 and the placement is made under an agreement between the department and the
21 tribal governing body or when the child was part of the state's direct service case load
22 and was removed from the home of a relative specified in sub. (1) (a) as a result of
23 a judicial determination that continuance in the home of a relative would be contrary
24 to the child's welfare for any reason and the child is placed by the department of
25 health and family services or the department of corrections.

1 **SECTION 1484.** 49.19 (11) (a) 1. a. (intro.) of the statutes is amended to read:

2 49.19 (11) (a) 1. a. (intro.) Except as provided in subs. (11m) and (11s), monthly
3 payments made under s. 20.445 (3) ~~(d)~~ (dz) and ~~(p)~~ (md) to persons or to families with
4 dependent children shall be based on family size and shall be at 80% of the total of
5 the allowances under subds. 2. and 4. plus the following standards of assistance
6 beginning on September 1, 1987:

7 **SECTION 1485.** 49.19 (19m) of the statutes is created to read:

8 49.19 (19m) Notwithstanding subs. (1) to (19), no aid may be paid under this
9 section for a child on whose behalf a payment is made under s. 49.775.

10 **SECTION 1486.** 49.19 (20) (b) of the statutes is repealed and recreated to read:

11 49.19 (20) (b) Notwithstanding par. (a):

12 1. If a nonlegally responsible relative is receiving aid under this section on
13 behalf of a dependent child on the effective date of this subdivision [revisor inserts
14 date], no aid under this section may be paid to the nonlegally responsible relative
15 after December 31, 1997, or the first reinvestigation under sub. (5) (e) occurring after
16 the effective date of this subdivision [revisor inserts date], whichever is earlier.

17 2. If a nonlegally responsible relative is not receiving aid under this section on
18 behalf of a dependent child on the effective date of this subdivision [revisor inserts
19 date], no aid may be paid to the nonlegally responsible relative on or after the
20 effective date of this subdivision [revisor inserts date].

21 **SECTION 1487.** 49.191 (1) (b) of the statutes is amended to read:

22 49.191 (1) (b) Within the limits of funds available under s. 20.445 (3) ~~(en)~~ (cm),
23 (dz), (jg), (md) and (na), the department shall provide funds for individuals who are
24 working and who receive aid to families with dependent children to pay child care
25 costs in excess of the amount of the child care disregard under s. 49.19 (5) (a) and

1 child care costs incurred before the child care disregard under s. 49.19 (5) (a) becomes
2 available if the child care is provided by a child care provider. This paragraph does
3 not apply beginning on the first day of the 6th month beginning after the date stated
4 in the notice under s. 49.141 (2) (d).

5 **SECTION 1488.** 49.193 (10m) of the statutes is amended to read:

6 49.193 **(10m)** WORK-FIRST PROGRAM. The department shall select Kenosha
7 county and additional counties in which to pilot the work-first program under this
8 subsection. The work-first program shall be conducted as part of the job
9 opportunities and basic skills program under this section and shall be funded from
10 s. 20.445 (3) ~~(df)~~ (dz). The work-first program shall seek to increase the amount of
11 job opportunities and basic skills program services provided to recipients of aid to
12 families with dependent children and to minimize the time between the date on
13 which a person in a pilot county first applies for aid to families with dependent
14 children under s. 49.19 and the date on which the person begins to participate in the
15 job opportunities and basic skills program under this section.

16 **SECTION 1489.** 49.197 (1m) of the statutes is amended to read:

17 49.197 **(1m)** FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3)
18 ~~(de)~~ (dz), (L), (md), (n) and (nL), the department shall establish a program to
19 investigate suspected fraudulent activity on the part of recipients of medical
20 assistance under subch. IV, aid to families with dependent children under s. 49.19
21 and the food stamp program under 7 USC 2011 to ~~2029~~ 2036 and on the part of
22 participants in the Wisconsin works program under ss. 49.141 to 49.161. The
23 department's activities under this subsection may include, but are not limited to,
24 comparisons of information provided to the department by an applicant and
25 information provided by the applicant to other federal, state and local agencies,

1 development of an advisory welfare investigation prosecution standard and
2 provision of funds to county departments under ss. 46.215, 46.22 and 46.23 and to
3 Wisconsin works agencies to encourage activities to detect fraud. The department
4 shall cooperate with district attorneys regarding fraud prosecutions.

5 **SECTION 1490.** 49.197 (4) of the statutes is amended to read:

6 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide
7 funds from the appropriations under s. 20.445 (3) ~~(de)~~ (dz), (L) and (Lm) and federal
8 matching funds from the appropriations under s. 20.445 (3) (md), (n) and (nL) to
9 counties and governing bodies of federally recognized American Indian tribes
10 administering medical assistance under subch. IV, aid to families with dependent
11 children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 to offset
12 administrative costs of reducing payment errors in those programs.

13 **SECTION 1873c.** 49.20 (3) of the statutes is amended to read:

14 49.20 (3) PAYMENT. Aid under this section shall be paid from the appropriation
15 under s. 20.445 (3) ~~(d)~~ (dz) and shall be in an amount equal to that to which the person
16 would be entitled under s. 49.19 if he or she were 17 years of age, except that if the
17 person's family became ineligible for aid under s. 49.19 on the person's 18th birthday,
18 the amount paid shall equal the amount of aid granted to a single person under s.
19 49.19.

20 **SECTION 1873f.** 49.20 (5) of the statutes is created to read:

21 49.20 (5) SUNSET. No aid may be paid under this section beginning on the first
22 day of the 6th month beginning after the date stated in the notice under s. 49.141 (2)
23 (d).

24 **SECTION 1877r.** 49.22 (2m) of the statutes is amended to read:

1 49.22 (2m) The department may request from any person any information it
2 determines appropriate and necessary for the administration of this section, ss.
3 49.19, 49.46, 49.468 and 49.47 and programs carrying out the purposes of 7 USC 2011
4 to 2029. Any person in this state shall provide this information within 7 days after
5 receiving a request under this subsection. Except as provided in sub. (2p) and subject
6 to sub. (12), the department or the county child ~~and spousal~~ support agency under
7 s. 59.53 (5) may disclose information obtained under this subsection only in the
8 administration of this section, ss. 49.19, 49.46 and 49.47 and programs carrying out
9 the purposes of 7 USC 2011 to 2029.

10 **SECTION 1491.** 49.22 (2p) of the statutes is amended to read:

11 49.22 (2p) The Except as provided in sub. (12), the department or a county child
12 ~~and spousal~~ support agency under s. 59.53 (5) may disclose to a parent with legal
13 custody of a child, upon the parent's request, the last-known address, and the name
14 and address of the last-known employer, of the child's other parent if that other
15 parent owes a support obligation to the child and is in arrears in the payment of the
16 support.

17 **SECTION 1492.** 49.22 (7) of the statutes is amended to read:

18 49.22 (7) The department may represent the state in any action to establish
19 paternity or to establish or enforce a support or maintenance obligation. The
20 department may delegate its authority to represent the state in any action to
21 establish paternity or to establish or enforce a support or maintenance obligation
22 under this section to an attorney responsible for support enforcement under s. 59.53
23 (6) (a) pursuant to a contract entered into under s. 59.53 (5). The department shall
24 ensure that any such contract is for an amount reasonable and necessary to assure
25 quality service. The department may, by such a contract, authorize a county to

1 contract with any attorney, collection agency or other person to collect unpaid child
2 support or maintenance. If a county fails to fully implement the programs under s.
3 59.53 (5), the department may implement them and may contract with any
4 appropriate person to obtain necessary services. The department shall establish a
5 formula for disbursing funds appropriated under s. 20.445 (3) (~~p~~) (md) to carry out
6 a contract under this subsection.

7 **SECTION 1493.** 49.22 (12) of the statutes is created to read:

8 49.22 (12) The department or a county child support agency under s. 59.53 (5)
9 may not release information to a person about the whereabouts of another person if
10 any of the following applies:

11 (a) The person seeking the information is subject to a temporary restraining
12 order or injunction under s. 813.12, 813.122, 813.123, 813.125 or 813.127 with
13 respect to the person about whom the information is sought; and the department or
14 county child support agency under s. 59.53 (5) has notice of the temporary
15 restraining order or injunction.

16 (b) The department or county child support agency under s. 59.53 (5) has reason
17 to believe that releasing the information may result in physical or emotional harm
18 to the person about whom the information is sought.

19 **SECTION 1494.** 49.26 (1) (a) 2. d. of the statutes is amended to read:

20 49.26 (1) (a) 2. d. A course of study meeting the standards established by the
21 ~~secretary of education~~ state superintendent of public instruction under s. 115.29 (4)
22 for the granting of a declaration of equivalency of high school graduation.

23 **SECTION 1495.** 49.26 (1) (e) of the statutes is amended to read:

24 49.26 (1) (e) For an individual who is a recipient of aid under s. 49.19, or whose
25 custodial parent is a participant under s. 49.147 (3) to (5), who is the parent with

1 whom a dependent child lives and who is either subject to the school attendance
2 requirement under par. (ge) ~~or is under 20 years of age and wants to attend school,~~
3 the department shall make a monthly payment to the individual or the child care
4 provider for the month's child care costs in an amount based on need with the
5 maximum amount per child equal to the lesser of the actual cost of the care or the
6 rate established under s. 49.155 (6) if the individual demonstrates the need to
7 purchase child care services in order to attend school and those services are available
8 from a child care provider.

9 **SECTION 1496.** 49.26 (1) (g) 1. of the statutes is amended to read:

10 49.26 (1) (g) 1. Before the first day of the fall 1994 school term, as defined in
11 s. 115.001 (12), the individual is 13 to ~~19~~ 17 years of age. Beginning on the first day
12 of the fall 1997 school term, as defined in s. 115.001 (12), the individual is 6 to ~~19~~ 17
13 years of age.

14 **SECTION 1887g.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

15 49.26 (1) (h) 1. as. The individual has failed to request a hearing ~~under s. 49.21~~
16 ~~(1)~~ or has failed to show good cause for the absences or nonenrollment under subd.
17 1. am. in a hearing ~~under s. 49.21 (1).~~ If the individual is a recipient of aid under s.
18 49.19, the hearing shall be requested and held under s. 49.21 (1). If the individual
19 is a member of a Wisconsin works group, as defined in s. 49.141 (1) (s), the hearing
20 shall be requested and held under s. 49.152. The department shall determine by rule
21 the criteria for good cause.

22 **SECTION 1497.** 49.26 (1) (h) 1m. (intro.) of the statutes is amended to read:

23 49.26 (1) (h) 1m. (intro.) An individual who is 13 to ~~19~~ 17 years of age and who
24 fails to meet the school attendance requirement under par. (ge) is subject to sanctions
25 as provided under subd. 1s. only if all of the following apply:

1 **SECTION 1888e.** 49.26 (1) (h) 1m. c. of the statutes is amended to read:

2 49.26 (1) (h) 1m. c. The individual has failed to request a hearing ~~under s. 49.21~~
3 ~~(1)~~ or has failed to show good cause for the absences or nonenrollment under subd.
4 1m. b. at a hearing ~~under s. 49.21 (1)~~. If the individual is a recipient of aid under s.
5 49.19, the hearing shall be requested and held under s. 49.21 (1). If the individual
6 is a member of a Wisconsin works group, as defined in s. 49.141 (1) (s), the hearing
7 shall be requested and held under s. 49.152. The department shall determine by rule
8 the criteria for good cause.

9 **SECTION 1498.** 49.26 (2) (b) of the statutes is amended to read:

10 49.26 (2) (b) From the ~~appropriation~~ appropriations under s. 20.445 (3) ~~(dg)~~ (dz)
11 and (md), the department shall allocate funds to county departments for the
12 provision of case management services to individuals who are subject to the school
13 attendance requirement under the learnfare program under sub. (1) and their
14 families to improve the school attendance and achievement of those individuals. At
15 least 75% of the funds that the department allocates under this paragraph to provide
16 case management services to individuals who are 13 to ~~19~~ 17 years of age shall be
17 allocated to a county department of a county with a population of 500,000 or more.
18 A county department is eligible to receive funds under this subsection to provide case
19 management services to individuals who are 13 to ~~19~~ 17 years of age in a year if 35
20 or more individuals, 13 to ~~19~~ 17 years of age, residing in the county were sanctioned
21 under sub. (1) (h) or were subject to the monthly attendance requirement under s.
22 HSS 201.195 (4) (b) 2., Wis. adm. code, in any month during the previous year.

23 **SECTION 1499.** 49.27 (5) (e) 5. of the statutes is amended to read:

24 49.27 (5) (e) 5. A person in need of a high school diploma shall be assigned to
25 a course of study meeting the standards established by the ~~secretary of education~~

1 state superintendent of public instruction for the granting of a declaration of
2 equivalency of high school graduation unless the person demonstrates a basic
3 literacy level or the employability plan for the individual identifies a long-term
4 employment goal that does not require a high school diploma or a declaration of
5 equivalency.

6 **SECTION 1500.** 49.27 (8) of the statutes is repealed.

7 **SECTION 1501.** 49.27 (11) (i) of the statutes is amended to read:

8 49.27 (11) (i) Provide transitional child care services under sub. (6), and shelter
9 payments under sub. (7) ~~and transitional medical assistance coverage under sub. (8).~~

10 **SECTION 1502.** 49.30 (2) of the statutes is amended to read:

11 49.30 (2) ~~The state~~ From the appropriation under s. 20.445 (3) (dz), the
12 department shall reimburse a county or applicable tribal governing body or
13 organization for any amount that the county or applicable tribal governing body or
14 organization is required to pay under sub. (1). ~~The state~~ From the appropriation
15 under s. 20.445 (3) (dz), the department shall reimburse a county or applicable tribal
16 governing body or organization for cemetery expenses or for funeral and burial
17 expenses for persons described under sub. (1) that the county or applicable tribal
18 governing body or organization is not required to pay under subs. (1) and (1m) only
19 if the department approves the reimbursement due to unusual circumstances.

20 **SECTION 1503.** 49.32 (8) of the statutes is amended to read:

21 49.32 (8) PERIODIC EARNINGS CHECK BY DEPARTMENT. The department shall make
22 a periodic check of the amounts earned by recipients of aid to families with dependent
23 children under s. 49.19 and by participants under Wisconsin works under ss. 49.141
24 to 49.161 through a check of the amounts credited to the recipient's social security
25 number. The department shall make an investigation into any discrepancy between

1 the amounts credited to a social security number and amounts reported as income
2 on the declaration application and take appropriate action under s. 49.95 when
3 warranted. The department shall use the state wage reporting system under 1985
4 Wisconsin Act 17, section 65 (1), when the system is implemented, to make periodic
5 earnings checks.

6 **SECTION 1504.** 49.32 (9) (a) of the statutes is amended to read:

7 49.32 (9) (a) Each county department under s. 46.215, 46.22 or 46.23
8 administering aid to families with dependent children shall maintain a monthly
9 report at its office showing the names of all persons receiving such aid to families
10 with dependent children together with the amount paid during the preceding month.
11 Each Wisconsin works agency administering Wisconsin works under ss. 49.141 to
12 49.161 shall maintain a monthly report at its office showing the names and addresses
13 of all persons receiving benefits under s. 49.148 together with the amount paid
14 during the preceding month. Nothing in this paragraph shall be construed to
15 authorize or require the disclosure in the report of any information (names, amounts
16 of aid or otherwise) pertaining to adoptions, or aid furnished for the care of children
17 in foster homes or treatment foster homes under s. ~~42.261~~ 46.261 or 49.19 (10).

18 **SECTION 1505.** 49.32 (9) (b) of the statutes is amended to read:

19 49.32 (9) (b) The report under par. (a) shall be open to public inspection at all
20 times during regular office hours and may be destroyed after the next succeeding
21 report becomes available. Any person except any public officer, seeking permission
22 to inspect such report shall be required to prove his or her identity and to sign a
23 statement setting forth his or her address and the reasons for making the request
24 and indicating that he or she understands the provisions of par. (c) with respect to
25 the use of the information obtained. The use of a fictitious name is a violation of this

1 section. ~~or Wisconsin works agency~~ Within 7 days after the record is inspected, or
2 on the next regularly scheduled communication with that person, whichever is
3 sooner, the county department or Wisconsin works agency shall notify each person
4 whose name and amount of aid was inspected that the record was inspected and of
5 the name and address of the person making such inspection. County departments
6 under ss. 46.215 ~~and~~, 46.22 and 46.23 administering aid to families with dependent
7 children and Wisconsin works agencies administering Wisconsin works under ss.
8 49.141 to 49.161 may withhold the right to inspect the name of and amount paid to
9 recipients from private individuals who are not inspecting this information for
10 purposes related to public, educational, organizational, governmental or research
11 purposes until the person whose record is to be inspected is notified by the county
12 department or Wisconsin works agency, but in no case may the county department
13 or Wisconsin works agency withhold this information for more than 5 working days.
14 The county department or Wisconsin works agency shall keep a record of such
15 requests. The record shall indicate the name, address, employer and telephone
16 number of the person making the request. If the person refuses to provide his or her
17 name, address, employer and telephone number, the request to inspect this
18 information may be denied.

19 **SECTION 1506.** 49.32 (10) (a) (intro.) of the statutes is amended to read:

20 49.32 (10) (a) (intro.) Each county department under s. 46.215 ~~or~~, 46.22 or 46.23
21 may release the current address of a recipient of food stamps or of aid under s. 49.19,
22 and each Wisconsin works agency may release the current address of a participant
23 in Wisconsin works under ss. 49.141 to 49.161 or, if administering the food stamp
24 program, of a food stamp recipient, to a law enforcement officer if the officer meets
25 all of the following conditions:

1 **SECTION 1507.** 49.32 (10) (a) 1. of the statutes is amended to read:

2 49.32 (10) (a) 1. The officer provides, in writing, the name and social security
3 number of the recipient or participant.

4 **SECTION 1508.** 49.32 (10) (a) 2. a. of the statutes is amended to read:

5 49.32 (10) (a) 2. a. That the recipient or participant is a fugitive felon under 42
6 USC 602 608 (a) (9), is violating a condition of probation or parole imposed under
7 state or federal law or has information that is necessary for the officer to conduct the
8 official duties of the officer.

9 **SECTION 1509.** 49.32 (10) (a) 2. b. of the statutes is amended to read:

10 49.32 (10) (a) 2. b. That the location or apprehension of the felon recipient or
11 participant under subd. 2. a. is within the official duties of the officer.

12 **SECTION 1510.** 49.33 (2) of the statutes is amended to read:

13 49.33 (2) CONTRACTS. County departments under ss. 46.215, 46.22 and 46.23
14 shall annually enter into a contract with the department detailing the reasonable
15 cost of administering the income maintenance programs and the food stamp program
16 under 7 USC 2011 to 2029 when so appointed by the department. Contracts created
17 under this section control the distribution of payments under s. 20.445 (3) ~~(de)~~ (dz),
18 (md) and (nL) in accordance with the reimbursement method established under sub.
19 (8). The department may reduce its payment to any county under s. 20.445 (3) ~~(de)~~
20 (dz), (md) and (nL) if federal reimbursement is withheld due to audits, quality control
21 samples or program reviews.

22 **SECTION 1511.** 49.33 (8) (a) of the statutes is amended to read:

23 49.33 (8) (a) The department shall reimburse each county for reasonable costs
24 of income maintenance relating to the administration of the programs under this
25 subchapter and subch. IV according to a formula based on workload within the limits

1 of available state and federal funds under s. 20.445 (3) ~~(de)~~, (dz), (md) and (nL) by
2 contract under s. 49.33 (2). The amount of reimbursement calculated under this
3 paragraph and par. (b) is in addition to any reimbursement provided to a county for
4 fraud and error reduction under s. 49.197 (1m) and (4).

5 **SECTION 1512.** 49.33 (9) of the statutes is amended to read:

6 49.33 (9) REIMBURSEMENT FOR INCOME MAINTENANCE BENEFITS. The department
7 shall reimburse each county from the appropriations under s. 20.445 (3) ~~(d)~~ (dz) and
8 ~~(p)~~ (md) for 100% of the cost of aid to families with dependent children granted under
9 s. 49.19 and for funeral expenses paid for recipients of aid under s. 49.30.

10 **SECTION 1513.** 49.36 (2) of the statutes is amended to read:

11 49.36 (2) The department may contract with any county to administer a work
12 experience and job training program for parents who are not custodial parents and
13 who fail to pay child support or to meet their children's needs for support as a result
14 of unemployment or underemployment. The program may provide the kinds of work
15 experience and job training services available from the program under s. 49.193 or
16 49.147 (3) or (4). The program may also include job search and job orientation
17 activities. The department shall fund the program from the appropriation under s.
18 20.445 (3) ~~(df)~~ (dz).

19 **SECTION 1904k.** 49.37 (1) (intro.) of the statutes is amended to read:

20 49.37 (1) (intro.) ~~From the appropriation under s. 20.445 (3) (dk), the~~ The
21 department shall allocate funds to new hope project, inc., as provided in s. 49.175 (1)
22 (s), for a demonstration project that will be conducted in 2 areas in the city of
23 Milwaukee, if all of the following conditions are satisfied:

24 **SECTION 1904L.** 49.37 (3) of the statutes is amended to read:

1 49.37 (3) The contract under sub. (1) (g) shall require an interim evaluation to
2 be submitted to the department no later than January 1, 1993. New hope project,
3 inc., may not use funds appropriated under s. 20.445 (3) ~~(dk)~~ (dz) to fund the
4 evaluation under sub. (1) (g).

5 **SECTION 1904m.** 49.37 (4) of the statutes is amended to read:

6 49.37 (4) This section does not apply after June 30, 1997 1999.

7 **SECTION 1514.** 49.45 (2) (a) 3. of the statutes is amended to read:

8 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,
9 rehabilitative and social services under ss. 49.46, 49.468 and 49.47 and rules and
10 policies adopted by the department and may designate this function to the county
11 department under s. 46.215 ~~or~~, 46.22 or 46.23 or , to the extent permitted by federal
12 law or a waiver from federal secretary of health and human services, to a Wisconsin
13 works agency.

14 **SECTION 1515.** 49.45 (2) (a) 5. of the statutes is amended to read:

15 49.45 (2) (a) 5. Cooperate with the division for learning support, equity and
16 advocacy in the department of ~~education~~ public instruction to carry out the
17 provisions of Title XIX.

18 **SECTION 1516.** 49.45 (2) (a) 17. of the statutes is amended to read:

19 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative
20 organization, the joint committee on finance and appropriate standing committees,
21 as determined by the presiding officer of each house, if the appropriation under s.
22 20.435 ~~(1)~~ (5) (b) is insufficient to provide the state share of medical assistance.

23 **SECTION 1517.** 49.45 (3) (ag) of the statutes is created to read:

24 49.45 (3) (ag) Reimbursement shall be made to each entity contracted with
25 under s. 46.271 (2m) for assessments completed under s. 46.271 (2m) (a) 2.

1 **SECTION 1518.** 49.45 (5) of the statutes is renumbered 49.45 (5) (a) and
2 amended to read:

3 49.45 **(5)** (a) Any person whose application for medical assistance is denied or
4 is not acted upon promptly or who believes that the payments made in the person's
5 behalf have not been properly determined or that his or her eligibility has not been
6 properly determined may file an appeal with the department pursuant to ~~s. 49.21(1)~~
7 par. (b). Review is unavailable if the decision or failure to act arose more than 45 days
8 before submission of the petition for a hearing.

9 **SECTION 1519.** 49.45 (5) (b) of the statutes is created to read:

10 49.45 **(5)** (b) 1. Upon receipt of a timely petition under par. (a) the department
11 shall give the applicant or recipient reasonable notice and opportunity for a fair
12 hearing. The department may make such additional investigation as it considers
13 necessary. Notice of the hearing shall be given to the applicant or recipient and to
14 the county clerk or, if a Wisconsin works agency is responsible for making the medical
15 assistance determination, the Wisconsin works agency. The county or the Wisconsin
16 works agency may be represented at such hearing. The department shall render its
17 decision as soon as possible after the hearing and shall send a certified copy of its
18 decision to the applicant or recipient, the county clerk and to the county officer or the
19 Wisconsin works agency charged with administration of the medical assistance
20 program. The decision of the department shall have the same effect as an order of
21 the county officer or the Wisconsin works agency charged with the administration
22 of the medical assistance program. The decision shall be final, but may be revoked
23 or modified as altered conditions may require. The department shall deny a petition
24 for a hearing or shall refuse to grant relief if:

25 a. The petitioner withdraws the petition in writing.

1 b. The sole issue in the petition concerns an automatic payment adjustment or
2 change that affects an entire class of recipients and is the result of a change in state
3 or federal law.

4 c. The petitioner abandons the petition. Abandonment occurs if the petitioner
5 fails to appear in person or by representative at a scheduled hearing without good
6 cause, as determined by the department.

7 2. If a recipient requests a hearing within the timely notice period specified in
8 42 CFR 431.231 (c), medical assistance coverage shall not be suspended, reduced or
9 discontinued until a decision is rendered after the hearing but medical assistance
10 payments made pending the hearing decision may be recovered by the department
11 if the contested decision or failure to act is upheld. The department shall promptly
12 notify the county department or, if a Wisconsin works agency is responsible for
13 making the medical assistance determination, the Wisconsin works agency of the
14 county in which the recipient resides that the recipient has requested a hearing.
15 Medical assistance coverage shall be suspended, reduced or discontinued if:

16 a. The recipient is contesting a state or federal law or a change in state or
17 federal law and not the determination of the payment made on the recipient's behalf.

18 b. The recipient is notified of a change in his or her medical assistance coverage
19 while the hearing decision is pending but the recipient fails to request a hearing on
20 the change.

21 3. The recipient shall be promptly informed in writing if medical assistance is
22 to be suspended, reduced or terminated pending the hearing decision.

23 **SECTION 1520.** 49.45 (5m) (a) of the statutes is amended to read:

24 49.45 (5m) (a) Notwithstanding sub. (3) (e), from the appropriations under s.
25 20.435 (1) (5) (b) and (o) the department shall distribute not more than \$2,256,000

1 in each fiscal year, to provide supplemental funds to rural hospitals that, as
2 determined by the department, have high utilization of inpatient services by
3 patients whose care is provided from governmental sources, except that the
4 department may not distribute funds to a rural hospital to the extent that the
5 distribution would exceed any limitation under 42 USC 1396b (i) (3).

6 **SECTION 1913m.** 49.45 (6b) (intro.) of the statutes is amended to read:

7 49.45 (6b) (title) ~~CENTERS~~ CENTER FOR THE DEVELOPMENTALLY DISABLED. (intro.)

8 From the appropriation under s. 20.435 (2) (gk), the department may reimburse the
9 cost of services provided by ~~the centers~~ a center for the developmentally disabled.
10 Reimbursement to ~~the centers~~ a center for the developmentally disabled shall be
11 reduced following each placement made under s. 46.275 which involves a relocation
12 from a center for the developmentally disabled, as follows:

13 **SECTION 1913r.** 49.45 (6b) (a) of the statutes is amended to read:

14 49.45 (6b) (a) Beginning in fiscal year ~~1995-96~~ 1997-98, for relocations from
15 ~~the central Wisconsin~~ a center for the developmentally disabled, by \$205 per day, if
16 that center is located in Dane County.

17 **SECTION 1914m.** 49.45 (6b) (b) of the statutes is amended to read:

18 49.45 (6b) (b) Beginning in fiscal year ~~1995-96~~ 1997-98, for relocations from
19 ~~the northern Wisconsin~~ a center for the developmentally disabled, by ~~\$199~~ \$174 per
20 day, if that center is located in Chippewa County.

21 **SECTION 1915m.** 49.45 (6b) (c) of the statutes is amended to read:

22 49.45 (6b) (c) Beginning in fiscal year ~~1995-96~~ 1997-98, for relocations from
23 ~~the southern Wisconsin~~ a center for the developmentally disabled, by ~~\$149~~ \$174 per
24 day, if that center is located in Racine County.

25 **SECTION 1521.** 49.45 (6c) (c) (intro.) of the statutes is amended to read:

1 49.45 (6c) (c) *Resident review.* (intro.) Except as provided in par. (e), by April
2 1, 1990, and at least annually thereafter, the department or an entity to which the
3 department has delegated authority shall review every resident of a facility or
4 institution for mental diseases who has a developmental disability or mental illness
5 and who has experienced a significant change in his or her physical or mental
6 condition to determine if any of the following applies:

7 **SECTION 1522.** 49.45 (6m) (a) 3. of the statutes is amended to read:

8 49.45 (6m) (a) 3. “Facility” means a nursing home as defined under s. 50.01 (3)
9 or a community-based residential facility that is licensed under s. 50.03 and that is
10 certified by the department as a provider of medical assistance.

11 **SECTION 1523.** 49.45 (6m) (a) 5. of the statutes is created to read:

12 49.45 (6m) (a) 5. “Nursing home” has the meaning given under s. 50.01 (3).

13 **SECTION 1524.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

14 49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this
15 subsection made under s. 20.435 (1) ~~(b), (e) or (p)~~ or (5) (b) or (o) shall, except as
16 provided in pars. (bg), (bm) and (br), be determined according to a prospective
17 payment system updated annually by the department. The payment system shall
18 implement standards which are reasonable and adequate to meet the costs which
19 must be incurred by efficiently and economically operated facilities in order to
20 provide care in conformity with this section, with federal regulations authorized
21 under 42 USC 1396a (a) (13) (A), 1396a (a) (30), 1396b (i) (3), 1396L and 1396r (e)
22 and with quality and safety standards established under subch. II of ch. 50 and ch.
23 150. In administering this payment system, the department shall allow costs it
24 determines are necessary and proper for providing patient care. The payment
25 system shall reflect all of the following:

1 **SECTION 1525.** 49.45 (6m) (ag) 3m. of the statutes is amended to read:

2 49.45 **(6m)** (ag) 3m. For state fiscal year ~~1995-96~~ 1997-98, rates that shall be
3 set by the department based on information from cost reports for the ~~1994~~ 1996 fiscal
4 year of the facility and for state fiscal year ~~1996-97~~ 1998-99, rates that shall be set
5 by the department based on information from cost reports for the ~~1995~~ 1997 fiscal
6 year of the facility.

7 **SECTION 1526.** 49.45 (6m) (ag) 8. of the statutes is amended to read:

8 49.45 **(6m)** (ag) 8. Calculation of total payments and supplementary payments
9 to facilities that permits an aggregate increase in funds allocated under s. 20.435 ~~(1)~~
10 ~~(5)~~ (b) and (o) for nursing home care provided medical assistance recipients,
11 including an increase resulting in adjustment of facility base rates and percentage
12 increases over facility base rates, over that paid for services provided in state fiscal
13 year ~~1994-95~~ 1996-97 of no more than ~~4.25%~~ 5.4% or \$45,908,500, whichever is less,
14 during state fiscal year ~~1995-96~~ and 1997-98; and calculation of total payments and
15 supplementary payments to facilities that permits an aggregate increase in funds
16 allocated under s. 20.435 (5) (b) and (o) for nursing home care provided medical
17 assistance recipients, including a percentage increase over facility base rates, over
18 that paid for services provided in state fiscal year ~~1995-96~~ 1997-98 of no more than
19 ~~3.5%~~ or \$25,077,700, whichever is less, during state fiscal year ~~1996-97~~, ~~excluding~~
20 1998-99. Calculation of total payments and supplementary payments under this
21 subdivision excludes increases in total payments attributable to increases in
22 recipient utilization of facility care, payments for the provision of active treatment
23 to facility residents with developmental disability or chronic mental illness and
24 payments for preadmission screening of facility applicants and annual reviews of
25 facility residents required under 42 USC 1396r (e).

1 **SECTION 1527.** 49.45 (6m) (ap) of the statutes is created to read:

2 49.45 **(6m)** (ap) If the bed occupancy of a nursing home is below the minimum
3 patient day occupancy standards that are established by the department under par.
4 (ar) (intro.), the department may approve a request by the nursing home to delicense
5 any of the nursing home's licensed beds. If the department approves the nursing
6 home's request, all of the following apply:

7 1. The department shall delicense the number of beds in accordance with the
8 nursing home's request.

9 2. The department may not include the number of beds of the nursing home
10 that the department delicensures under this paragraph in determining the costs per
11 patient day under the minimum patient day occupancy standards under par. (ar).

12 3. The nursing home may not use or sell a bed that is delicensed under this
13 paragraph.

14 4. a. Every 12 months following the delicensure of a bed under this paragraph,
15 for which a nursing home has not resumed licensure under subd. 5., the department
16 shall reduce the licensed bed capacity of the nursing home by 10% of all of the nursing
17 home's beds that remain delicensed under this paragraph or by 25% of one bed,
18 whichever is greater. The department shall reduce the statewide maximum number
19 of licensed nursing home beds under s. 150.31 (1) (intro.) by the number or portion
20 of a number of beds by which the nursing home's licensed bed capacity is reduced
21 under this subdivision.

22 b. Subdivision 4. a. does not apply during the period of any contract entered into
23 by a nursing home prior to January 1, 1996, if the contract requires the nursing home
24 to maintain its current licensed bed capacity.

1 5. A nursing home retains the right to resume licensure of a bed of the nursing
2 home that was delicensed under this paragraph unless the licensed bed capacity of
3 the nursing home has been reduced by that bed under subd. 4. The nursing home
4 may not resume licensure of a fraction of a bed. The nursing home may resume
5 licensure 18 months after the nursing home notifies the department in writing that
6 the nursing home intends to resume the licensure. If a nursing home resumes
7 licensure of a bed under this subdivision, subd. 2 does not apply with respect to that
8 bed.

9 6. Subdivision 2. does not apply with respect to a nursing home described under
10 subd. 4. b. that resumes licensure of a bed that was delicensed during the period that
11 subd. 4. b. applied. The department shall recoup from the nursing home payments
12 made to the nursing home during the period that subd. 4. b. applied to the extent that
13 those payments exceed the amount the department would have paid during that
14 same period had the nursing home not delicensed the beds the licensure of which was
15 resumed.

16 **SECTION 1528.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

17 49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of
18 allowable direct care costs, for facilities that do not primarily serve the
19 developmentally disabled, that are at least 110% of not less than the median for
20 direct care costs for a sample of all of those facilities that do not primarily serve the
21 developmentally disabled in this state and separate standards for payment of
22 allowable direct care costs, for facilities that primarily serve the developmentally
23 disabled, that are at least 110% of not less than the median for direct care costs for
24 a sample of all of those facilities primarily serving the developmentally disabled in
25 this state. The standards shall be adjusted by the department for regional labor cost

1 variations. ~~The department may decrease the percentage established for the~~
2 ~~standards only if amounts available under par. (ag) (intro.) are insufficient to provide~~
3 ~~total payment under par. (am), less capital costs under subd. 6.~~

4 **SECTION 1529.** 49.45 (6m) (br) 1. of the statutes, as affected by 1997 Wisconsin
5 Act 3, is amended to read:

6 49.45 **(6m)** (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 ~~(1) (5)~~ (bt) or (bu)
7 or (7) (b) or 20.445 (3) ~~(de) (dz)~~, the department shall reduce allocations of funds to
8 counties in the amount of the disallowance from the ~~appropriations~~ appropriation
9 account under s. ~~20.410 (3) (cd) or 20.435 (1) (5)~~ (bt) or (bu) or (7) (b), or the
10 department shall direct the department of workforce development to reduce
11 allocations of funds to counties or Wisconsin works agencies in the amount of the
12 disallowance from the appropriation account under s. 20.445 (3) ~~(de) or (dz)~~ or direct
13 the department of corrections to reduce allocations of funds to counties in the amount
14 of the disallowance from the appropriation account under s. 20.410 (3) (cd), in
15 accordance with s. 16.544 to the extent applicable.

16 **SECTION 1530.** 49.45 (6s) of the statutes is repealed.

17 **SECTION 1531.** 49.45 (6t) (intro.) of the statutes is amended to read:

18 49.45 **(6t)** COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING
19 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(1) (5)~~ (o), for
20 reduction of operating deficits, as defined under criteria developed by the
21 department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42
22 or by a local health department, as defined in s. 250.01 (4), for services provided
23 under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management
24 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for
25 minors provided under the authorization under 42 USC 1396d (r) (5), the department

1 shall allocate up to \$4,500,000 in each fiscal year to these county departments, or
2 local health departments as determined by the department, and shall perform all of
3 the following:

4 **SECTION 1532.** 49.45 (6t) (d) of the statutes is amended to read:

5 49.45 (6t) (d) If the federal department of health and human services approves
6 for state expenditure in a fiscal year amounts under s. 20.435 (1) (5) (o) that result
7 in a lesser allocation amount than that allocated under this subsection or disallows
8 use of the allocation of federal medicaid funds under par. (c), reduce allocations under
9 this subsection and distribute on a prorated basis, as determined by the department.

10 **SECTION 1533.** 49.45 (6u) (intro.) of the statutes is amended to read:

11 49.45 (6u) (title) ~~FACILITY OPERATING DEFICIT REDUCTION~~ SUPPLEMENTAL
12 PAYMENTS TO COUNTY HOMES. (intro.) ~~Except as provided in par. (g)~~ Notwithstanding
13 sub. (6m), from the appropriation under s. 20.435 (1) (5) (o), for reduction of operating
14 deficits, as defined under criteria developed by the department, incurred by a facility,
15 as defined under sub. (6m) (a) ~~2.~~ 3., that is established under s. 49.70 (1) ~~or that is~~
16 ~~owned and operated by a city, village or town,~~ the department ~~shall~~ may not
17 distribute to these facilities not more than \$18,600,000 \$38,600,000 in each fiscal
18 year, as determined by the department, and except that the department shall also
19 distribute for this same purpose from the appropriation under s. 20.435 (5) (o) any
20 additional federal medical assistance moneys that were not anticipated before
21 enactment of the biennial budget act or other legislation affecting s. 20.435 (5) (o) and
22 that were not used to fund nursing home rate increases under sub. (6m) (ag) 8. The
23 total amount that a county certifies under this subsection may not exceed 100% of
24 otherwise-unreimbursed care. In distributing funds under this subsection, the
25 department shall perform all of the following:

1 **SECTION 1534.** 49.45 (6u) (d) of the statutes is amended to read:

2 49.45 **(6u)** (d) If the federal department of health and human services approves
3 for state expenditure in a fiscal year amounts under s. 20.435 ~~(1)~~ (5) (o) that result
4 in a lesser allocation amount than that allocated under this subsection, allocate not
5 more than the lesser amount so approved by the federal department of health and
6 human services.

7 **SECTION 1535.** 49.45 (6u) (e) of the statutes is amended to read:

8 49.45 **(6u)** (e) If the federal department of health and human services approves
9 for state expenditure in a fiscal year amounts under s. 20.435 ~~(1)~~ (5) (o) that result
10 in a lesser allocation amount than that allocated under this subsection, submit a
11 revision of the method developed under par. (b) for approval by the joint committee
12 on finance in that state fiscal year.

13 **SECTION 1536.** 49.45 (6u) (f) of the statutes is amended to read:

14 49.45 **(6u)** (f) If the federal department of health and human services disallows
15 use of the allocation of matching federal medical assistance funds distributed under
16 par. (c), apply the requirements under sub. (6m) (br) ~~shall apply~~.

17 **SECTION 1537.** 49.45 (6u) (g) of the statutes is amended to read:

18 49.45 **(6u)** (g) If a facility that is otherwise eligible for an allocation of funds
19 under this section is found by the federal health care financing administration or the
20 department to be an institution for mental diseases, as defined under 42 CFR
21 435.1009, ~~the department may not allocate~~ cease distributing to that facility funds
22 under this section after the date on which the finding is made.

23 **SECTION 1538.** 49.45 (6w) (intro.) of the statutes is amended to read:

24 49.45 **(6w)** HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the
25 appropriation under s. 20.435 ~~(1)~~ (5) (o), for reduction of operating deficits, as defined

1 under criteria developed by the department, incurred by a hospital, as defined under
2 s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or
3 owned and operated by a city or village, the department shall allocate up to
4 \$3,300,000 in each fiscal year to these hospitals, as determined by the department,
5 and shall perform all of the following:

6 **SECTION 1539.** 49.45 (6w) (d) of the statutes is amended to read:

7 49.45 (6w) (d) If the federal department of health and human services approves
8 for state expenditure in a fiscal year amounts under s. 20.435 ~~(1)~~ (5) (o) that result
9 in a lesser allocation amount than that allocated under this subsection or disallows
10 use of the allocation of federal medicaid funds under par. (c), reduce allocations under
11 this subsection and distribute on a prorated basis, as determined by the department.

12 **SECTION 1540.** 49.45 (6x) (a) of the statutes is amended to read:

13 49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriations under s.
14 20.435 ~~(1)~~ (5) (b) and (o) the department shall distribute not more than \$4,748,000
15 in each fiscal year, to provide funds to an essential access city hospital, except that
16 the department may not allocate funds to an essential access city hospital to the
17 extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

18 **SECTION 1541.** 49.45 (6x) (d) of the statutes is amended to read:

19 49.45 (6x) (d) If the federal department of health and human services approves
20 for state expenditure in any state fiscal year amounts under s. 20.435 ~~(1)~~ (5) (o) that
21 result in a lesser distribution amount than that distributed under this subsection or
22 disallows use of federal medicaid funds under par. (a), the department of health and
23 family services shall reduce the distributions under this subsection.

24 **SECTION 1542.** 49.45 (6y) (a) of the statutes is amended to read:

1 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations under s.
2 20.435 (1) (5) (b) and (o) the department shall distribute funding in each fiscal year
3 to provide supplemental payment to hospitals that enter into a contract under s.
4 49.02 (2) to provide health care services funded by a relief block grant, as determined
5 by the department, for hospital services that are not in excess of the hospitals'
6 customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief
7 block grant is awarded under this chapter or if the allocation of funds to such
8 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
9 may distribute funds to hospitals that have not entered into a contract under s. 49.02
10 (2).

11 **SECTION 1543.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

12 49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations
13 under s. 20.435 (1) (5) (b) and (o) the department shall distribute funding in each
14 fiscal year to supplement payment for services to hospitals that enter into a contract
15 under s. 49.02 (2) to provide health care services funded by a relief block grant under
16 this chapter, if the department determines that the hospitals serve a
17 disproportionate number of low-income patients with special needs. If no medical
18 relief block grant under this chapter is awarded or if the allocation of funds to such
19 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
20 may distribute funds to hospitals that have not entered into a contract under s. 49.02
21 (2). The department may not distribute funds under this subsection to the extent
22 that the distribution would do any of the following:

23 **SECTION 1544.** 49.45 (8) (b) of the statutes is amended to read:

24 49.45 (8) (b) Reimbursement under s. 20.435 (1) (5) (b) and (o) for home health
25 services provided by a certified home health agency or independent nurse shall be

1 made at the home health agency's or nurse's usual and customary fee per patient care
2 visit, subject to a maximum allowable fee per patient care visit that is established
3 under par. (c).

4 **SECTION 1545.** 49.45 (8e) of the statutes is repealed.

5 **SECTION 1546.** 49.45 (8m) (intro.) of the statutes is amended to read:

6 49.45 (8m) RATES FOR RESPIRATORY CARE SERVICES. (intro.) Notwithstanding the
7 ~~limits under subs. (8) and (8e)~~ limit under sub. (8), the rates under sub. (8) and rates
8 charged by providers under s. 49.46 (2) (a) 4. d. that are not home health agencies,
9 for reimbursement for respiratory care services for ventilator-dependent
10 individuals under ss. 49.46 (2) (b) 6. m. and 49.47 (6) (a) 1., shall be as follows:

11 **SECTION 1941b.** 49.45 (8m) (a) of the statutes is amended to read:

12 49.45 (8m) (a) For visits subsequent to an initial visit and for extended visits
13 by a licensed registered nurse, ~~\$30~~ \$30.60 per hour.

14 **SECTION 1941c.** 49.45 (8m) (a) of the statutes, as affected by 1997 Wisconsin
15 Act (this act), is amended to read:

16 49.45 (8m) (a) For visits subsequent to an initial visit and for extended visits
17 by a licensed registered nurse, ~~\$30.60~~ \$31.21 per hour.

18 **SECTION 1941d.** 49.45 (8m) (b) of the statutes is amended to read:

19 49.45 (8m) (b) For visits subsequent to an initial visit and for extended visits
20 by a licensed practical nurse, ~~\$20~~ \$20.40 per hour.

21 **SECTION 1941e.** 49.45 (8m) (b) of the statutes, as affected by 1997 Wisconsin
22 Act (this act), is amended to read:

23 49.45 (8m) (b) For visits subsequent to an initial visit and for extended visits
24 by a licensed practical nurse, ~~\$20.40~~ \$20.81 per hour.

25 **SECTION 1547.** 49.45 (8r) of the statutes is amended to read:

1 49.45 (8r) PAYMENT FOR CERTAIN OBSTETRIC AND GYNECOLOGICAL CARE. The rate
2 of payment for obstetric and gynecological care provided in primary care health
3 professional shortage areas, as defined in s. ~~560.184 (1) (c)~~ 560.183 (1) (cm), or
4 provided to recipients of medical assistance who reside in primary care health
5 professional shortage areas, that is equal to 125% of the rates paid under this section
6 to primary care physicians in primary care health professional shortage areas, shall
7 be paid to all certified primary care providers who provide obstetric or gynecological
8 care to those recipients.

9 **SECTION 1942m.** 49.45 (24g) of the statutes is created to read:

10 49.45 (24g) MANAGED CARE FOR DENTAL SERVICES PILOT. (a) The department
11 shall, in consultation with the Wisconsin Dental Association, develop a pilot project
12 for the provision of dental services under a managed care system. The department
13 shall request a waiver from the secretary of the federal department of health and
14 human services to permit the department to implement the pilot project developed
15 under this subsection. If the waiver is granted and in effect, and if the department
16 of health and family services determines that the costs of providing dental services
17 under s. 49.46 (2) (b) 1. under the pilot project will not exceed the costs of providing
18 those dental services in the absence of the pilot project, the department shall
19 implement the pilot project in Ashland, Douglas, Bayfield and Iron counties for the
20 period beginning no later than January 1, 1998, and ending on June 30, 1999. Only
21 those dental services covered under s. 49.46 (2) (b) 1. may be covered under the pilot
22 project.

23 (b) In developing the pilot project under this subsection, the department shall
24 provide that recipients who are subject to the pilot project are required to select a
25 dental provider from among those dentists participating in the pilot project. The

1 department shall also provide that, if a recipient does not make a selection, a dental
2 provider will be assigned to the recipient.

3 (c) If the department is able to implement the pilot project under this
4 subsection, the department shall contract with a person to do all of the following:

5 1. Accept a capitation payment from the department for each recipient who is
6 subject to the pilot project.

7 2. Enroll dentists to be participating providers under the pilot project.

8 3. Coordinate with county departments to provide outreach and education to
9 recipients and persons who are eligible to be recipients.

10 4. Pay all allowable charges on a fee-for-service basis to participating dentists
11 on behalf of recipients in the pilot counties for dental services received by those
12 recipients.

13 **SECTION 1548.** 49.45 (24m) (intro.) of the statutes is amended to read:

14 49.45 (24m) HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.)
15 From the appropriations under s. 20.435 (1) (5) (b) and (o), in order to test the
16 feasibility of instituting a system of reimbursement for providers of home health care
17 and personal care services for medical assistance recipients that is based on
18 competitive bidding, the department shall:

19 **SECTION 1943c.** 49.45 (24r) of the statutes is created to read:

20 49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT. No later than January
21 1, 1998, the department shall request a waiver from the secretary of the federal
22 department of health and human services to permit the department to conduct a
23 demonstration project to provide family planning services under medical assistance
24 to any woman between the ages of 15 and 44 whose family income does not exceed
25 185% of the poverty line for a family the size of the woman's family. If the waiver is

1 granted, the department shall submit to the chief clerk of each house of the
2 legislature, for distribution to the appropriate standing committees under s. 13.172
3 (3), proposed legislation to enable the department to implement the demonstration
4 project.

5 **SECTION 1549.** 49.45 (25) (am) 14. of the statutes is created to read:

6 49.45 (25) (am) 14. Is a woman who is aged 45 to 64 and who is not a resident
7 of a nursing home or otherwise receiving case management services under this
8 paragraph.

9 **SECTION 1550.** 49.45 (25) (b) of the statutes is amended to read:

10 49.45 (25) (b) A county, city, village ~~or~~, town or, in a county having a population
11 of 500,000 or more, the department may elect to make case management services
12 under this subsection available in the county, city, village or town to one or more of
13 the categories of beneficiaries under par. (am) through the medical assistance
14 program. A county, city, village ~~or~~, town or, in a county having a population of 500,000
15 or more, the department that elects to make the services available shall reimburse
16 a case management provider for the amount of the allowable charges for those
17 services under the medical assistance program that is not provided by the federal
18 government.

19 **SECTION 1551.** 49.45 (25) (be) of the statutes is amended to read:

20 49.45 (25) (be) A private nonprofit agency that is a certified case management
21 provider may elect to provide case management services to medical assistance
22 beneficiaries who have HIV infection, as defined in s. 252.01 (2). The amount of the
23 allowable charges for those services under the medical assistance program that is not
24 provided by the federal government shall be paid from the appropriation under s.
25 20.435 (1) ~~(5)~~ (am).

1 **SECTION 1946m.** 49.45 (30e) of the statutes is created to read:

2 49.45 **(30e)** COMMUNITY-BASED PSYCHOSOCIAL SERVICE PROGRAMS. (a) *When*
3 *services are reimbursable.* Services under s. 49.46 (2) (b) 6. Lm. provided to an
4 individual are reimbursable under the medical assistance program only if all of the
5 following conditions are met:

6 1. Reimbursement for the services under s. 49.46 (2) (b) 6. Lm. in the manner
7 provided under this subsection is permitted pursuant to federal law or pursuant to
8 a waiver from the secretary of the federal department of health and human services.

9 2. The county in which the individual resides elects to make the services under
10 s. 49.46 (2) (b) 6. Lm. available in the county through the medical assistance
11 program.

12 3. The individual's psychosocial health needs require more than outpatient
13 counseling, but less than the services provided by a community support program
14 under s. 51.421.

15 4. The psychosocial services are provided by a community-based psychosocial
16 service program certified under rules promulgated by the department under par. (b)
17 3.

18 (b) *Rules.* The department shall promulgate rules regarding all of the
19 following:

20 1. Standards for determining whether an individual is eligible under par. (a)
21 3.

22 2. The scope of psychosocial services that may be provided under s. 49.46 (2)
23 (b) 6. Lm.

24 3. Requirements for certification of community-based psychosocial service
25 programs.

1 (c) *Provider reimbursement.* A county that elects to make the services under
2 s. 49.46 (2) (b) 6. Lm. available shall reimburse a provider of the services for the
3 amount of the allowable charges for those services under the medical assistance
4 program that is not provided by the federal government. The department shall
5 reimburse the provider only for the amount of the allowable charges for those
6 services under the medical assistance program that is provided by the federal
7 government.

8 **SECTION 1948m.** 49.45 (45) of the statutes is created to read:

9 **49.45 (45) IN-HOME AND COMMUNITY MENTAL HEALTH AND ALCOHOL AND OTHER**
10 **DRUG ABUSE SERVICES.** (a) Services under s. 49.46 (2) (b) 6. fm. provided to an
11 individual are reimbursable under the medical assistance program only if all of the
12 following conditions are met:

13 1. Reimbursement for the services under s. 49.46 (2) (b) 6. fm. in the manner
14 provided under this subsection is permitted pursuant to federal law or pursuant to
15 a waiver from the secretary of the federal department of health and human services.

16 2. The county, city, town or village in which the individual resides elects to make
17 the services under s. 49.46 (2) (b) 6. fm. available in the county, city, town or village
18 through the medical assistance program.

19 (b) A county, city, town or village that elects to make the services under s. 49.46
20 (2) (b) 6. fm. available shall reimburse a provider of the services for the amount of
21 the allowable charges for those services under the medical assistance program that
22 is not provided by the federal government. The department shall reimburse the
23 provider only for the amount of the allowable charges for those services under the
24 medical assistance program that is provided by the federal government.

25 **SECTION 1552.** 49.46 (1) (a) 1. of the statutes is amended to read:

1 49.46 (1) (a) 1. Any person included in the grant of aid to families with
2 dependent children and any person who does not receive such aid solely because of
3 the application of s. 49.19 (11) (a) 7. This If a waiver under s. 49.153 (1m) (a) is
4 granted and in effect or federal legislation that permits the application of s. 49.153
5 is enacted, this subdivision does not apply beginning on the first day of the 6th month
6 beginning after the date stated in the notice under s. 49.141 (2) (d) 49.153 (1m) (a).

7 **SECTION 1553.** 49.46 (1) (a) 1m. of the statutes is amended to read:

8 49.46 (1) (a) 1m. Any pregnant woman who meets the resource and income
9 limits under s. 49.19 (4) (bm) and (es) and whose pregnancy is medically verified.
10 Eligibility continues to the last day of the month in which the 60th day after the last
11 day of the pregnancy falls. This If a waiver under s. 49.153 (1m) (a) is granted and
12 in effect or federal legislation that permits the application of s. 49.153 is enacted, this
13 subdivision does not apply beginning on the first day of the 6th month beginning
14 after the date stated in the notice under s. 49.141 (2) (d) 49.153 (1m) (a).

15 **SECTION 1554.** 49.46 (1) (a) 4m. of the statutes is created to read:

16 49.46 (1) (a) 4m. Any child for whom a payment is made under s. 49.775.

17 **SECTION 1555.** 49.46 (1) (a) 6. of the statutes is amended to read:

18 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who is considered,
19 under federal law, to be receiving aid to families with dependent children for the
20 purpose of determining eligibility for medical assistance. This If a waiver under s.
21 49.153 (1m) (a) is granted and in effect or federal legislation that permits the
22 application of s. 49.153 is enacted, this subdivision does not apply beginning on the
23 first day of the 6th month beginning after the date stated in the notice under s. 49.141
24 (2) (d) 49.153 (1m) (a).

25 **SECTION 1556.** 49.46 (1) (a) 9. of the statutes is amended to read:

1 49.46 (1) (a) 9. Any pregnant woman not described under subd. 1. or 1m. whose
2 family income does not exceed 133% of the poverty line for a family the size of the
3 woman's family. This If a waiver under s. 49.153 (1m) (a) is granted and in effect or
4 federal legislation that permits the application of s. 49.153 is enacted, this
5 subdivision does not apply beginning on the first day of the 6th month beginning
6 after the date stated in the notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

7 **SECTION 1954b.** 49.46 (1) (a) 10. of the statutes is repealed.

8 **SECTION 1557.** 49.46 (1) (a) 11. of the statutes is amended to read:

9 49.46 (1) (a) 11. Any child not described under subd. 1. who was born after
10 September 30, 1983, who has attained the age of 6 but has not attained the age of 19
11 and whose family income does not exceed 100% of the poverty line for a family the
12 size of the child's family. This If a waiver under s. 49.153 (1m) (a) is granted and in
13 effect or federal legislation that permits the application of s. 49.153 is enacted, this
14 subdivision does not apply beginning on the first day of the 6th month beginning
15 after the date stated in the notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

16 **SECTION 1955b.** 49.46 (1) (a) 11. of the statutes, as affected by 1995 Wisconsin
17 Act (this act), is amended to read:

18 49.46 (1) (a) 11. Any child not described under subd. 1. who was born after
19 September 30, 1983, who has ~~attained the age of 6 but has not attained the age of 19~~
20 and whose family income does not exceed ~~100%~~ 200% of the poverty line for a family
21 the size of the child's family. If a waiver under s. 49.153 (1m) (a) is granted and in
22 effect or federal legislation that permits the application of s. 49.153 is enacted, this
23 subdivision does not apply beginning on the first day of the 6th month beginning
24 after the date stated in the notice under s. 49.153 (1m) (a).

25 **SECTION 1558.** 49.46 (1) (a) 12. of the statutes is amended to read:

1 49.46 (1) (a) 12. Any child not described under subd. 1. who is under 19 years
2 of age and who meets the resource and income limits under s. 49.19 (4). This If a
3 waiver under s. 49.153 (1m) (a) is granted and in effect or federal legislation that
4 permits the application of s. 49.153 is enacted, this subdivision does not apply
5 beginning on the first day of the 6th month beginning after the date stated in the
6 notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

7 **SECTION 1559.** 49.46 (1) (a) 13. of the statutes is amended to read:

8 49.46 (1) (a) 13. Any child who is under one year of age, whose mother was
9 determined to be eligible under subd. 9. and who lives with his or her mother. This
10 If a waiver under s. 49.153 (1m) (a) is granted and in effect or federal legislation that
11 permits the application of s. 49.153 is enacted, this subdivision does not apply
12 beginning on the first day of the 6th month beginning after the date stated in the
13 notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

14 **SECTION 1957g.** 49.46 (1) (am) 1. b. of the statutes is repealed.

15 **SECTION 1560.** 49.46 (1) (am) 3. of the statutes is amended to read:

16 49.46 (1) (am) 3. This If a waiver under s. 49.153 (1m) (a) is granted and in
17 effect, this paragraph does not apply beginning on the first day of the 6th month
18 beginning after the date stated in the notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

19 **SECTION 1561.** 49.46 (1) (c) (intro.) of the statutes is amended to read:

20 49.46 (1) (c) (intro.) Except as provided under ~~pars. par. (co) and (es)~~, a family
21 that becomes ineligible for aid to families with dependent children under s. 49.19
22 because of increased income from employment or increased hours of employment or
23 because of the expiration of the time during which the disregards under s. 49.19 (5)
24 (a) 4. or 4m. or (am) apply shall receive medical assistance for:

25 **SECTION 1562.** 49.46 (1) (cb) of the statutes is amended to read:

1 49.46 (1) (cb) ~~Paragraph~~ If a waiver under s. 49.153 (1m) (a) is granted and in
2 effect or federal legislation that permits the application of s. 49.153 is enacted, par.
3 (c) does not apply beginning on the first day of the 6th month beginning after the date
4 stated in the notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

5 **SECTION 1563.** 49.46 (1) (cg) of the statutes is amended to read:

6 49.46 (1) (cg) ~~Except as provided in par. (cs),~~ medical Medical assistance shall
7 be provided to a dependent child, a relative with whom the child is living or the
8 spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a. or
9 b., for 4 calendar months beginning with the month in which the child, relative or
10 spouse is ineligible for aid to families with dependent children because of the
11 collection or increased collection of maintenance or support, if the child, relative or
12 spouse received aid to families with dependent children in 3 or more of the 6 months
13 immediately preceding the month in which that ineligibility begins. ~~This~~ If a waiver
14 under s. 49.153 (1m) (a) is granted and in effect or federal legislation that permits
15 the application of s. 49.153 is enacted, this paragraph does not apply beginning on
16 the first day of the 6th month beginning after the date stated in the notice under s.
17 ~~49.141 (2) (d)~~ 49.153 (1m) (a).

18 **SECTION 1564.** 49.46 (1) (co) 1. of the statutes is amended to read:

19 49.46 (1) (co) 1. Except as provided under subd. 2. ~~and par. (cs),~~ medical
20 assistance shall be provided to a family for 12 consecutive calendar months following
21 the month in which the family becomes ineligible for aid to families with dependent
22 children because of increased income from employment, because the family no longer
23 receives the earned income disregard under s. 49.19 (5) (a) 4. or 4m. or (am) due to
24 the expiration of the time limit during which the disregards are applied or because

1 of the application of the monthly employment time eligibility limitation under 45
2 CFR 233.100 (a) (1) (i).

3 **SECTION 1565.** 49.46 (1) (co) 4. of the statutes is amended to read:

4 49.46 (1) (co) 4. This If a waiver under s. 49.153 (1m) (a) is granted and in effect
5 or federal legislation that permits the application of s. 49.153 is enacted, this
6 paragraph does not apply beginning on the first day of the 6th month beginning after
7 the date stated in the notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a).

8 **SECTION 1566.** 49.46 (1) (cr) of the statutes is repealed.

9 **SECTION 1567.** 49.46 (1) (cs) of the statutes is repealed.

10 **SECTION 1568.** 49.46 (1) (e) 2. of the statutes is amended to read:

11 49.46 (1) (e) 2. Beginning If a waiver under s. 49.153 (1m) (a) is granted and
12 in effect or federal legislation that permits the application of s. 49.153 is enacted,
13 beginning on the first day of the 6th month beginning after the date stated in the
14 notice under s. ~~49.141 (2) (d)~~ 49.153 (1m) (a), this paragraph does not apply with
15 respect to a person who has income and resources within the limitations of s. 49.19
16 whether or not the person requests or receives a grant of aid under that section.

17 **SECTION 1966m.** 49.46 (1) (k) 1. of the statutes is repealed.

18 **SECTION 1966n.** 49.46 (1) (k) 2. of the statutes is renumbered 49.46 (1) (k).

19 **SECTION 1569.** 49.46 (2) (a) 4. d. of the statutes is amended to read:

20 49.46 (2) (a) 4. d. Home health services, subject to the ~~limitations~~ limitation
21 under s. 49.45 (8) ~~and (8e)~~, or, if a home health agency is unavailable, nursing
22 services, ~~subject to the limitations under s. 49.45 (8e)~~.

23 **SECTION 1967m.** 49.46 (2) (b) 6. fm. of the statutes is created to read:

24 49.46 (2) (b) 6. fm. Subject to the limitations under s. 49.45 (45), mental health
25 services and alcohol and other drug abuse services, including services provided by

1 a psychiatrist, to an individual who is 21 years of age or older in the individual's home
2 or in the community.

3 **SECTION 1570.** 49.46 (2) (b) 6. j. of the statutes is amended to read:

4 49.46 (2) (b) 6. j. Personal care services, subject to the limitations limitation
5 under s. 49.45 (~~8e~~) and (42).

6 **SECTION 1968m.** 49.46 (2) (b) 6. Lm. of the statutes is created to read:

7 49.46 (2) (b) 6. Lm. Subject to the limitations under s. 49.45 (30e), psychosocial
8 services, including case management services, provided by the staff of a
9 community-based psychosocial service program.

10 **SECTION 1571.** 49.465 (7) of the statutes is amended to read:

11 49.465 (7) This If a waiver under s. 49.153 (1m) (a) is granted and in effect or
12 federal legislation that permits the application of s. 49.153 is enacted, this section
13 does not apply beginning on the first day of the 6th month beginning after the date
14 stated in the notice under s. 49.141 (2) (d) 49.153 (1m) (a).

15 **SECTION 1572.** 49.47 (1) of the statutes is amended to read:

16 49.47 (1) PURPOSE. Medical assistance as set forth herein shall be provided to
17 persons over 65, if eligible under this section, all disabled children under 18, if
18 eligible under this section, and persons who are blind or disabled, if eligible under
19 this section. Unless a waiver under s. 49.153 (1m) (a) is granted and in effect or
20 federal legislation that permits the application of s. 49.153 is enacted, medical
21 assistance as set forth herein shall also be provided to all children under 18 who are
22 eligible under this section and, if a child is dependent pursuant to s. 49.19, the
23 relatives enumerated in s. 49.19 with whom the child is living.

24 **SECTION 1573.** 49.47 (4) (ag) of the statutes is amended to read:

1 49.47 (4) (ag) ~~No~~ If a waiver under s. 49.153 (1m) (a) is granted and in effect
2 or federal legislation that permits the application of s. 49.153 is enacted, beginning
3 on the first day of the 6th month beginning after the date stated in the notice under
4 s. 49.153 (1m) (a), no individual is eligible for medical assistance in a month that the
5 individual is eligible for health care coverage under s. 49.153.

6 **SECTION 1574.** 49.47 (4) (an) of the statutes is amended to read:

7 49.47 (4) (an) ~~Paragraph~~ If a waiver under s. 49.153 (1m) (a) is granted and in
8 effect or federal legislation that permits the application of s. 49.153 is enacted, par.
9 (am) does not apply beginning on the first day of the 6th month beginning after the
10 date stated in the notice under s. 49.141 (2) (d) 49.153 (1m) (a).

11 **SECTION 1575.** 49.47 (4) (c) 2. of the statutes is amended to read:

12 49.47 (4) (c) 2. Whenever an applicant has excess income under subd. 1. or par.
13 (am), no certification may be issued until the excess income above the applicable
14 limits has been obligated or expended for medical care or for any other type of
15 remedial care recognized under state law or for personal health insurance premiums
16 or both. ~~No~~ If a waiver under s. 49.153 (1m) (a) is granted and in effect or federal
17 legislation that permits the application of s. 49.153 is enacted, no individual is
18 eligible for medical assistance under this subdivision in a month in which the
19 individual is eligible for health care coverage under s. 49.153 beginning on first day
20 of the 6th month beginning after the date stated in the notice under s. 49.153 (1m)
21 (a).

22 **SECTION 1576.** 49.496 (5) of the statutes is amended to read:

23 49.496 (5) USE OF FUNDS. From the appropriation under s. 20.435 (1) (5) (im),
24 the department shall pay the amount of the payments under sub. (4) that is not paid
25 from federal funds, shall pay to the federal government the amount of the funds

1 recovered under this section equal to the amount of federal funds used to pay the
2 benefits recovered under this section and shall spend the remainder of the funds
3 recovered under this section for medical assistance benefits under this subchapter

4 **SECTION 1577.** 49.496 (7) of the statutes is created to read:

5 49.496 (7) **INSTALMENT PAYMENTS.** If a recovery under sub. (3) does not work an
6 undue hardship on the heirs of the estate, and if the heirs wish to satisfy the recovery
7 claim without selling a nonliquid asset that is subject to recovery, the department
8 may establish a reasonable payment schedule subject to reasonable interest.

9 **SECTION 1578.** 49.498 (16) (g) of the statutes is amended to read:

10 49.498 (16) (g) All forfeitures, penalty assessments and interest, if any, shall
11 be paid to the department within 10 days of receipt of notice of assessment or, if the
12 forfeiture, penalty assessment and interest, if any, are contested under par. (f),
13 within 10 days of receipt of the final decision after exhaustion of administrative
14 review, unless the final decision is appealed and the order is stayed by court order
15 under sub. (19) (b). The department shall remit all forfeitures paid to the state
16 treasurer for deposit in the school fund. The department shall deposit all penalty
17 assessments and interest in the appropriation under s. 20.435 ~~(1)~~ (6) (g).

18 **SECTION 1579.** 49.499 (intro.) of the statutes is amended to read:

19 **49.499 Nursing facility resident protection.** (intro.) From the
20 appropriation under s. 20.435 ~~(1)~~ (6) (g), the department shall contribute to the
21 payment of all of the following, as needed by a resident in a nursing facility, as defined
22 in s. 49.498 (1) (i), that is in violation of s. 49.498 or of a rule promulgated under s.
23 49.498:

24 **SECTION 1580.** 49.683 (2) of the statutes is amended to read:

1 49.683 (2) Approved costs for medical care under sub. (1) shall be paid from the
2 appropriation under s. 20.435 (1) (5) (e).

3 **SECTION 1581.** 49.686 (2) of the statutes is amended to read:

4 49.686 (2) REIMBURSEMENT. From the appropriation under s. 20.435 (1) (5) (am),
5 the department may reimburse or supplement the reimbursement of the cost of AZT,
6 the drug pentamidine and any drug approved for reimbursement under sub. (4) (c)
7 for an individual who is eligible under sub. (3).

8 **SECTION 1582.** 49.687 (2) of the statutes is amended to read:

9 49.687 (2) The department shall develop and implement a sliding scale of
10 patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s.
11 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to
12 pay for treatment. To ensure that the needs for treatment of patients with lower
13 incomes receive priority within the availability of funds under s. 20.435 (1) (5) (e),
14 the department shall revise the sliding scale for patient liability by January 1, 1994,
15 and shall, every 3 years thereafter by January 1, review and, if necessary, revise the
16 sliding scale.

17 **SECTION 1583.** 49.775 of the statutes is created to read:

18 **49.775 Payments for the support of children of supplemental security**
19 **income recipients. (1) DEFINITIONS.** In this section:

20 (a) "Custodial parent" has the meaning given in s. 49.141 (1) (b).

21 (b) "Dependent child" has the meaning given in s. 49.141 (1) (c).

22 **(2) SUPPLEMENTAL PAYMENTS.** Subject to sub. (3), from the appropriations under
23 s. 20.435 (7) (ed) and (ky), the department shall make a monthly payment of \$77 to
24 a custodial parent for the support of each dependent child of the custodial parent if
25 all of the following conditions are met:

1 (a) The custodial parent is a recipient of supplemental security income under
2 42 USC 1381 to 1383c or of state supplemental payments under s. 49.77, or both.

3 (b) If the dependent child has 2 custodial parents, each custodial parent
4 receives supplemental security income under 42 USC 1381 to 1383c or state
5 supplemental payments under s. 49.77, or both.

6 (c) The dependent child of the custodian parent meets the eligibility criteria
7 under the aid to families with dependent children program under s. 49.19 (1) to (19)
8 or would meet the eligibility criteria under s. 49.19 but for the application of s. 49.19
9 (20).

10 (d) The dependent child does not receive supplemental security income under
11 42 USC 1381 to 1383d.

12 (e) The custodial parent meets any of the following conditions:

13 1. The custodial parent is ineligible for aid under s. 49.19 solely because he or
14 she receives supplemental security income under 42 USC 1381 to 1383c or state
15 supplemental payments under s. 49.77.

16 2. The custodial parent is ineligible for a Wisconsin works employment
17 position, as defined under s. 49.141 (1) (r), solely because of the application of s.
18 49.145 (2) (i).

19 **(3) TWO-PARENT FAMILIES.** In the case of a dependent child who has 2 custodial
20 parents, the department may not make more than one \$77 payment per month for
21 the support of that dependent child.

22 **SECTION 1989b.** 49.855 (1) and (2) of the statutes, as affected by 1997 Wisconsin
23 Act 3, are consolidated, renumbered 49.855 (1) and amended to read:

24 49.855 (1) If a person obligated to provide child support, family support or
25 maintenance is delinquent in making court-ordered payments, or owes an

1 outstanding amount that has been ordered by the court for past support, medical
2 expenses or birth expenses, ~~the clerk of circuit court or county support collection~~
3 ~~designee under s. 59.53 (5m), whichever is appropriate, upon application of the~~
4 ~~county designee under s. 59.53 (5) or the department of workforce development, shall~~
5 certify the delinquent payment or outstanding amount to the department of
6 ~~workforce development. (2) At least annually, the department of workforce~~
7 ~~development revenue and, at least annually, shall provide to the department of~~
8 ~~revenue the certifications that it receives under sub. (1) and any certifications of~~
9 delinquencies or outstanding amounts that it receives from another state because
10 the obligor resides in this state.

11 **SECTION 1991m.** 49.855 (3) of the statutes is amended to read:

12 49.855 (3) Receipt of a certification by the department of revenue shall
13 constitute a lien, equal to the amount certified, on any state tax refunds or credits
14 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
15 setoff under s. 71.93 (3), (6) and (7). When the department of revenue determines
16 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
17 obligor that the state intends to reduce any state tax refund or credit due the obligor
18 by the amount the obligor is delinquent under the support or maintenance order, by
19 the outstanding amount for past support, medical expenses or birth expenses under
20 the court order or by the amount due under s. 46.10 (4). The notice shall provide that
21 within 20 days the obligor may request a hearing before the circuit court rendering
22 the order. Within 10 days after receiving a request for hearing under this subsection,
23 the court shall set the matter for hearing. Pending further order by the court or
24 family court commissioner, the clerk of circuit court or county support collection
25 designee under s. ~~59.07 (97m)~~ 59.53 (5m) is prohibited from disbursing the obligor's

1 state tax refund or credit. The family court commissioner may conduct the hearing.
2 The sole issues at that hearing shall be whether the obligor owes the amount certified
3 and, if not and it is a support or maintenance order, whether the money withheld
4 from a tax refund or credit shall be paid to the obligor or held for future support or
5 maintenance. An obligor may, within 20 days of receiving notice that the amount
6 certified shall be withheld from his or her federal tax refund or credit, request a
7 hearing under this subsection.

8 **SECTION 1992m.** 49.855 (3) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is amended to read:

10 49.855 (3) Receipt of a certification by the department of revenue shall
11 constitute a lien, equal to the amount certified, on any state tax refunds or credits
12 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
13 setoff under s. 71.93 (3), (6) and (7). When the department of revenue determines
14 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
15 obligor that the state intends to reduce any state tax refund or credit due the obligor
16 by the amount the obligor is delinquent under the support or maintenance order, by
17 the outstanding amount for past support, medical expenses or birth expenses under
18 the court order or by the amount due under s. 46.10 (4). The notice shall provide that
19 within 20 days the obligor may request a hearing before the circuit court rendering
20 the order. Within 10 days after receiving a request for hearing under this subsection,
21 the court shall set the matter for hearing. Pending further order by the court or
22 family court commissioner, ~~the clerk of circuit court or county support collection~~
23 ~~designee under s. 59.53 (5m) department of workforce development or its designee,~~
24 whichever is appropriate, is prohibited from disbursing the obligor's state tax refund
25 or credit. The family court commissioner may conduct the hearing. The sole issues

1 at that hearing shall be whether the obligor owes the amount certified and, if not and
2 it is a support or maintenance order, whether the money withheld from a tax refund
3 or credit shall be paid to the obligor or held for future support or maintenance. An
4 obligor may, within 20 days of receiving notice that the amount certified shall be
5 withheld from his or her federal tax refund or credit, request a hearing under this
6 subsection.

7 **SECTION 1584.** 49.855 (4) of the statutes, as affected by 1997 Wisconsin Act 3,
8 is amended to read:

9 49.855 (4) The department of revenue shall send that portion of any state or
10 federal tax refunds or credits withheld for delinquent child support or maintenance
11 or past support, medical expenses or birth expenses to the department of workforce
12 development or its designee for distribution to the ~~appropriate clerk of circuit court~~
13 ~~or county support collection designee under s. 59.53 (5m)~~ obligee. The department
14 of workforce development shall make a settlement at least annually with the
15 department of revenue ~~and with each clerk of circuit court or county support~~
16 ~~collection designee under s. 59.53 (5m) who has certified a delinquent obligation or~~
17 ~~outstanding amount for past support, medical expenses or birth expenses.~~ The
18 settlement shall state the amounts certified, the amounts deducted from tax refunds
19 and credits ~~and returned to the clerk of circuit court or county support collection~~
20 ~~designee under s. 59.53 (5m)~~ and the administrative costs incurred by the
21 department of revenue. ~~The department of workforce development may charge the~~
22 ~~county whose clerk of circuit court or support collection designee under s. 59.53 (5m)~~
23 ~~certified the obligation or outstanding amount the related administrative costs~~
24 ~~incurred by the department of workforce development and the department of~~
25 ~~revenue.~~

1 **SECTION 1994m.** 49.855 (4m) (b) of the statutes is amended to read:

2 49.855 (**4m**) (b) The department of revenue may provide a certification that it
3 receives under sub. (2) or (2m) to the department of administration. Upon receipt
4 of the certification, the department of administration shall determine whether the
5 obligor is a vendor or is receiving any other payments from this state, except for
6 wages, retirement benefits or assistance under s. 45.352, 1971 stats., s. 45.351 (1),
7 this chapter or ch. 46 or 108. If the department of administration determines that the
8 obligor is a vendor or is receiving payments from this state, except for wages,
9 retirement benefits or assistance under s. 45.352, 1971 stats., s. 45.351 (1), this
10 chapter or ch. 46 or 108, it shall begin to withhold the amount certified from those
11 payments and shall notify the obligor that the state intends to reduce any payments
12 due the obligor by the amount the obligor is delinquent under the support or
13 maintenance order, by the outstanding amount for past support, medical expenses
14 or birth expenses under the court order or by the amount due under s. 46.10 (4). The
15 notice shall provide that within 20 days after receipt of the notice the obligor may
16 request a hearing before the circuit court rendering the order. An obligor may, within
17 20 days after receiving notice, request a hearing under this paragraph. Within 10
18 days after receiving a request for hearing under this paragraph, the court shall set
19 the matter for hearing. The family court commissioner may conduct the hearing.
20 Pending further order by the court or family court commissioner, the clerk of circuit
21 court or county support collection designee under s. ~~59.07 (97m)~~ 59.53 (5m) may not
22 disburse the payments withheld from the obligor. The sole issues at the hearing are
23 whether the obligor owes the amount certified and, if not and it is a support or
24 maintenance order, whether the money withheld shall be paid to the obligor or held
25 for future support or maintenance.

1 **SECTION 1995m.** 49.855 (4m) (b) of the statutes, as affected by 1997 Wisconsin
2 Act (this act), is amended to read:

3 49.855 (**4m**) (b) The department of revenue may provide a certification that it
4 receives under sub. ~~(2)~~ (1) or (2m) to the department of administration. Upon receipt
5 of the certification, the department of administration shall determine whether the
6 obligor is a vendor or is receiving any other payments from this state, except for
7 wages, retirement benefits or assistance under s. 45.352, 1971 stats., s. 45.351 (1),
8 this chapter or ch. 46 or 108. If the department of administration determines that the
9 obligor is a vendor or is receiving payments from this state, except for wages,
10 retirement benefits or assistance under s. 45.352, 1971 stats., s. 45.351 (1), this
11 chapter or ch. 46 or 108, it shall begin to withhold the amount certified from those
12 payments and shall notify the obligor that the state intends to reduce any payments
13 due the obligor by the amount the obligor is delinquent under the support or
14 maintenance order, by the outstanding amount for past support, medical expenses
15 or birth expenses under the court order or by the amount due under s. 46.10 (4). The
16 notice shall provide that within 20 days after receipt of the notice the obligor may
17 request a hearing before the circuit court rendering the order. An obligor may, within
18 20 days after receiving notice, request a hearing under this paragraph. Within 10
19 days after receiving a request for hearing under this paragraph, the court shall set
20 the matter for hearing. The family court commissioner may conduct the hearing.
21 Pending further order by the court or family court commissioner, the ~~clerk of circuit~~
22 ~~court or county support collection designee under s. 59.53 (5m)~~ department of
23 workforce development or its designee, whichever is appropriate, may not disburse
24 the payments withheld from the obligor. The sole issues at the hearing are whether
25 the obligor owes the amount certified and, if not and it is a support or maintenance

1 order, whether the money withheld shall be paid to the obligor or held for future
2 support or maintenance.

3 **SECTION 1997m.** 49.855 (4m) (c) of the statutes, as affected by 1997 Wisconsin
4 Act 3, is amended to read:

5 49.855 (4m) (c) Except as provided by order of the court after hearing under
6 par. (b), the department of administration shall continue withholding until the
7 amount certified is recovered in full. The department of administration shall
8 transfer the amounts withheld under this paragraph to the department of workforce
9 development ~~for distribution to the appropriate clerk of court, county support~~
10 ~~collection designee under s. 59.53 (5m) or its designee~~ or department of health and
11 family services, whichever is appropriate. The department of workforce
12 development or its designee shall distribute amounts withheld for delinquent child
13 or family support or maintenance or past support, medical expenses or birth
14 expenses to the obligee.

15 **SECTION 1585.** 49.855 (5) of the statutes, as affected by 1997 Wisconsin Act 3,
16 is amended to read:

17 49.855 (5) Certification of an obligation to the department of ~~workforce~~
18 ~~development~~ revenue does not deprive any party of the right to collect the obligation
19 or to prosecute the obligor. ~~The clerk of court or county support collection designee~~
20 ~~under s. 59.53 (5m), whichever is appropriate,~~ department of workforce development
21 or its designee shall immediately notify the department of ~~workforce development~~
22 revenue of any collection of an obligation that has been certified by ~~the clerk of court~~
23 ~~or county support collection designee under s. 59.53 (5m).~~ ~~The department of~~
24 ~~workforce development shall correct the certified obligation according to the amount~~
25 ~~the county has collected and report the correction to the department of revenue.~~

1 **SECTION 1586.** 49.855 (6) of the statutes is amended to read:

2 49.855 (6) If the state implements the child and spousal support and paternity
3 program under s. ss. 49.22 and 59.53 (5), the state may act under this section in place
4 of the county designee child support agency under s. ~~59.07 (97)~~ 59.53 (5).

5 **SECTION 1587.** 49.855 (7) of the statutes, as affected by 1997 Wisconsin Act 3,
6 is amended to read:

7 49.855 (7) The department of workforce development may provide a
8 certification under sub. (1) to a state agency or authority under s. 21.49 (2) (e), 36.11
9 (6) (b), 36.25 (14), 36.34 (1), 39.30 (2) (e), 39.38 (2), 39.435 (6), 39.44 (4), 39.47 (2m),
10 ~~45.351 (2) (e)~~, 45.356 (6), 45.396 (6), 45.74 (6), 145.245 (5m) (b), 234.04 (2), 234.49 (1)
11 (c), 234.59 (3) (c), 234.65 (3) (f), 234.83 (2) (a) 3., 234.90 (3) (d) or (3g) (c), 234.905 (3)
12 (d), 281.65 (8) (L) or 949.08 (2) (g).

13 **SECTION 1588.** 49.90 (2g) of the statutes, as affected by 1997 Wisconsin Act 3,
14 is amended to read:

15 49.90 (2g) In addition to the remedy specified in sub. (2), upon failure of a
16 grandparent to provide maintenance under sub. (1) (a) 2., another grandparent who
17 is or may be required to provide maintenance under sub. (1) (a) 2., a child of a
18 dependent minor or the child's parent may apply to the circuit court for the county
19 in which the child resides for an order to compel the provision of maintenance. A
20 county department under s. 46.215, 46.22 or 46.23, a county child support agency
21 under s. 59.53 (5) or the department of workforce development may initiate an action
22 to obtain maintenance of the child by the child's grandparent under sub. (1) (a) 2.,
23 regardless of whether the child receives public assistance.

24 **SECTION 2004m.** 49.96 of the statutes is amended to read:

1 **49.96 Assistance grants exempt from levy.** All grants of aid to families with
2 dependent children, payments made under ss. 48.57 (3m) ~~or~~ 49.148 (1) (b) 1. or (c)
3 or (1m) or 49. 149 to 49.159, payments made for social services, cash benefits paid
4 by counties under s. 59.53 (21), and benefits under s. 49.77 or federal Title XVI, are
5 exempt from every tax, and from execution, garnishment, attachment and every
6 other process and shall be inalienable.

7 **SECTION 1589.** 50.03 (1m) of the statutes is amended to read:

8 **50.03 (1m) DISTINCT PART OR SEPARATE LICENSURE FOR INSTITUTIONS FOR MENTAL**
9 **DISEASES.** Upon application to the department, the department may approve
10 licensure of the operation of a nursing home or a distinct part of a nursing home as
11 an institution for mental diseases, as defined under 42 CFR 435.1009. Conditions
12 and procedures for application for, approval of, and operation under ~~and renewal of~~
13 licensure under this subsection shall be established in rules promulgated by the
14 department.

15 **SECTION 1590.** 50.03 (2) (d) of the statutes is amended to read:

16 **50.03 (2) (d)** Any holder of a license or applicant for a license shall be deemed
17 to have given consent to any authorized officer, employe or agent of the department
18 to enter and inspect the facility in accordance with this subsection. Refusal to permit
19 such entry or inspection shall constitute grounds for initial licensure denial,
20 ~~nonrenewal as provided in sub. (4), or suspension~~ or revocation of license, as provided
21 in sub. (5).

22 **SECTION 1591.** 50.03 (3) (b) (intro.) of the statutes is amended to read:

23 **50.03 (3) (b) (intro.)** The application for a license ~~or a license renewal~~ and the
24 report of a licensee shall be in writing upon forms provided by the department and

1 shall contain such information as the department requires, including the name,
2 address and type and extent of interest of each of the following persons:

3 **SECTION 1592.** 50.03 (3) (f) of the statutes is amended to read:

4 50.03 (3) (f) Community-based residential facilities ~~applying for renewal of~~
5 license shall report all formal complaints regarding their operation filed under sub.
6 (2) (f) and the disposition of each when reporting under sub. (4) (c) 1.

7 **SECTION 1593.** 50.03 (4) (a) 1. b. of the statutes is amended to read:

8 50.03 (4) (a) 1. b. Except as provided in sub. (4m) (b), the department shall issue
9 a license for a community-based residential facility if it finds the applicant to be fit
10 and qualified, if it finds that the community-based residential facility meets the
11 requirements established by this subchapter and if the community-based
12 residential facility has paid the license fee under s. 50.037 (2) (a). In determining
13 whether to issue a license for a community-based residential facility, the department
14 may consider any action by the applicant or by an employe of the applicant that
15 constitutes a substantial failure by the applicant or employe to protect and promote
16 the health, safety or welfare of a resident. The department may deny licensure to
17 or ~~not renew~~ revoke licensure for any person who conducted, maintained, operated
18 or permitted to be maintained or operated a community-based residential facility for
19 which licensure was revoked. The department, or its designee, shall make such
20 inspections and investigations as are necessary to determine the conditions existing
21 in each case and shall file written reports. ~~Before renewing the license of any In~~
22 reviewing the report of a community-based residential facility that is required to be
23 submitted under par. (c) 1., the department shall consider all complaints filed under
24 sub. (2) (f) ~~during the current license period~~ since initial license issuance or since the

1 last review, whichever is later, and the disposition of each. The department shall
2 promulgate rules defining “fit and qualified” for the purposes of this subd. 1. b.

3 **SECTION 1594.** 50.03 (4) (a) 2. of the statutes is amended to read:

4 50.03 (4) (a) 2. The past record of violations of applicable laws and regulations
5 of the United States or of this or any other state, in the operation of a residential or
6 health care facility, or in any other health-related activity by any of the persons
7 listed in sub. (3) (b) shall be relevant to the issue of the fitness of an applicant for
8 issuance or renewal of a license.

9 **SECTION 1595.** 50.03 (4) (c) 1. of the statutes is amended to read:

10 50.03 (4) (c) 1. ~~Unless sooner~~ A community-based residential facility license
11 is valid until it is revoked or suspended, ~~a community-based residential facility~~
12 ~~license is valid for 24 months. At least 30 days prior to license expiration, the~~
13 ~~applicant~~ under this section. Every 24 months, on a schedule determined by the
14 department, a community-based residential facility licensee shall submit a biennial
15 report and application for renewal of the license in the form and containing the
16 information that the department requires. ~~If the report and application are~~
17 ~~approved, the license shall be renewed for an additional 24-month period. If the~~
18 ~~application for renewal and, including payment of the fees required under s. 50.037~~
19 ~~(2) (a). If a complete annual biennial report are~~ is not timely filed, the department
20 shall issue a warning to the licensee. Failure to make application for renewal within
21 30 days after receipt of the warning is grounds for nonrenewal of the license. The
22 department may revoke a community-based residential facility license for failure to
23 timely and completely report within 60 days after the report date established under
24 the schedule determined by the department.

25 **SECTION 1596.** 50.03 (4) (c) 2. of the statutes is amended to read:

1 50.03 (4) (c) 2. ~~Unless sooner revoked or suspended, a~~ A nursing home license
2 is valid for 12 months, but may be issued to a new licensee for less than 12 months
3 ~~to coincide with the date of federal medical assistance certification as a skilled~~
4 ~~nursing facility or intermediate care facility. At least 120 days but not more than 150~~
5 ~~days prior to license expiration, the applicant~~ until it is revoked or suspended under
6 this section. Every 12 months, on a schedule determined by the department, a
7 nursing home licensee shall submit an annual a report and application for renewal
8 of the license in the form and containing the information that the department
9 requires. ~~If the report and application are approved, the license shall be renewed for~~
10 ~~an additional 12-month period. If the application for renewal and, including~~
11 ~~payment of the fee required under s. 50.135 (2) (a). If a complete annual report are~~
12 ~~is not timely filed, the department shall issue a warning to the licensee. Failure to~~
13 ~~make application for renewal within 30 days after receipt of the warning is grounds~~
14 ~~for nonrenewal of the license. The department may revoke a nursing home license~~
15 ~~for failure to timely and completely report within 60 days after the report date~~
16 ~~established under the schedule determined by the department.~~

17 **SECTION 1597.** 50.03 (4) (e) of the statutes is amended to read:

18 50.03 (4) (e) Each license shall be issued only for the premises and persons
19 named in the application and ~~shall not be~~ is not transferable or assignable. The
20 license shall be posted in a place readily visible to residents and visitors, such as the
21 lobby or reception area of the facility. Any license granted shall state the maximum
22 bed capacity allowed, the person to whom the license is granted, the date, ~~the~~
23 ~~expiration date~~ of issuance, the maximum level of care for which the facility is
24 licensed as a condition of its licensure and such additional information and special
25 conditions as the department may prescribe.

1 **SECTION 1598.** 50.03 (4) (f) of the statutes is amended to read:

2 50.03 (4) (f) The issuance or ~~renewal~~ continuance of a license after notice of a
3 violation has been sent shall not constitute a waiver by the department of its power
4 to rely on the violation as the basis for subsequent license revocation or other
5 enforcement action under this subchapter arising out of the notice of violation.

6 **SECTION 1599.** 50.03 (5) (title) of the statutes is amended to read:

7 50.03 (5) (title) ~~NONRENEWAL~~ SUSPENSION AND REVOCATION OF NURSING HOME
8 LICENSES.

9 **SECTION 1600.** 50.03 (5) (a) of the statutes is amended to read:

10 50.03 (5) (a) *Power of department.* The department, after notice to a nursing
11 home applicant or licensee, may suspend, or revoke ~~or refuse to renew~~ a license in
12 any case in which the department finds that the nursing home has substantially
13 failed to comply with the applicable requirements of this subchapter and the rules
14 promulgated under this subchapter. No state or federal funds passing through the
15 state treasury may be paid to a nursing home that does not have a valid license issued
16 under this section.

17 **SECTION 1601.** 50.03 (5) (b) of the statutes is amended to read:

18 50.03 (5) (b) *Form of notice.* Notice under this subsection shall include a clear
19 and concise statement of the violations on which the ~~nonrenewal~~ ~~or~~ revocation is
20 based, the statute or rule violated and notice of the opportunity for an evidentiary
21 hearing under par. (c).

22 **SECTION 1602.** 50.03 (5) (c) of the statutes is amended to read:

23 50.03 (5) (c) (title) *Contest of ~~nonrenewal~~ ~~or~~ revocation.* If a nursing home
24 desires to contest the ~~nonrenewal~~ ~~or~~ revocation of a license, the nursing home shall,
25 within 10 days after receipt of notice under par. (b), notify the department in writing

1 of its request for a hearing under s. 227.44. The department shall hold the hearing
2 within 30 days of receipt of such notice and shall send notice to the nursing home of
3 the hearing as provided under s. 227.44 (2).

4 **SECTION 1603.** 50.03 (5) (d) (title) of the statutes is amended to read:

5 50.03 (5) (d) (title) *Effective date of nonrenewal or revocation.*

6 **SECTION 1604.** 50.03 (5) (d) 2. of the statutes is repealed.

7 **SECTION 1605.** 50.03 (5) (d) 3. of the statutes is amended to read:

8 50.03 (5) (d) 3. The department may extend the effective date of license
9 revocation ~~or expiration~~ in any case in order to permit orderly removal and relocation
10 of residents of the nursing home.

11 **SECTION 1606.** 50.03 (5g) (c) 3. of the statutes is amended to read:

12 50.03 (5g) (c) 3. ~~Refusal to renew licensure or revocation~~ Revocation of
13 licensure, as specified in pars. (d) to (g).

14 **SECTION 1607.** 50.03 (5g) (d) (intro.) of the statutes is amended to read:

15 50.03 (5g) (d) (intro.) Under the procedure specified in par. (e), the department
16 may revoke ~~or refuse to renew~~ a license for a licensee for any of the following reasons:

17 **SECTION 1608.** 50.03 (5g) (e) 1. of the statutes is amended to read:

18 50.03 (5g) (e) 1. The department may revoke ~~or refuse to renew~~ a license for
19 a licensee for the reason specified in par. (d) 1., 2., 3. or 4. ~~and may refuse to renew~~
20 ~~a license for a licensee for the reason specified in par. (d) 1., 2. or 3.~~ if the department
21 provides the licensee with written notice of revocation ~~or nonrenewal~~, the grounds
22 for the revocation ~~or nonrenewal~~ and an explanation of the process for appealing the
23 revocation ~~or nonrenewal~~, at least 30 days before the date of revocation ~~or license~~
24 ~~expiration~~. The department may revoke ~~or refuse to renew~~ the license only if the

1 violation remains substantially uncorrected on the date of revocation or license
2 expiration.

3 **SECTION 1609.** 50.03 (5g) (f) of the statutes is amended to read:

4 50.03 **(5g)** (f) If a community-based residential facility desires to contest the
5 ~~nonrenewal or~~ revocation of a license or to contest the imposing of a sanction under
6 this subsection, the community-based residential facility shall, within 10 days after
7 receipt of notice under par. (e), notify the department in writing of its request for a
8 hearing under s. 227.44. The department shall hold the hearing within 30 days after
9 receipt of such notice and shall send notice to the community-based residential
10 facility of the hearing as provided under s. 227.44 (2).

11 **SECTION 1610.** 50.03 (5g) (g) 2. of the statutes is repealed.

12 **SECTION 1611.** 50.03 (5g) (g) 3. of the statutes is amended to read:

13 50.03 **(5g)** (g) 3. The department may extend the effective date of license
14 ~~revocation or expiration~~ in any case in order to permit orderly removal and relocation
15 of residents.

16 **SECTION 1612.** 50.03 (5m) (a) 2. of the statutes is amended to read:

17 50.03 **(5m)** (a) 2. The department has suspended, or ~~revoked or refused to~~
18 ~~renew~~ the existing license of the facility as provided under sub. (5).

19 **SECTION 1613.** 50.03 (5m) (a) 3. of the statutes is amended to read:

20 50.03 **(5m)** (a) 3. The department has initiated revocation ~~or nonrenewal~~
21 procedures under sub. (5) and has determined that the lives, health, safety, or
22 welfare of the resident cannot be adequately assured pending a full hearing on
23 license ~~nonrenewal or~~ revocation under sub. (5).

24 **SECTION 1614.** 50.032 (2) of the statutes is amended to read:

1 50.032 (2) REGULATION. Standards for operation of certified adult family homes
2 and procedures for application for certification, monitoring, inspection,
3 decertification and appeal of decertification under this section shall be under rules
4 promulgated by the department under s. 50.02 (2) (am) 1. An adult family home
5 certification is valid until decertified under this section. ~~Certification shall be for a~~
6 ~~term not to exceed 12 months from the date of issuance and is not transferable.~~

7 **SECTION 1615.** 50.032 (2r) of the statutes is created to read:

8 50.032 (2r) REPORTING. Every 12 months, on a schedule determined by the
9 department, a certified adult family home shall submit an annual report in the form
10 and containing the information that the department requires, including payment of
11 a fee, if any is required under rules promulgated under s. 50.02 (2) (am) 1. If a
12 complete annual report is not timely filed, the department shall issue a warning to
13 the operator of the certified adult family home. The department may decertify a
14 certified adult family home for failure to timely and completely report within 60 days
15 after the report date established under the schedule determined by the department.

16 **SECTION 1616.** 50.032 (4) of the statutes is amended to read:

17 50.032 (4) DECERTIFICATION. A certified adult family home may be decertified
18 because of the substantial and intentional violation of this section or of rules
19 promulgated by the department under s. 50.02 (2) (am) 1. or because of failure to
20 meet the minimum requirements for certification. The operator of the certified adult
21 family home shall be given written notice of any decertification and the grounds for
22 the decertification. Any adult family home certification applicant or operator of a
23 certified adult family home may, if aggrieved by the failure to issue ~~or renew~~ the
24 certification or by decertification, appeal under the procedures specified by the
25 department by rule under s. 50.02 (2) (am) 1.

1 **SECTION 1617.** 50.033 (2) of the statutes is amended to read:

2 50.033 **(2)** REGULATION. Standards for operation of licensed adult family homes
3 and procedures for application for licensure, monitoring, inspection, revocation and
4 appeal of revocation under this section shall be under rules promulgated by the
5 department under s. 50.02 (2) (am) 2. An adult family home licensure is valid until
6 revoked under this section. ~~Licensure shall be for a term not to exceed 24 months~~
7 ~~from the date of issuance and~~ is not transferable. The biennial licensure fee for a
8 licensed adult family home is \$75. The fee is payable to the county department under
9 s. 46.215, 46.22, 46.23, 51.42 or 51.437, if the county department licenses the adult
10 family home under sub. (1m) (b), and is payable to the department, on a schedule
11 determined by the department if the department licenses the adult family home
12 under sub. (1m) (b).

13 **SECTION 1618.** 50.033 (2m) of the statutes is created to read:

14 50.033 **(2m)** REPORTING. Every 24 months, on a schedule determined by the
15 department, a licensed adult family home shall submit a biennial report in the form
16 and containing the information that the department requires, including payment of
17 the fee required under sub. (2). If a complete biennial report is not timely filed, the
18 department shall issue a warning to the licensee. The department may revoke the
19 license for failure to timely and completely report within 60 days after the report date
20 established under the schedule determined by the department.

21 **SECTION 1619.** 50.033 (4) of the statutes is amended to read:

22 50.033 **(4)** LICENSE REVOCATION. The license of a licensed adult family home may
23 be revoked because of the substantial and intentional violation of this section or of
24 rules promulgated by the department under s. 50.02 (2) (am) 2. or because of failure
25 to meet the minimum requirements for licensure. The operator of the licensed adult

1 family home shall be given written notice of any revocation and the grounds for the
2 revocation. Any adult family home licensure applicant or operator of a licensed adult
3 family home may, if aggrieved by the failure to issue ~~or renew~~ the license or by
4 revocation, appeal under the procedures specified by the department by rule under
5 s. 50.02 (2) (am) 2.

6 **SECTION 2046k.** 50.034 (2m) of the statutes is created to read:

7 50.034 (2m) FEES. (a) When the department determines that the total number
8 of beds in certified or registered residential care apartment complexes has reached
9 500, the department shall establish an annual fee to be charged to each residential
10 care apartment complex. Except as provided under par. (b), the department shall
11 establish the fee at a rate that will generate sufficient revenue to support the costs
12 of the ombudsman positions funded from the appropriation under s. 20.432 (1) (kd).

13 (b) The department may not establish a fee under par. (a) at a rate that is in
14 excess of \$100 per bed per residential care apartment complex.

15 **SECTION 2046m.** 50.034 (3) (e) of the statutes is created to read:

16 50.034 (3) (e) Post in a conspicuous location in each wing or unit and on each
17 floor of the residential care apartment complex a notice, provided by the board on
18 aging and long-term care, of the name, address and telephone number of the
19 long-term care ombudsman program under s. 16.009 (2) (b).

20 **SECTION 2046n.** 50.034 (3) (f) of the statutes is created to read:

21 50.034 (3) (f) Pay to the department the fee established under sub. (2m).

22 **SECTION 1620.** 50.035 (8) of the statutes is created to read:

23 50.035 (8) ADMISSION OF RESIDENTS IN PILOT AREAS. No community-based
24 residential facility located in a geographic area in which a pilot project under s.

1 46.271 (2m) is established may admit an individual as a resident until the individual
2 is assessed or is exempt from or waives assessment under s. 46.271 (2m) (a) 2.

3 **SECTION 2048m.** 50.035 (9) of the statutes is created to read:

4 50.035 (9) NOTIFICATION TO PROSPECTIVE RESIDENTS OF ASSESSMENT REQUIREMENT.
5 Every community-based residential facility shall inform all prospective residents of
6 the assessment requirements under ss. 46.27 (7) (cj) 3. and (11) (c) 5n. and 46.277 (3)
7 (c) 1n. for the receipt of funds under those sections.

8 **SECTION 1621.** 50.037 (2) (a) of the statutes is amended to read:

9 50.037 (2) (a) The biennial fee for a community-based residential facility is
10 \$170, plus ~~an annual~~ a biennial fee of \$22 per resident, based on the number of
11 residents that the facility is licensed to serve.

12 **SECTION 1622.** 50.037 (2) (b) of the statutes is amended to read:

13 50.037 (2) (b) ~~Such fees~~ Fees specified under par. (a) shall be paid to the
14 department by the community-based residential facility before the department may
15 issue a license under s. 50.03 (4) (a) 1. b. A licensed community-based residential
16 facility ~~that wishes to renew a license issued under s. 50.03 (4) (a) 1. b.~~ shall pay the
17 fee under par. (a) by the renewal date of the license established by the department.
18 A new newly licensed community-based residential facility shall pay the fee under
19 this subsection no later than 30 days before the opening of the facility.

20 **SECTION 1623.** 50.037 (2) (c) of the statutes is amended to read:

21 50.037 (2) (c) A community-based residential facility ~~that wishes to renew a~~
22 ~~license issued under s. 50.03 (4) (a) 1. b. and that fails to submit the biennial fee prior~~
23 ~~to the renewal date of the license established by the department,~~ or a new
24 community-based residential facility subject to this section that fails to submit the
25 biennial fee by 30 days prior to the opening of the new community-based residential

1 facility, shall pay an additional fee of \$10 per day for every day after the deadline that
2 the facility does not pay the fee.

3 **SECTION 1624.** 50.04 (2m) of the statutes is amended to read:

4 50.04 **(2m)** PLAN OF CARE AND ASSESSMENT REQUIRED. No nursing home may
5 admit any patient until a physician has completed a plan of care for the patient and
6 the patient is assessed or the patient is exempt from or waives assessment under s.
7 46.27 (6) (a) or 46.271 (2m) (a) 2. Failure to comply with this subsection is a class "C"
8 violation under sub. (4) (b) 3.

9 **SECTION 1625.** 50.05 (2) (b) of the statutes is amended to read:

10 50.05 **(2)** (b) The department has suspended, or ~~revoked or refused to renew~~
11 the existing license of the facility.

12 **SECTION 1626.** 50.05 (2) (c) of the statutes is amended to read:

13 50.05 **(2)** (c) The department has initiated revocation ~~or nonrenewal~~
14 procedures under s. 50.03 (5) and has determined that the lives, health, safety, or
15 welfare of the residents cannot be adequately assured pending a full hearing on
16 license ~~nonrenewal or~~ revocation.

17 **SECTION 1627.** 50.05 (10) of the statutes is amended to read:

18 50.05 **(10)** CONTINGENCY FUND. If funds collected under subs. (3), (7) and (8) are
19 insufficient to meet the expenses of performing the powers and duties conferred on
20 the receiver by this section, or if there are insufficient funds on hand to meet those
21 expenses, the department may draw from the supplemental fund created under s.
22 20.435 ~~(1)~~ (6) (dm) to pay the expenses associated with the placement of a monitor,
23 if any, in a nursing home and the receivership of a nursing home. Operating funds
24 collected under this section and not applied to the expenses of the placement of a
25 monitor, if any, and the receivership, except for the amount of a security, if any is

1 required under sub. (14m), shall be used to reimburse the fund for advances made
2 under this section.

3 **SECTION 1628.** 50.05 (15) (d) of the statutes is amended to read:

4 50.05 (15) (d) The lien provided by this subsection is prior to any lien or other
5 interest which originates subsequent to the filing of a petition for receivership under
6 this section, except for a construction or mechanic's lien arising out of work
7 performed with the express consent of the receiver or a lien under s. 292.31 (8) (i);
8 ~~292.41 (6) (d)~~ or 292.81.

9 **SECTION 1629.** 50.09 (6) (d) of the statutes is amended to read:

10 50.09 (6) (d) The facility shall attach a statement, which summarizes
11 complaints or allegations of violations of rights established under this section, to an
12 ~~application for a new license or a renewal of its license. Such the report required~~
13 under s. 50.03 (4) (c) 1. or 2. The statement shall contain the date of the complaint
14 or allegation, the name of the persons involved, the disposition of the matter and the
15 date of disposition. The department shall consider such the statement in reviewing
16 the ~~application report~~.

17 **SECTION 1630.** 50.13 of the statutes is amended to read:

18 **50.13 Fees permitted for a workshop or seminar.** If the department
19 develops and provides a workshop or seminar relating to the provision of service by
20 facilities, adult family homes or residential care apartment complexes under this
21 subchapter, the department may establish a fee for each workshop or seminar and
22 impose the fee on registrants for the workshop or seminar. A fee so established and
23 imposed shall be in an amount sufficient to reimburse the department for the costs
24 directly associated with developing and providing the workshop or seminar.

25 **SECTION 2062m.** 50.135 (2) (c) of the statutes is amended to read:

1 50.135 (2) (c) The fees collected under par. (a) shall be credited to the
2 ~~appropriation~~ appropriations under s. 20.435 (1) (gm) and (6) (jm) as specified in
3 those appropriations for licensing, review and certifying activities.

4 **SECTION 1631.** 50.355 of the statutes is created to read:

5 **50.355 Reporting.** Every 12 months, on a schedule determined by the
6 department, an approved hospital shall submit an annual report in the form and
7 containing the information that the department requires, including payment of the
8 fee required under s. 50.135 (2) (a). If a complete annual report is not timely filed,
9 the department shall issue a warning to the holder of the certificate for approval.
10 The department may revoke approval for failure to timely and completely report
11 within 60 days after the report date established under the schedule determined by
12 the department.

13 **SECTION 1632.** 50.49 (2) (b) of the statutes is amended to read:

14 50.49 (2) (b) The department shall, by rule, set a license fee to be paid by home
15 health agencies. The fee ~~for license renewal~~ shall be based on the annual net income,
16 as determined by the department, of a home health agency.

17 **SECTION 1633.** 50.49 (6) (title) of the statutes is amended to read:

18 50.49 (6) (title) ISSUANCE OF LICENSE; INSPECTION AND INVESTIGATION; ANNUAL
19 RENEWAL; ~~NONTRANSFERABLE REPORT; NONTRANSFERABILITY;~~ CONTENT.

20 **SECTION 1634.** 50.49 (6) (a) of the statutes is amended to read:

21 50.49 (6) (a) The department shall issue a home health agency license if the
22 applicant is fit and qualified, and if the ~~home health agencies meet~~ home health
23 agency meets the requirements established by this section. The department, or its
24 designated representatives, shall make such inspections and investigations as are

1 necessary to determine the conditions existing in each case and file written reports.

2 Each licensee shall annually file a report with the department.

3 **SECTION 1635.** 50.49 (6) (b) of the statutes is amended to read:

4 50.49 (6) (b) A home health agency license, ~~unless sooner is valid until~~
5 suspended or revoked, ~~shall be renewable at least biennially upon filing by the~~
6 licensee, ~~payment of the license fee and approval by the department of an annual~~
7 report and application for renewal on forms provided by the department.

8 **SECTION 1636.** 50.49 (6) (c) of the statutes is amended to read:

9 50.49 (6) (c) Each license shall be issued only for the home health agency named
10 in the application and ~~shall not be~~ is not transferable or assignable. ~~If application~~
11 ~~for renewal is not so filed, such license is automatically canceled as of the date of its~~
12 ~~expiration.~~ Any license granted shall state such additional information and special
13 limitations as the department, by rule, prescribes.

14 **SECTION 1637.** 50.49 (6) (d) of the statutes is created to read:

15 50.49 (6) (d) Every 12 months, on a schedule determined by the department,
16 a licensed home health agency shall submit an annual report in the form and
17 containing the information that the department requires, including payment of the
18 fee required under sub. (2) (b). If a complete annual report is not timely filed, the
19 department shall issue a warning to the licensee. The department may revoke the
20 license for failure to timely and completely report within 60 days after the report date
21 established under the schedule determined by the department.

22 **SECTION 1638.** 50.495 of the statutes is created to read:

23 **50.495 Fees permitted for a workshop or seminar.** If the department
24 develops and provides a workshop or seminar relating to the provision of services by
25 hospitals and home health agencies under this subchapter, the department may

1 establish a fee for each workshop or seminar and impose the fee on registrants for
2 the workshop or seminar. A fee so established and imposed shall be in an amount
3 sufficient to reimburse the department for the costs directly associated with
4 developing and providing the workshop or seminar.

5 **SECTION 1639.** 50.51 (2) (b) of the statutes is amended to read:

6 50.51 (2) (b) Minimum requirements for issuance of a provisional license, or a
7 regular ~~initial~~ license ~~or a license renewal~~ to rural medical centers.

8 **SECTION 1640.** 50.51 (2) (c) of the statutes is amended to read:

9 50.51 (2) (c) Fees for rural medical center provisional licensure and regular
10 ~~initial~~ licensure ~~and licensure renewal~~. The amounts of the fees shall be based on
11 the health care services provided by the rural medical center.

12 **SECTION 1641.** 50.52 (2) (intro.) of the statutes is amended to read:

13 50.52 (2) (intro.) The department shall issue a provisional license, or a regular
14 ~~initial~~ license ~~or a license renewal~~ as a rural medical center to an applicant if all of
15 the following are first done:

16 **SECTION 2075c.** 50.52 (2) (a) of the statutes is amended to read:

17 50.52 (2) (a) The applicant pays the appropriate license fee, as established
18 under s. 50.51 (2) (c). Fees collected under this paragraph shall be credited to the
19 appropriation under s. 20.435 (1) ~~(gm)~~ (6) (jm) for licensing and inspection activities.

20 **SECTION 1642.** 50.52 (4) of the statutes is amended to read:

21 50.52 (4) ~~Unless sooner revoked or suspended, a~~ A regular ~~initial~~ license ~~or a~~
22 ~~license renewal~~ issued to a rural medical center is valid ~~for 24 months from the date~~
23 ~~of issuance and a~~ until it is suspended or revoked. A provisional license issued to a
24 rural medical center is valid for 6 months from the date of issuance.

25 **SECTION 1643.** 50.535 of the statutes is created to read:

1 **50.535 Reporting.** Every 24 months, on a schedule determined by the
2 department, a licensed rural medical center shall submit a biennial report in the
3 form and containing the information that the department requires, including
4 payment of the fee required under s. 50.51 (2) (c). If a complete annual report is not
5 timely filed, the department shall issue a warning to the licensee. The department
6 may revoke the license for failure to timely and completely report within 60 days
7 after the report date established under the schedule determined by the department.

8 **SECTION 1644.** 50.56 (1) (intro.) of the statutes is amended to read:

9 **50.56 (1)** (intro.) Any of the following facilities or entities is not required to
10 obtain licensure or a certificate of approval under the following statutes or to pay
11 ~~initial or renewal~~ license fees under the following statutes if all of the services of the
12 facility or entity are provided as a part of a rural medical center that holds a ~~current,~~
13 valid license under this subchapter:

14 **SECTION 1645.** 50.57 of the statutes is created to read:

15 **50.57 Fees permitted for a workshop or seminar.** If the department
16 develops and provides a workshop or seminar relating to the provision of services by
17 rural medical centers under this subchapter, the department may establish a fee for
18 each workshop or seminar and impose the fee on registrants for the workshop or
19 seminar. A fee so established and imposed shall be in an amount sufficient to
20 reimburse the department for the costs directly associated with developing and
21 providing the workshop or seminar.

22 **SECTION 1646.** 50.92 (2) of the statutes is amended to read:

23 **50.92 (2)** The department shall issue ~~an initial license or a renewal of a license~~
24 if the department finds that the applicant is fit and qualified and that the hospice

1 meets the requirements of this subchapter and the rules promulgated under this
2 subchapter.

3 **SECTION 1647.** 50.92 (4) (a) of the statutes is amended to read:

4 50.92 (4) (a) In lieu of inspecting or investigating a hospice under sub. (3) prior
5 to issuance of ~~an initial~~ a license, the department may accept evidence that a hospice
6 applying for licensure under s. 50.93 has been inspected under and is currently
7 certified as meeting the conditions for medicare participation under 42 USC 1395 to
8 1395ccc. ~~In lieu of inspecting or investigating a hospice under sub. (3) prior to~~
9 ~~issuance of a license renewal, the department shall accept evidence that a hospice~~
10 ~~applying for licensure under s. 50.93 has been inspected under and is currently~~
11 ~~certified as meeting the conditions for medicare participation under 42 USC 1395 to~~
12 ~~1395ccc. The department shall inspect or investigate under sub. (3) prior to issuance~~
13 ~~of an initial license or a renewal of a license~~ If a hospice that fails to meet the
14 conditions for medicare participation under 42 USC 1395 to 1395ccc, the department
15 shall inspect or investigate the hospice under sub. (3) before initially issuing a license
16 for the hospice.

17 **SECTION 1648.** 50.92 (4) (b) of the statutes is amended to read:

18 50.92 (4) (b) In lieu of inspecting or investigating a hospice under sub. (3) prior
19 to issuance of ~~an initial license or a renewal of a license~~, the department may accept
20 evidence that a hospice applying for licensure under s. 50.93 has been inspected
21 under and is currently in compliance with the hospice requirements of the joint
22 commission for the accreditation of health organizations. A hospice shall provide the
23 department with a copy of the report by the joint commission for the accreditation
24 of health organizations of each periodic review the association conducts of the
25 hospice.

1 **SECTION 1649.** 50.92 (5) of the statutes is amended to read:

2 50.92 (5) The past record of violations of applicable laws or regulations of the
3 United States or of state statutes or rules of this or any other state, in the operation
4 of any health-related organization, by an operator, managing employe or direct or
5 indirect owner of a hospice or of an interest of a hospice is relevant to the issue of the
6 fitness of an applicant for ~~receipt of an initial license or the renewal of a license.~~ The
7 department or the department's designated representative shall inspect and
8 investigate as necessary to determine the conditions existing in each case under this
9 subsection and shall prepare and maintain a written report concerning the
10 investigation and inspection.

11 **SECTION 1650.** 50.93 (1) (intro.) of the statutes is amended to read:

12 50.93 (1) APPLICATION. (intro.) The application for ~~an initial license, for renewal~~
13 of a license or for a provisional license shall:

14 **SECTION 1651.** 50.93 (1) (c) of the statutes is amended to read:

15 50.93 (1) (c) Include licensing fee payment, unless the licensing fee is waived
16 by the department on a case-by-case basis under criteria for determining financial
17 hardship established in rules promulgated by the department. An initial licensing
18 fee is \$300, except that, for a hospice that is a nonprofit corporation and that is served
19 entirely by uncompensated volunteers or employs persons in not more than 1.5
20 positions at 40 hours of employment per week, the initial licensing fee is \$25. The
21 ~~renewal~~ annual fee thereafter is an amount equal to 0.15% of the net annual income
22 of the hospice, based on the most recent annual report of the hospice under ~~par. (d)~~
23 sub. (3m), or, if that amount is less than \$200, the renewal fee is \$200, whichever is
24 greater, and if that the amount equal to 0.15% of the net annual income of the hospice
25 is greater than \$1,000, the ~~renewal~~ fee is \$1,000, except that for a hospice that is a

1 nonprofit corporation and that is served entirely by uncompensated volunteers or
2 employs persons in not more than 1.5 positions at 40 hours of employment per week
3 the ~~renewal~~ annual fee is \$10. The amount of the provisional licensing fee shall be
4 established under s. 50.95 (2). The initial licensing fee for ~~an initial license~~ a hospice,
5 including the initial licensing fee for a hospice that is a nonprofit corporation and
6 that is served entirely by uncompensated volunteers or employs persons in not more
7 than 1.5 positions at 40 hours of employment per week, issued after September 1
8 shall may be prorated ~~according to the number of full months remaining in the~~
9 ~~license period.~~

10 **SECTION 1652.** 50.93 (1) (d) of the statutes is repealed.

11 **SECTION 1653.** 50.93 (2) (title) of the statutes is amended to read:

12 50.93 (2) (title) ISSUANCE OF INITIAL LICENSE ~~OR LICENSE RENEWAL.~~

13 **SECTION 1654.** 50.93 (2) (a) of the statutes is amended to read:

14 50.93 (2) (a) ~~Unless sooner revoked or suspended, an initial~~ A hospice license
15 or renewal of a license issued to a hospice is valid for 12 months from the date of
16 issuance until suspended or revoked.

17 **SECTION 1655.** 50.93 (2) (b) of the statutes is repealed.

18 **SECTION 1656.** 50.93 (2) (d) of the statutes is amended to read:

19 50.93 (2) (d) Any ~~initial license or renewal of a license shall state any additional~~
20 ~~information or~~ granted under special limitations prescribed by the department shall
21 state the limitations.

22 **SECTION 1657.** 50.93 (3m) of the statutes is created to read:

23 50.93 (3m) REPORTING. Every 12 months, on a schedule determined by the
24 department, a licensed hospice shall submit an annual report in the form and
25 containing the information that the department requires, including payment of the

1 fee required under sub. (1) (c), evidence of current certification as meeting the
2 conditions for medicare participation under 42 USC 1395 to 1395ccc and evidence of
3 current compliance with the hospice requirements of the joint commission for the
4 accreditation of health organizations. If a complete annual report is not timely filed,
5 the department shall issue a warning to the licensee. The department may revoke
6 the license for failure to timely and completely report within 60 days after the report
7 date established under the schedule determined by the department.

8 **SECTION 1658.** 50.93 (4) (title) of the statutes is amended to read:

9 50.93 (4) (title) ~~SUSPENSION, NONRENEWAL AND REVOCATION.~~

10 **SECTION 1659.** 50.93 (4) (a) of the statutes is amended to read:

11 50.93 (4) (a) The department, after notice to the applicant or licensee, may
12 suspend, or revoke ~~or refuse to renew~~ a license in any case in which the department
13 finds that there has been a substantial failure to comply with the requirements of
14 this subchapter or the rules promulgated under this subchapter. No state or federal
15 funds passing through the state treasury may be paid to a hospice not having a valid
16 license issued under this section.

17 **SECTION 1660.** 50.93 (4) (b) of the statutes is amended to read:

18 50.93 (4) (b) Notice under this subsection shall include a clear and concise
19 statement of the violations on which the ~~nonrenewal or~~ revocation is based, the
20 statute or rule violated and notice of the opportunity for an evidentiary hearing
21 under par. (c).

22 **SECTION 1661.** 50.93 (4) (c) of the statutes is amended to read:

23 50.93 (4) (c) If a hospice desires to contest the ~~nonrenewal or~~ revocation of a
24 license, the hospice shall, within 10 days after receipt of notice under par. (b), notify
25 the department in writing of its request for a hearing under s. 227.44.

1 **SECTION 1662.** 50.93 (4) (d) 2. of the statutes is repealed.

2 **SECTION 1663.** 50.93 (4) (d) 3. of the statutes is amended to read:

3 50.93 (4) (d) 3. The department may extend the effective date of license
4 revocation ~~or expiration~~ in any case in order to permit orderly removal and relocation
5 of individuals served by the hospice.

6 **SECTION 1664.** 50.95 (5) of the statutes is amended to read:

7 50.95 (5) Criteria for determining that the applicant for initial licensure ~~or~~
8 license renewal is fit and qualified.

9 **SECTION 1665.** 50.981 of the statutes is created to read:

10 **50.981 Fees permitted for a workshop or seminar.** If the department
11 develops and provides a workshop or seminar relating to the provision of services by
12 hospices under this subchapter, the department may establish a fee for each
13 workshop or seminar and impose the fee on registrants for the workshop or seminar.
14 A fee so established and imposed shall be in an amount sufficient to reimburse the
15 department for the costs directly associated with developing and providing the
16 workshop or seminar.

17 **SECTION 2106b.** 51.05 (3g) of the statutes is amended to read:

18 51.05 (3g) ~~Beginning October 1, 1994, the~~ The department shall annually
19 ~~increase rates charged for the various types of services provided by the mental health~~
20 ~~institutes by amounts that equal an average of at least a 10% total increase in rates~~
21 ~~reduce by \$500,000 the amount by which accumulated expenses of providing care to~~
22 ~~patients of the mental health institutes exceed the accumulated revenues from~~
23 ~~providing that care, until the accumulated revenues of the mental health institutes~~
24 are in balance with the accumulated expenses of the mental health institutes.

25 **SECTION 1666.** 51.05 (3m) of the statutes is amended to read:

1 51.05 (3m) Notwithstanding s. 20.903 (1), the department shall implement a
2 plan that is approved by the department of administration to assure that, before July
3 1, 1999, there are sufficient revenues, as projected by the department of health and
4 family services, to cover anticipated expenditures by that date under the
5 appropriation under s. 20.435 (2) (gk) for the purpose of reimbursing the provision
6 of care to patients of the Mendota mental health institute or the Winnebago mental
7 health institute and to ensure that the department complies with sub. (3g). The
8 department of health and family services shall make reports to the department of
9 administration every 3 months, beginning on October 1, 1993, and ending on July
10 1, 1999, concerning the implementation of this plan. The department of health and
11 family services shall make reports to the joint committee on finance by December 31
12 of each year that identify the change, during the preceding fiscal year, in the amount
13 by which the accumulated expenses of providing care to patients of the mental health
14 institutes exceed the accumulated revenues from providing that care; describe the
15 actions taken by the department during the preceding fiscal year to reduce that
16 amount; and describe the actions that the department is taking during the current
17 year to reduce that amount.

18 **SECTION 1667.** 51.05 (5) of the statutes is amended to read:

19 51.05 (5) SCHOOL ACTIVITIES. If an individual over the age of 2 and under the
20 age of 22 and eligible for schooling under ss. 115.76 (2) and 115.85 is committed,
21 admitted or transferred to or is a resident of the Mendota mental health institute or
22 Winnebago mental health institute, the individual shall attend a school program
23 operated by the applicable mental health institute or a school outside the applicable
24 mental health institute which is approved by the department of education public
25 instruction. A school program operated by the Mendota mental health institute or

1 Winnebago mental health institute shall be under the supervision of the department
2 of education public instruction and shall meet standards prescribed by that agency.

3 **SECTION 2109m.** 51.06 (title) of the statutes is amended to read:

4 **51.06 (title) Centers Center for the developmentally disabled.**

5 **SECTION 2109p.** 51.06 (1) (intro.) of the statutes is amended to read:

6 51.06 (1) PURPOSE. (intro.) The purpose of ~~the northern~~ any center for the
7 developmentally disabled, ~~central center for developmentally disabled and southern~~
8 ~~center for developmentally disabled~~ is to provide services needed by developmentally
9 disabled citizens of this state which are otherwise unavailable to them, and to return
10 ~~such~~ those persons to the community when their needs can be met at the local level.

11 Services to be provided by the department at ~~such centers~~ a center for the
12 developmentally disabled shall include all of the following:

13 **SECTION 2109r.** 51.06 (1) (d) of the statutes is amended to read:

14 51.06 (1) (d) ~~At the southern center for developmentally disabled, services~~
15 Services for up to ~~10~~ 22 individuals with developmental disability who are also
16 diagnosed as mentally ill or who exhibit extremely aggressive and challenging
17 behaviors ~~and at the northern center for developmentally disabled, services for up~~
18 ~~to 12 such individuals.~~

19 **SECTION 1668.** 51.06 (2) of the statutes is amended to read:

20 51.06 (2) SCHOOL ACTIVITIES. If an individual over the age of 2 years and under
21 the age of 22 years and eligible for schooling under ss. 115.76 (2) and 115.85 is
22 admitted to, is placed in or is a resident of a center, the individual shall attend a
23 school program operated by the center or a school outside the center which is
24 approved by the department of education public instruction. A school program

1 operated by the center shall be under the supervision of the department of education
2 public instruction and shall meet standards prescribed by that agency.

3 **SECTION 2110d.** 51.06 (3) of the statutes is amended to read:

4 51.06 (3) ADMISSION. ~~Individuals~~ An individual under the age of 22 years shall
5 may be placed only at the central a center for the developmentally disabled unless
6 that the department authorizes has authorized for the placement of the individual
7 at the northern or southern center for the developmentally disabled individuals
8 under the age of 22 years generally or at a center for the developmentally disabled
9 that the department has authorized for the placement of that individual specifically.

10 **SECTION 1669.** 51.07 (3) of the statutes is amended to read:

11 51.07 (3) The department may provide outpatient services only to patients
12 contracted for with county departments under ss. 51.42 and 51.437 in accordance
13 with s. 46.03 (18), except for those patients whom the department finds to be
14 nonresidents of this state and those patients specified in sub. (4) (a). The full and
15 actual cost less applicable collections of such services contracted for with county
16 departments under s. 51.42 or 51.437 shall be charged to the respective county
17 department under s. 51.42 or 51.437. The state shall provide the services required
18 for patient care only if no such outpatient services are funded by the department in
19 the county or group of counties served by the respective county department under s.
20 51.42 or 51.437.

21 **SECTION 1670.** 51.07 (4) of the statutes is created to read:

22 51.07 (4) (a) The department may provide outpatient services at the
23 Winnebago Mental Health Institute to a patient who is a pupil of a school district that
24 contracts with the department for the provision of those services. The department

1 shall charge the full and actual cost of those services contracted for to the school
2 district in which the patient is enrolled.

3 (b) If the Winnebago Mental Health Institute has provided a pupil of a school
4 district with the services contracted for under par. (a), the department shall
5 regularly bill the school district for the services provided and, subject to the
6 provisions of the contract, the school district shall pay the amount due within 60 days
7 after the billing date.

8 (c) The department shall credit any revenues received under this subsection
9 to the appropriation account under s. 20.435 (2) (gk).

10 **SECTION 2112r.** 51.13 (4) (g) (intro.) of the statutes is amended to read:

11 51.13 (4) (g) (intro.) If the court finds that the minor is in need of psychiatric
12 services, or services for developmental disability, alcoholism or drug abuse in an
13 inpatient facility, that the inpatient facility to which the minor is admitted offers
14 therapy or treatment which is appropriate for the minor's needs and which is the
15 least restrictive therapy or treatment consistent with the minor's needs and, in the
16 case of a minor aged 14 years of age or older, the application is voluntary on the part
17 of the minor, ~~it~~ the court shall permit voluntary admission. If the court finds that the
18 therapy or treatment in the inpatient facility to which the minor is admitted is not
19 appropriate or is not the least restrictive therapy or treatment consistent with the
20 minor's needs, the court may order placement in or transfer to another more
21 appropriate or less restrictive inpatient facility, except that the court may not permit
22 or order placement in or transfer to ~~the northern or southern centers~~ a center for the
23 developmentally disabled of a minor unless the department ~~gives approval for the~~
24 ~~placement or transfer~~ has authorized that center for the developmentally disabled
25 for the placement or transfer of minors generally or for the placement or transfer of

1 that minor specifically, and if the order of the court is approved by all of the following
2 if applicable:

3 **SECTION 2114m.** 51.20 (13) (c) 1. of the statutes is amended to read:

4 51.20 (13) (c) 1. The court shall designate the facility or service which is to
5 receive the subject individual into the mental health system, except that, if the
6 subject individual is under the age of 22 years and the facility is a center for the
7 developmentally disabled, the court ~~shall~~ may designate only ~~the central~~ a center for
8 the developmentally disabled ~~unless that the department authorizes designation of~~
9 ~~the northern or southern center~~ has authorize for the placement of individuals under
10 the age of 22 years generally or a center for the developmentally disabled that the
11 department has authorized for the placement of that individual specifically;

12 **SECTION 2114p.** 51.20 (13) (c) 2. of the statutes is amended to read:

13 51.20 (13) (c) 2. The county department under s. 51.42 or 51.437 shall arrange
14 for treatment in the least restrictive manner consistent with the requirements of the
15 subject individual in accordance with a court order designating the maximum level
16 of inpatient facility, if any, which may be used for treatment, except that, if the
17 subject individual is under the age of 22 years and the facility is a center for the
18 developmentally disabled, designation shall be only to ~~the central~~ a center for the
19 developmentally disabled ~~unless that the department authorizes~~ has authorized for
20 the placement of the individual at the northern or southern individuals under the
21 age of 22 years generally or to a center for the developmentally disabled that the
22 department has authorized for the placement of that individual specifically; and

23 **SECTION 2114r.** 51.20 (13) (f) of the statutes is amended to read:

24 51.20 (13) (f) The county department under s. 51.42 or 51.437 which receives
25 an individual who is committed by a court under par. (a) 3. is authorized to place such

1 individual in an approved treatment facility subject to any limitations which are
2 specified by the court under par. (c) 2. The county department shall place the subject
3 individual in the treatment program and treatment facility which is least restrictive
4 of the individual's personal liberty, consistent with the treatment requirements of
5 the individual. The county department shall have ongoing responsibility to review
6 the individual's needs, in accordance with sub. (17), and transfer the person to the
7 least restrictive program consistent with the individual's needs. If the subject
8 individual is under the age of 22 years and if the facility appropriate for placement
9 or transfer is a center for the developmentally disabled, placement or transfer of the
10 individual ~~shall~~ may be made only to ~~the central~~ a center for the developmentally
11 disabled ~~unless that the department authorizes~~ has authorized for the placement or
12 ~~transfer to the northern or southern~~ of individuals under the age of 22 years
13 generally or to a center for the developmentally disabled that the department has
14 authorized for the placement or transfer of that individual specifically.

15 **SECTION 2120r.** 51.35 (1) (bm) of the statutes is amended to read:

16 51.35 (1) (bm) Notwithstanding par. (b), transfer of a patient under the age of
17 22 years to a center for the developmentally disabled may be made only to ~~the central~~
18 a center for the developmentally disabled unless that the department authorizes the
19 ~~transfer of the patient to the northern or southern~~ has authorized for the transfer of
20 patients under the age of 22 years generally or to a center for the developmentally
21 ~~disabled~~ that the department has authorized for the transfer of that patient
22 specifically.

23 **SECTION 1671.** 51.42 (3) (bm) of the statutes is amended to read:

1 51.42 (3) (bm) *Educational services*. A county department of community
2 programs may not furnish services and programs provided by the department of
3 education public instruction and local educational agencies.

4 **SECTION 1672.** 51.42 (7) (a) 5. of the statutes is amended to read:

5 51.42 (7) (a) 5. Ensure that county departments of community programs that
6 elect to provide special education programs to children aged 3 years and under
7 comply with requirements established by the department of education public
8 instruction.

9 **SECTION 1673.** 51.423 (1) of the statutes is amended to read:

10 51.423 (1) The department shall fund, within the limits of the department's
11 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (kw) and (o)
12 and subject to this section, services for mental illness, developmental disability,
13 alcoholism and drug abuse to meet standards of service quality and accessibility. The
14 department's primary responsibility is to guarantee that county departments
15 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum
16 level of funding and its secondary responsibility is to fund programs which meet
17 exceptional community needs or provide specialized or innovative services. Moneys
18 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental
19 health services under s. 20.435 (7) (o) shall be allocated by the department to county
20 departments under s. 51.42 or 51.437 in the manner set forth in this section.

21 **SECTION 1674.** 51.423 (2) of the statutes is amended to read:

22 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and
23 (o), the department shall distribute the funding for services provided or purchased
24 by county departments under s. 46.23, 51.42 or 51.437 to such county departments
25 as provided under s. 46.40. County matching funds are required for the distributions

1 under s. 46.40 (2). Each county's required match for a year equals 9.89% of the total
2 of the county's distributions for that year for which matching funds are required plus
3 the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
4 juvenile delinquency-related services from its distribution for 1987. Matching funds
5 may be from county tax levies, federal and state revenue sharing funds or private
6 donations to the counties that meet the requirements specified in sub. (5). Private
7 donations may not exceed 25% of the total county match. If the county match is less
8 than the amount required to generate the full amount of state and federal funds
9 distributed for this period, the decrease in the amount of state and federal funds
10 equals the difference between the required and the actual amount of county
11 matching funds.

12 **SECTION 2132m.** 51.423 (12) of the statutes is amended to read:

13 51.423 (12) The department may not provide state aid to any county
14 department under s. 51.42 or 51.437 for excessive inpatient treatment. For each
15 county department under ss. 51.42 and 51.437 in each calendar year, sums expended
16 for the 22nd and all subsequent average days of care ~~shall be deemed~~ are considered
17 excessive inpatient treatment. No inpatient treatment provided to ~~children,~~
18 ~~adolescents~~ a child, adolescent, chronically mentally ill ~~patients,~~ patient,
19 patient requiring specialized care at a mental health institute, or ~~patients at the~~
20 ~~centers~~ patient at a center for the developmentally disabled ~~may be deemed~~ is
21 considered excessive. If a patient is discharged or released and then readmitted
22 within 60 days after such discharge or release from an inpatient facility, the number
23 of days of care following readmission shall be added to the number of days of care
24 before discharge or release for the purpose of calculating the total length of such
25 patient's stay in the inpatient facility.

1 **SECTION 1675.** 51.437 (4r) (a) 1. of the statutes is amended to read:

2 51.437 (**4r**) (a) 1. May not furnish services and programs provided by the
3 department of ~~education~~ public instruction and local educational agencies.

4 **SECTION 1676.** 51.437 (4rm) (a) of the statutes is amended to read:

5 51.437 (**4rm**) (a) A county department of developmental disabilities services
6 shall authorize all care of any patient in a state, local or private facility under a
7 contractual agreement between the county department of developmental disabilities
8 services and the facility, unless the county department of developmental disabilities
9 services governs the facility. The need for inpatient care shall be determined by the
10 program director or designee in consultation with and upon the recommendation of
11 a licensed physician trained in psychiatry and employed by the county department
12 of developmental disabilities services or its contract agency prior to the admission
13 of a patient to the facility except in the case of emergency services. In cases of
14 emergency, a facility under contract with any county department of developmental
15 disabilities services shall charge the county department of developmental
16 disabilities services having jurisdiction in the county where the individual receiving
17 care is found. The county department of developmental disabilities services shall
18 reimburse the facility, except as provided under par. (c), for the actual cost of all
19 authorized care and services less applicable collections under s. 46.036, unless the
20 department of health and family services determines that a charge is
21 administratively infeasible, or unless the department of health and family services,
22 after individual review, determines that the charge is not attributable to the cost of
23 basic care and services. The exclusionary provisions of s. 46.03 (18) do not apply to
24 direct and indirect costs which are attributable to care and treatment of the client.
25 County departments of developmental disabilities services may not reimburse any

1 state institution or receive credit for collections for care received therein by
2 nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3) (a),
3 commitments under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14,
4 971.17 or 975.06, admissions under s. 975.17, 1977 stats., or children placed in the
5 guardianship of the department of health and family services under s. 48.427 or
6 48.43 or under the supervision of the department of corrections under s. 938.183 (2)
7 or 938.355.

8 **SECTION 1677.** 51.437 (4rm) (c) 1. of the statutes is amended to read:

9 51.437 (**4rm**) (c) 1. Regularly bill the county department of developmental
10 disabilities services for services ~~provided prior to January 1, 1982 as specified in par.~~
11 ~~(c) 2. a. and 2m. If collections for care received by the department of health and family~~
12 ~~services prior to January 1, 1982, exceed current billings, the difference shall be~~
13 ~~remitted to the county department of developmental disabilities services through the~~
14 ~~appropriation under s. 20.435 (2) (gk). If billings for the quarter ending December~~
15 ~~31, 1981, exceed collections for care received by the department of health and family~~
16 ~~services during the quarter ending December 31, 1981, collections for care provided~~
17 ~~prior to January 1, 1982, shall be remitted to the county department of~~
18 ~~developmental disabilities services through the appropriation under s. 20.435 (2)~~
19 ~~(gk), up to the level of the net amount billed the county department of developmental~~
20 ~~disabilities services for the quarter ending December 31, 1981. Under this section,~~
21 ~~collections on or after January 1, 1976, from medical assistance shall be the approved~~
22 ~~amounts listed by the patient on remittance advices from the medical assistance~~
23 ~~carrier, not including adjustments due to retroactive rate approval and less any~~
24 ~~refunds to the medical assistance program. For care provided on and after January~~
25 ~~1, 1978, the department of health and family services shall adjust collections from~~

1 medical assistance to compensate for differences between specific rate scales for care
2 charged to the county department of developmental disabilities services and the
3 average daily medical assistance reimbursement rate. Payment shall be due from
4 the county department of developmental disabilities services within 60 days of the
5 billing date subject to provisions of the contract. If any payment has not been
6 received within 60 days, the department of health and family services shall deduct
7 all or part of the amount due from any payment due from the department of health
8 and family services to the county department of developmental disabilities services.

9 **SECTION 1678.** 51.437 (4rm) (c) 2. b. of the statutes is amended to read:

10 51.437 (**4rm**) (c) 2. b. Bill the county department of developmental disabilities
11 services for services provided on or after January 1, 1982, at 10% of the rate paid by
12 medical assistance, excluding any retroactive rate adjustment December 31, 1997,
13 at \$48 per day, if the guardian or parent of the person served does not object to
14 placement of the person in the community and if an independent professional review
15 established under 42 USC 1396a (a) (31) designates the person served as appropriate
16 for community care, including persons who have been admitted for more than 180
17 consecutive days and for whom the cost of care in the community would be less than
18 \$184 per day. The department of health and family services shall use money it
19 receives from the county department of developmental disabilities services to offset
20 the state's share of medical assistance. Payment is due from the county department
21 of developmental disabilities services within 60 days of the billing date, subject to
22 provisions of the contract. If the department of health and family services does not
23 receive any payment within 60 days, it shall deduct all or part of the amount due from
24 any payment the department of health and family services is required to make to the
25 county department of developmental disabilities services. The department of health

1 and family services shall first use collections received under s. 46.10 as a result of
2 care at a center for the developmentally disabled to reduce the costs paid by medical
3 assistance, and shall remit the remainder to the county department of
4 developmental disabilities services up to the portion billed. The department of
5 health and family services shall use the appropriation under s. 20.435 (2) (gk) to
6 remit collection credits and other appropriate refunds to county departments of
7 developmental disabilities services.

8 **SECTION 1679.** 51.437 (4rm) (c) 2m. of the statutes is amended to read:

9 51.437 (**4rm**) (c) 2m. Bill the county department of developmental disabilities
10 services for services provided under s. 51.06 (1) (d) to individuals who are eligible for
11 medical assistance that are not provided by the federal government, using the
12 procedure established under subd. 1.

13 **SECTION 1680.** 51.437 (14) (g) of the statutes is amended to read:

14 51.437 (**14**) (g) Ensure that any county department of developmental
15 disabilities services which elects to provide special education programs to children
16 aged 3 years and under complies with requirements established by the department
17 of education public instruction.

18 **SECTION 1681.** 51.44 (3) (a) of the statutes is amended to read:

19 51.44 (**3**) (a) From the appropriations under s. 20.435 (~~3~~) (7) (bt) and (nL) the
20 department shall allocate and distribute funds to counties to provide or contract for
21 the provision of early intervention services to individuals eligible to receive the early
22 intervention services.

23 **SECTION 1682.** 51.45 (4) (d) of the statutes is amended to read:

24 51.45 (**4**) (d) Cooperate with the department of education public instruction,
25 local boards of education, schools, police departments, courts, and other public and

1 private agencies, organizations and individuals in establishing programs for the
2 prevention of alcoholism and treatment of alcoholics and intoxicated persons, and
3 preparing curriculum materials thereon for use at all levels of school education.

4 **SECTION 1683.** 51.45 (5) (b) (intro.) of the statutes is amended to read:

5 51.45 (5) (b) (intro.) The department shall select, upon application by counties,
6 county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 in up to 8 counties
7 representing various geographical regions and populations and shall, from the
8 appropriations under s. 20.435 (7) (f) and ~~(mb)~~ (3) (fm) and (nL), award a total of not
9 more than \$500,000 in grants in each fiscal year to the selected county departments
10 to participate in a program to implement and coordinate alcohol and other drug
11 abuse programs and services relating to primary prevention. The county
12 department in each county receiving funding under this paragraph shall appoint or
13 contract with an alcohol and other drug abuse prevention specialist whose duties
14 shall include all of the following:

15 **SECTION 2155r.** 51.61 (5) (a) of the statutes is amended to read:

16 51.61 (5) (a) The department shall establish procedures to assure protection
17 of patients' rights guaranteed under this chapter, and shall, except for the grievance
18 procedures of the Mendota and Winnebago mental health institutes and the a state
19 ~~centers~~ center for the developmentally disabled, implement a grievance procedure
20 which complies with par. (b) to assure that rights of patients under this chapter are
21 protected and enforced by the department, by service providers and by county
22 departments under ss. 51.42 and 51.437. The procedures established by the
23 department under this subsection apply to patients in private hospitals or public
24 general hospitals.

25 **SECTION 1684.** 51.62 (3m) of the statutes is amended to read:

1 51.62 **(3m)** FUNDING. From the appropriation under s. 20.435 (7) (md), the
2 department shall may not distribute more than \$75,000 in each fiscal year to the
3 protection and advocacy agency for performance of community mental health
4 protection and advocacy services.

5 **SECTION 2157g.** 51.67 (intro.) of the statutes is amended to read:

6 **51.67 Alternate procedure; protective services.** (intro.) If, after hearing
7 under s. 51.13 (4) or 51.20, the court finds that commitment under this chapter is not
8 warranted and that the subject individual is a fit subject for guardianship and
9 protective placement or services, the court may, without further notice, appoint a
10 temporary guardian for the subject individual and order temporary protective
11 placement or services under ch. 55 for a period not to exceed 30 days. If the court
12 orders temporary protective placement for an individual under the age of 22 years
13 in a center for the developmentally disabled, this placement may be made only at the
14 ~~central~~ a center for the developmentally disabled ~~unless that~~ the department
15 ~~authorizes~~ has authorized for the placement or transfer to the northern or southern
16 of individuals under the age of 22 years generally or at a center for the
17 developmentally disabled that the department has authorized for the placement or
18 transfer of that individual specifically. Any interested party may then file a petition
19 for permanent guardianship or protective placement or services, including
20 medication, under ch. 55. If the individual is in a treatment facility, the individual
21 may remain in the facility during the period of temporary protective placement if no
22 other appropriate facility is available. The court may order psychotropic medication
23 as a temporary protective service under this section if it finds that there is probable
24 cause to believe the individual is not competent to refuse psychotropic medication
25 and that the medication ordered will have therapeutic value and will not

1 unreasonably impair the ability of the individual to prepare for and participate in
2 subsequent legal proceedings. An individual is not competent to refuse psychotropic
3 medication if, because of chronic mental illness, and after the advantages and
4 disadvantages of and alternatives to accepting the particular psychotropic
5 medication have been explained to the individual, one of the following is true:

6 **SECTION 2157m.** 55.06 (9) (a) of the statutes is amended to read:

7 55.06 (9) (a) The court may order protective services under s. 55.05 (2) (d) as
8 an alternative to placement. When ordering placement, the court, on the basis of the
9 evaluation and other relevant evidence shall order the appropriate board specified
10 under s. 55.02 or an agency designated by it to protectively place the individual.
11 Placement by the appropriate board or designated agency shall be made in the least
12 restrictive environment consistent with the needs of the person to be placed and with
13 the placement resources of the appropriate board specified under s. 55.02. Factors
14 to be considered in making protective placement shall include the needs of the person
15 to be protected for health, social or rehabilitative services; the level of supervision
16 needed; the reasonableness of the placement given the cost and the actual benefits
17 in the level of functioning to be realized by the individual; the limits of available state
18 and federal funds and of county funds required to be appropriated to match state
19 funds; and the reasonableness of the placement given the number or projected
20 number of individuals who will need protective placement and given the limited
21 funds available. The county may not be required to provide funding, in addition to
22 its funds that are required to be appropriated to match state funds, in order to
23 protectively place an individual. Placement under this section does not replace
24 commitment of a person in need of acute psychiatric treatment under s. 51.20 or
25 51.45 (13). Placement may be made to such facilities as a nursing homes, home, a

1 public medical ~~institutions, centers~~ institution, a center for the developmentally
2 disabled under the requirements of s. 51.06 (3), ~~a foster care services and home or~~
3 other home ~~placements~~ placement, or to any other appropriate ~~facilities~~ facility but
4 may not be made to ~~units~~ a unit for the acutely mentally ill. The prohibition of
5 placements in units for the acutely mentally ill does not prevent placement by a court
6 for short-term diagnostic procedures under par. (d). Placement in a locked unit shall
7 require a specific finding of the court as to the need for such action. A placement
8 facility may transfer a patient from a locked unit to a less restrictive environment
9 without court approval.

10 **SECTION 2157p.** 55.06 (16) of the statutes is amended to read:

11 55.06 (16) Placements to ~~centers~~ a center for the developmentally disabled and
12 discharges from such ~~institutions~~ an institution shall be in compliance with s. 51.35
13 (4).

14 **SECTION 1685.** 59.07 (1) of the statutes is amended to read:

15 59.07 (1) No action may be brought or maintained against a county upon a
16 claim or upon a cause of action unless the claimant complies with s. 893.80. This
17 subsection does not apply to actions commenced under s. 19.37 ~~or~~, 19.97 or 281.99.

18 **SECTION 1686.** 59.23 (2) (j) of the statutes is amended to read:

19 59.23 (2) (j) (title) *School taxes, records to department of ~~education~~ public*
20 *instruction*. Transmit to the department of ~~education~~ public instruction on the last
21 Monday in December in each year certified copies of all resolutions adopted and
22 proceedings of the board passed or had during the preceding year relating to the
23 raising of any money for school purposes, and report the amount to be raised in each
24 town in the county.

25 **SECTION 2160m.** 59.25 (3) (f) 2. of the statutes is amended to read:

1 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
2 deposited in the state treasury, the amounts required by s. 165.87 for the penalty
3 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
4 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
5 weapons assessment, the amounts required by s. 973.045 for the crime victim and
6 witness assistance surcharge, the amounts required by s. 973.046 for the
7 deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for
8 the drug abuse program improvement surcharge, the amounts authorized by s.
9 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse assessment, the
10 amounts required by s. 253.06 (4) (c) for the enforcement assessment under the
11 supplemental food program for women, infants and children, the amounts required
12 by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the amounts
13 required by s. 102.85 (4) for the uninsured employer assessment, the amounts
14 required by s. 299.93 for the environmental assessment, the amounts required by s.
15 29.9965 for the wild animal protection assessment, the amounts required by s.
16 29.997 for the natural resources assessment surcharge, the amounts required by s.
17 29.9967 for the fishing shelter removal assessment, the amounts required by s.
18 350.115 for the snowmobile registration restitution payment and the amounts
19 required by s. 29.998 for natural resources restitution payments, transmit to the
20 state treasurer a statement of all moneys required by law to be paid on the actions
21 entered during the preceding month on or before the first day of the next succeeding
22 month, certified by the county treasurer's personal signature affixed or attached
23 thereto, and at the same time pay to the state treasurer the amount thereof.

24 **SECTION 2160p.** 59.25 (3) (f) 2. of the statutes, as affected by 1997 Wisconsin
25 Act (this act), is repealed and recreated to read:

1 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
2 deposited in the state treasury, the amounts required by s. 165.87 for the penalty
3 assessment surcharge, the amounts required by s. 165.755 for the crime laboratories
4 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
5 weapons assessment, the amounts required by s. 973.045 for the crime victim and
6 witness assistance surcharge, the amounts required by 938.34 (8d) for the
7 delinquency victim and witness assistance surcharge, the amounts required by s.
8 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
9 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
10 authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse
11 assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment
12 under the supplemental food program for women, infants and children, the amounts
13 required by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the
14 amounts required by s. 102.85 (4) for the uninsured employer assessment, the
15 amounts required by s. 299.93 for the environmental assessment, the amounts
16 required by s. 29.9965 for the wild animal protection assessment, the amounts
17 required by s. 29.997 for the natural resources assessment surcharge, the amounts
18 required by s. 29.9967 for the fishing shelter removal assessment, the amounts
19 required by s. 350.115 for the snowmobile registration restitution payment and the
20 amounts required by s. 29.998 for natural resources restitution payments, transmit
21 to the state treasurer a statement of all moneys required by law to be paid on the
22 actions entered during the preceding month on or before the first day of the next
23 succeeding month, certified by the county treasurer's personal signature affixed or
24 attached thereto, and at the same time pay to the state treasurer the amount thereof.

25 **SECTION 2160r.** 59.27 (12) of the statutes is created to read:

1 59.27 (12) Before conducting a sale of foreclosed property, contact the clerk of
2 the federal bankruptcy court to determine whether the court has granted a stay of
3 relief on that property.

4 **SECTION 2160s.** 59.32 (1) of the statutes is amended to read:

5 59.32 (1) SHERIFF; FEES. The sheriff shall collect the fees prescribed in s. 814.70,
6 unless a higher fee is applicable under s. 814.705 (1) (a) or (2), and remit them to the
7 treasurer as provided in s. 59.22 (1) (b).

8 **SECTION 1687.** 59.40 (2) (h) of the statutes is repealed.

9 **SECTION 2163m.** 59.40 (2) (m) of the statutes is amended to read:

10 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
11 percentage of the fees required to be paid on each civil action, criminal action and
12 special proceeding filed during the preceding month and pay monthly to the
13 treasurer for the use of the state the percentage of court imposed fines and forfeitures
14 required by law to be deposited in the state treasury, the amounts required by s.
15 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s.
16 165.755 for the crime laboratories and drug law enforcement assessment, the
17 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required
18 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts
19 required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts
20 required by s. 961.41 (5) for the drug abuse program improvement surcharge, the
21 amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 for the domestic
22 abuse assessment surcharge, the amounts required by s. 253.06 (4) (c) for the
23 enforcement assessment under the supplemental food program for women, infants
24 and children, the amounts required by s. 346.655 for the driver improvement
25 surcharge, the amounts required by s. 102.85 (4) for the uninsured employer

1 assessment, the amounts required by s. 299.93 for the environmental assessment,
2 the amounts required under s. 29.9965 for the wild animal protection assessment,
3 the amounts required under s. 29.997 (1) (d) for the natural resources assessment
4 surcharge, the amounts required by s. 29.9967 for the fishing shelter removal
5 assessment, the amounts required by s. 350.115 for the snowmobile registration
6 restitution payment and the amounts required under s. 29.998 (1) (d) for the natural
7 resources restitution payments. The payments shall be made by the 15th day of the
8 month following receipt thereof.

9 **SECTION 2163p.** 59.40 (2) (m) of the statutes, as affected by 1997 Wisconsin Act
10 (this act), is repealed and recreated to read:

11 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
12 percentage of the fees required to be paid on each civil action, criminal action and
13 special proceeding filed during the preceding month and pay monthly to the
14 treasurer for the use of the state the percentage of court imposed fines and forfeitures
15 required by law to be deposited in the state treasury, the amounts required by s.
16 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s.
17 165.755 for the crime laboratories and drug law enforcement assessment, the
18 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required
19 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts
20 required by s. 938.34 (8d) for the delinquency victim and witness assistance
21 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis
22 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program
23 improvement surcharge, the amounts authorized by s. 971.37 (1m) (c) 1. or required
24 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by
25 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food

1 program for women, infants and children, the amounts required by s. 346.655 for the
2 driver improvement surcharge, the amounts required by s. 102.85 (4) for the
3 uninsured employer assessment, the amounts required by s. 299.93 for the
4 environmental assessment, the amounts required under s. 29.9965 for the wild
5 animal protection assessment, the amounts required under s. 29.997 (1) (d) for the
6 natural resources assessment surcharge, the amounts required by s. 29.9967 for the
7 fishing shelter removal assessment, the amounts required by s. 350.115 for the
8 snowmobile registration restitution payment and the amounts required under s.
9 29.998 (1) (d) for the natural resources restitution payments. The payments shall
10 be made by the 15th day of the month following receipt thereof.

11 **SECTION 2164am.** 59.43 (1) (u) of the statutes is repealed.

12 **SECTION 2164c.** 59.43 (2) (ag) 1. of the statutes is amended to read:

13 59.43 (2) (ag) 1. ~~After June 30, 1991, and subject to s. 59.72 (5), for~~ For
14 recording any instrument entitled to be recorded in the office of the register of deeds,
15 ~~\$10~~ \$8 for the first page if the county maintains a land information office under s.
16 59.72 (3) and \$4 for the first page if the county does not maintain such an office, and
17 \$2 for each additional page, except that no fee may be collected for recording a change
18 of address that is exempt from a filing fee under s. 181.68 (1) (b) or (e) or 185.83 (1)
19 (b).

20 **SECTION 2164e.** 59.43 (2) (e) of the statutes is amended to read:

21 59.43 (2) (e) ~~After June 30, 1991, and subject to s. 59.72 (5), for~~ For filing any
22 instrument which is entitled to be filed in the office of register of deeds and for which
23 no other specific fee is specified, ~~\$10~~ \$8 for the first page if the county maintains a
24 land information office under s. 59.72 (3) and \$4 for the first page if the county does
25 not maintain such an office, and \$2 for each additional page.

1 **SECTION 1688.** 59.53 (5) of the statutes, as affected by 1997 Wisconsin Act 3,
2 is amended to read:

3 **59.53 (5)** CHILD AND SPOUSAL SUPPORT; PATERNITY PROGRAM; MEDICAL SUPPORT
4 LIABILITY PROGRAM. The board shall contract with the department of workforce
5 development to implement and administer the child and spousal support and
6 establishment of paternity and the medical support liability programs provided for
7 by Title IV of the federal social security act. The board may designate by board
8 resolution any office, officer, board, department or agency, except the clerk of circuit
9 court, as the county designee child support agency. The board or ~~its designee~~ county
10 child support agency shall implement and administer the programs in accordance
11 with the contract with the department of workforce development. The attorneys
12 responsible for support enforcement under sub. (6) (a), family court commissioner,
13 ~~clerk of court~~ and all other county officials shall cooperate with the county and the
14 department of workforce development as necessary to provide the services required
15 under the programs. The county shall charge the fee established by the department
16 of workforce development under s. 49.22 for services provided under this subsection
17 to persons not receiving benefits under s. 49.148, 49.153 or 49.155 or assistance
18 under s. 46.261, 49.19 or 49.47.

19 **SECTION 1689.** 59.53 (5) of the statutes, as affected by 1997 Wisconsin Act ...
20 (this act), is renumbered 59.53 (5) (a) and amended to read:

21 **59.53 (5) (a)** The board shall contract with the department of workforce
22 development to implement and administer the child and spousal support and
23 establishment of paternity and the medical support liability programs provided for
24 by Title IV of the federal social security act. The board may designate by board
25 resolution any office, officer, board, department or agency, except the clerk of circuit

1 court, as the county child support agency. The board or county child support agency
2 shall implement and administer the programs in accordance with the contract with
3 the department of workforce development. The attorneys responsible for support
4 enforcement under sub. (6) (a), family court commissioner and all other county
5 officials shall cooperate with the county and the department of workforce
6 development as necessary to provide the services required under the programs. The
7 county shall charge the fee established by the department of workforce development
8 under s. 49.22 for services provided under this ~~subsection~~ paragraph to persons not
9 receiving benefits under s. 49.148, 49.153 or 49.155 or assistance under s. 46.261,
10 49.19 or 49.47.

11 **SECTION 1690.** 59.53 (5) (b) of the statutes is created to read:

12 59.53 (5) (b) The county child support agency under par. (a) shall electronically
13 enter into the statewide data system related to child and spousal support payments
14 that is operated by the department of workforce development the terms of any order
15 made or judgment granted in the circuit court of the county requiring payments
16 under s. 948.22 (7) or ch. 767 or 769 that are directed under s. 767.29 (1) to be paid
17 to the department of workforce development or its designee. The county child
18 support agency shall enter the terms of any such order or judgment within the time
19 required by federal law and shall enter revisions ordered by the court to any order
20 or judgment the terms of which are maintained on the data system.

21 **SECTION 1691.** 59.53 (5m) of the statutes is repealed.

22 **SECTION 1692.** 59.58 (3) (d) 2. of the statutes is amended to read:

23 59.58 (3) (d) 2. School bus transportation businesses or systems that are
24 engaged primarily in the transportation of children to or from school, and which are

1 subject to the regulatory jurisdiction of the department of transportation and the
2 department of education public instruction.

3 **SECTION 1693.** 59.64 (1) (a) of the statutes is amended to read:

4 59.64 (1) (a) *In general.* Every person, except jurors, witnesses and
5 interpreters, and except physicians or other persons who are entitled to receive from
6 the county fees for reporting to the register of deeds births or deaths, which have
7 occurred under their care, having any claim against any county shall comply with
8 s. 893.80. This ~~subsection~~ paragraph does not apply to actions commenced under s.
9 19.37 ~~or~~, 19.97 or 281.99.

10 **SECTION 2174j.** 59.69 (5) (e) 7. of the statutes is amended to read:

11 59.69 (5) (e) 7. When any lands previously under the jurisdiction of a county
12 zoning ordinance have been finally removed from such jurisdiction by reason of
13 annexation to an incorporated municipality or by reason of annexation to an
14 incorporated municipality and town board approval of zoning changes under s. 62.23
15 (7) (am), and after the regulations imposed by the county zoning ordinance have
16 ceased to be effective as provided in sub. (7), the board may, on the recommendation
17 of its zoning agency, enact amendatory ordinances that remove or delete the annexed
18 lands from the official zoning map or written descriptions without following any of
19 the procedures provided in subds. 1. to 6., and such amendatory ordinances shall
20 become effective upon enactment and publication. A copy of the ordinance shall be
21 forwarded by the clerk to the clerk of each town in which the lands affected were
22 previously located. Nothing in this paragraph shall be construed to nullify or
23 supersede s. 80.64.

24 **SECTION 2174m.** 59.69 (7) of the statutes is amended to read:

1 59.69 (7) CONTINUED EFFECT OF ORDINANCE. ~~Whenever~~ Subject to s. 62.23 (7)
2 (am), if an area which has been subject to a county zoning ordinance petitions to
3 become part of a city or village, the regulations imposed by the county zoning
4 ordinance shall continue in effect, without change, and shall be enforced by the city
5 or village until the regulations have been changed by official action of the governing
6 body of the city or village, except that in the event an ordinance of annexation is
7 contested in the courts, the county zoning shall prevail and the county shall have
8 jurisdiction over the zoning in the area affected until ultimate determination of the
9 court action.

10 **SECTION 2174r.** 59.693 (9) (d) of the statutes is created to read:

11 59.693 (9) (d) If the board of commissioners of the Illinois Fox River commission
12 consents, Racine County or Waukesha County, or both, may empower the
13 commission by ordinance to administer an ordinance that is enacted under this
14 section, whether or not the area otherwise served by the commission includes all of
15 Racine County or Waukesha County. Section 66.30 does not apply to this paragraph.

16 **SECTION 2175aj.** 59.72 (1) (a) of the statutes is amended to read:

17 59.72 (1) (a) “Land information” ~~has the meaning given in s. 16.967 (1) (b)~~
18 means any physical, legal, economic or environmental information or characteristics
19 concerning land, water, groundwater, subsurface resources or air in this state. “Land
20 information” includes information relating to topography, soil, soil erosion, geology,
21 minerals, vegetation, land cover, wildlife, associated natural resources, land
22 ownership, land use, land use controls and restriction, jurisdictional boundaries, tax
23 assessment, land value, land survey records and references, geodetic control
24 networks, aerial photographs, maps, planimetric data, remote sensing data, historic
25 and prehistoric sites and economic projections.

1 **SECTION 2175ak.** 59.72 (1) (am) of the statutes is repealed.

2 **SECTION 2175aL.** 59.72 (1) (b) of the statutes is amended to read:

3 59.72 (1) (b) "Land records" ~~has the meaning given in s. 16.967 (1) (d)~~ means
4 maps, documents, computer files and any other storage medium in which land
5 information is recorded.

6 **SECTION 2175am.** 59.72 (3) (intro.), (a) and (b) of the statutes are consolidated,
7 renumbered 59.72 (3) and amended to read:

8 59.72 (3) LAND INFORMATION OFFICE. The board may establish a separate county
9 land information office or may direct that ~~the functions and duties of the office be~~
10 ~~performed by an office be established within~~ an existing department, board,
11 commission, agency, institution, authority or office. The county land information
12 office shall: ~~(a) Coordinate~~ coordinate land information projects within the county,
13 between the county and local governmental units, between the state and local
14 governmental units and among local governmental units, the federal government
15 and the private sector. ~~(b) Within~~ If the board establishes a land information office,
16 the board shall, within 2 years after the land information office is established,
17 ~~develop and receive approval for a countywide plan for land records modernization.~~
18 ~~The plan shall be submitted for approval to the land information board under s.~~
19 ~~16.967 (3) (c).~~

20 **SECTION 2175b** 59.72 (3) (c) and (4) of the statutes are repealed.

21 **SECTION 2175c.** 59.72 (5) of the statutes is repealed and recreated to read:

22 59.72 (5) LAND RECORD MODERNIZATION FUNDING. A county which establishes a
23 land information office shall use \$4 of the \$8 per page received under s. 59.43 (2) (ag)
24 1. and (e) to develop, implement and maintain a countywide plan for land records
25 modernization.

1 **SECTION 2178n.** 60.23 (25) of the statutes, as affected by 1995 Wisconsin Act
2 289, is amended to read:

3 **60.23 (25) SELF-INSURED HEALTH PLANS.** Provide health care benefits to its
4 officers and employes on a self-insured basis if the self-insured plan complies with
5 ss. 631.89, 631.90, 631.93 (2), 632.745 (2), (3) and (5) (a) 2. and (b) 2., 632.747 (3),
6 632.87 (4) and (5), 632.895 (9), (11) and (12) and 632.896.

7 **SECTION 1694.** 60.33 (9) (a) of the statutes is amended to read:

8 **60.33 (9) (a)** Perform the clerk's duties under chs. 115 to 121, relating to
9 education public instruction.

10 **SECTION 2179m.** 60.351 (1) of the statutes is amended to read:

11 **60.351 (1)** Town constables shall collect the fees prescribed for sheriffs in s.
12 814.70 for similar services, unless a higher fee is applicable under s. 814.705 ~~(4)~~ (1)
13 (d).

14 **SECTION 1695.** 60.44 (1) (a) of the statutes is amended to read:

15 **60.44 (1) (a)** Claims for money against a town or against officers, officials,
16 agents or employes of the town arising out of acts done in their official capacity shall
17 be filed with the town clerk as provided under s. 893.80 (1) (b). This paragraph does
18 not apply to actions commenced under s. 19.37 ~~or~~, 19.97 or 281.99.

19 **SECTION 1696.** 60.44 (3) of the statutes is amended to read:

20 **60.44 (3) COURT ACTIONS TO RECOVER CLAIMS.** Subsection (2), or an ordinance
21 adopted under that subsection, does not affect the applicability of s. 893.80. No
22 action may be brought or maintained against a town upon a claim unless the
23 claimant complies with s. 893.80. This subsection does not apply to actions
24 commenced under s. 19.37 ~~or~~, 19.97 or 281.99.

25 **SECTION 2181m.** 60.627 (8) (d) of the statutes is created to read:

1 60.627 (8) (d) If a town is served by the Illinois Fox River commission, and if
2 the commission consents, the town may empower the commission by ordinance to
3 administer the ordinance enacted under this section throughout the town, whether
4 or not the area otherwise served by the commission includes all of that town. Section
5 66.30 does not apply to this paragraph.

6 **SECTION 2181p.** 61.28 of the statutes is amended to read:

7 **61.28 Marshal.** The village marshal shall execute and file an official bond.
8 The marshal shall possess the powers, enjoy the privileges and be subject to the
9 liabilities conferred and imposed by law upon constables, and be taken as included
10 in all writs and papers addressed to constables. The marshal shall obey all lawful
11 written orders of the village board; and arrest with or without process every person
12 found in the village engaged in any disturbance of the peace or violating any law of
13 the state or ordinance of the village. The marshal may command all persons present
14 in that case to assist, and if any person, being so commanded, refuses or neglects to
15 render assistance the person shall forfeit not exceeding \$10. The marshal is entitled
16 to the same fees prescribed for sheriffs in s. 814.70 for similar services, unless a
17 higher fee is applicable under s. 814.705 ~~(3)~~ (1) (c); for other service rendered the
18 village, compensation as the board fixes.

19 **SECTION 1697.** 61.34 (4) of the statutes is amended to read:

20 61.34 (4) VILLAGE FINANCES. The village board may levy and provide for the
21 collection of taxes and special assessments; may refund any tax or special
22 assessment paid, or any part thereof, when satisfied that the same was unjust or
23 illegal; and generally may manage the village finances. The village board may loan
24 money to any school district located within the village or within which the village is
25 wholly or partially located in such sums as are needed by such district to meet the

1 immediate expenses of operating the schools thereof, and the board of the district
2 may borrow money from such village accordingly and give its note therefor. No such
3 loan shall be made to extend beyond August 30 next following the making thereof or
4 in an amount exceeding one-half of the estimated receipts for such district as
5 certified by the ~~department of education~~ state superintendent of public instruction
6 and the local school clerk. The rate of interest on any such loan shall be determined
7 by the village board.

8 **SECTION 2182e.** 61.354 (8) (d) of the statutes is created to read:

9 61.354 (8) (d) If a village is served by the Illinois Fox River commission, and
10 if the commission consents, the village may empower the commission by ordinance
11 to administer the ordinance enacted under this section throughout the village,
12 whether or not the area otherwise served by the commission includes all of that
13 village. Section 66.30 does not apply to this paragraph.

14 **SECTION 2182m.** 62.09 (13) (a) of the statutes is amended to read:

15 62.09 (13) (a) The chief of police shall have command of the police force of the
16 city under the direction of the mayor. The chief shall obey all lawful written orders
17 of the mayor or common council. The chief and each police officer shall possess the
18 powers, enjoy the privileges and be subject to the liabilities conferred and imposed
19 by law upon constables, and be taken as included in all writs and papers addressed
20 to constables; shall arrest with or without process and with reasonable diligence take
21 before the municipal judge or other proper court every person found in the city
22 engaged in any disturbance of the peace or violating any law of the state or ordinance
23 of the city and may command all persons present in that case to assist, and if any
24 person, being so commanded, refuses or neglects to render assistance the person
25 shall forfeit not exceeding \$10. They shall collect the same fees prescribed for sheriffs

1 in s. 814.70 for similar services, unless a higher fee is applicable under s. 814.705 (2)
2 (1) (b).

3 **SECTION 1698.** 62.12 (9) of the statutes is amended to read:

4 62.12 (9) LOANS. The council may loan money to any school district located
5 within the city, or within which the city is wholly or partially located, in such sums
6 as are needed by such district to meet the immediate expenses of operating the
7 schools thereof, and the board of the district may borrow money from such city
8 accordingly and give its note therefor. No such loan shall be made to extend beyond
9 August 30 next following the making thereof or in an amount exceeding one-half of
10 the estimated receipts for such district as certified by the ~~department of education~~
11 state superintendent of public instruction and the local school clerk. The rate of
12 interest on any such loan shall be determined by the city council.

13 **SECTION 2183s.** 62.23 (7) (a) of the statutes is amended to read:

14 62.23 (7) (a) *Grant of power.* For the purpose of promoting health, safety,
15 morals or the general welfare of the community, the council may regulate and restrict
16 by ordinance, subject to ~~par.~~ pars. (am) and (hm), the height, number of stories and
17 size of buildings and other structures, the percentage of lot that may be occupied, the
18 size of yards, courts and other open spaces, the density of population, and the location
19 and use of buildings, structures and land for trade, industry, mining, residence or
20 other purposes if there is no discrimination against temporary structures. This
21 subsection and any ordinance, resolution or regulation enacted or adopted under this
22 section, shall be liberally construed in favor of the city and as minimum
23 requirements adopted for the purposes stated. This subsection may not be deemed
24 a limitation of any power granted elsewhere.

25 **SECTION 2183t.** 62.23 (7) (am) of the statutes is created to read:

1 62.23 (7) (am) *Limits on power, annexed territory.* If a city annexes territory
2 under s. 66.021 or 66.024, the city may not enact or enforce any zoning ordinance
3 under this subsection, or temporarily designate the classification of annexed
4 territory under s. 66.021 (7) (a) or 66.024 (5m), that affects the annexed territory for
5 a period of 10 years after the annexation takes effect unless the city obtains written
6 permission to do so from the town board of which the annexed territory was a part.
7 Provisions of a county or town zoning ordinance that were applicable, before
8 annexation, to such territory shall continue in effect and shall be enforced after
9 annexation by the annexing city, unless the town board issues written permission for
10 a zoning change as described in this paragraph.

11 **SECTION 2183w.** 62.234 (8) (d) of the statutes is created to read:

12 62.234 (8) (d) If a city is served by the Illinois Fox River commission, and if the
13 commission consents, the city may empower the commission by ordinance to
14 administer the ordinance enacted under this section throughout the city, whether or
15 not the area otherwise served by the commission includes all of that city. Section
16 66.30 does not apply to this paragraph.

17 **SECTION 1699.** 62.25 (1) of the statutes is amended to read:

18 62.25 (1) CLAIMS. No action may be brought or maintained against a city upon
19 a claim or cause of action unless the claimant complies with s. 893.80. This
20 subsection does not apply to actions commenced under s. 19.37 or, 19.97 or 281.99.

21 **SECTION 1700.** 65.90 (3) (c) of the statutes is amended to read:

22 65.90 (3) (c) The department of ~~education~~ public instruction under s. 115.28,
23 the department of revenue under s. 73.10 and the technical college system board
24 under s. 38.04 shall encourage and consult with interested public and private
25 organizations regarding the budget summary information required under pars. (a)

1 and (b). The department of ~~education~~ public instruction and the technical college
2 system board shall specify the revenue and expenditure detail that is required under
3 par. (b) 1. and 2. for school districts and for technical college districts.

4 **SECTION 1701.** 66.013 (2) (a) of the statutes is amended to read:

5 66.013 (2) (a) "Department" means the department of ~~commerce~~
6 administration.

7 **SECTION 1702.** 66.02 of the statutes is amended to read:

8 **66.02 Consolidation.** Subject to s. 66.023 (7), any town, village or city may
9 be consolidated with a contiguous town, village or city, by ordinance, passed by a
10 two-thirds vote of all the members of each board or council, fixing the terms of the
11 consolidation and ratified by the electors at a referendum held in each municipality.
12 The ballots shall bear the words, "for consolidation", and "against consolidation", and
13 if a majority of the votes cast thereon in each municipality are for consolidation, the
14 ordinances shall then be in effect and have the force of a contract. The ordinance and
15 the result of the referendum shall be certified as provided in s. 66.018 (5); if a town
16 the certification shall be preserved as provided in ss. 60.03 and 66.018 (5),
17 respectively. Consolidation shall not affect the preexisting rights or liabilities of any
18 municipality and actions thereon may be commenced or completed as though no
19 consolidation had been effected. Any consolidation ordinance proposing the
20 consolidation of a town and another municipality shall, within 10 days after its
21 adoption and prior to its submission to the voters for ratification at a referendum, be
22 submitted to the circuit court and the department of ~~commerce~~ administration for
23 a determination whether such proposed consolidation is in the public interest. The
24 circuit court shall determine whether the proposed ordinance meets the formal
25 requirements of this section and shall then refer the matter to the department of

1 ~~commerce~~ administration, which shall find as prescribed in s. 66.014 whether the
2 proposed consolidation is in the public interest in accordance with the standards in
3 s. 66.016. The department's findings shall have the same status as incorporation
4 findings under ss. 66.014 to 66.019.

5 **SECTION 1703.** 66.021 (7) (a) of the statutes is amended to read:

6 66.021 (7) (a) An ordinance for the annexation of the territory described in the
7 annexation petition may be enacted by a two-thirds vote of the elected members of
8 the governing body not less than 20 days after the publication of the notice of
9 intention to circulate the petition and not later than 120 days after the date of filing
10 with the city or village clerk of the petition for annexation or of the referendum
11 election if favorable to the annexation. If the annexation is subject to sub. (11) the
12 governing body shall first review the reasons given by the department of ~~commerce~~
13 administration that the proposed annexation is against the public interest. Subject
14 to ~~s. ss. 59.692 (7) and 62.23 (7) (am)~~, such an ordinance may temporarily designate
15 the classification of the annexed area for zoning purposes until the zoning ordinance
16 is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance
17 containing such temporary classification, the proposed classification shall be
18 referred to and recommended by the plan commission. The authority to make such
19 temporary classification shall not be effective when the county ordinance prevails
20 during litigation as provided in s. 59.69 (7).

21 **SECTION 1704.** 66.021 (8) (b) of the statutes is amended to read:

22 66.021 (8) (b) Within 10 days of receipt of the ordinance, certificate and plat,
23 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to
24 the department of transportation, one copy to the department of administration, one
25 copy to the department of revenue, one copy to the department of ~~education~~ public

1 instruction, one copy to the department of commerce, one copy to the department of
2 natural resources, one copy to the department of agriculture, trade and consumer
3 protection and 2 copies to the clerk of the municipality from which the territory was
4 annexed.

5 **SECTION 1705.** 66.021 (11) (a) of the statutes is amended to read:

6 66.021 (11) (a) *Annexations within populous counties.* No annexation
7 proceeding within a county having a population of 50,000 or more shall be valid
8 unless the person causing a notice of annexation to be published under sub. (3) shall
9 within 5 days of the publication mail a copy of the notice, legal description and a scale
10 map of the proposed annexation to the clerk of each municipality affected and the
11 department of ~~commerce~~ administration. The department may within 20 days after
12 receipt of the notice mail to the clerk of the town within which the territory lies and
13 to the clerk of the proposed annexing village or city a notice that in its opinion the
14 annexation is against the public interest. No later than 10 days after mailing the
15 notice, the department shall advise the clerk of the town in which the territory is
16 located and the clerk of the village or city to which the annexation is proposed of the
17 reasons the annexation is against the public interest as defined in par. (c). The
18 annexing municipality shall review the advice before final action is taken.

19 **SECTION 1706.** 66.021 (11) (c) (intro.) of the statutes is amended to read:

20 66.021 (11) (c) *Definition of public interest.* (intro.) For purposes of this
21 subsection public interest is determined by the department of ~~commerce~~
22 administration after consideration of the following:

23 **SECTION 1707.** 66.021 (12) of the statutes is amended to read:

24 66.021 (12) UNANIMOUS APPROVAL. If a petition for direct annexation signed by
25 all of the electors residing in the territory and the owners of all of the real property

1 in the territory is filed with the city or village clerk, and with the town clerk of the
2 town or towns in which the territory is located, together with a scale map and a legal
3 description of the property to be annexed, an annexation ordinance for the
4 annexation of the territory may be enacted by a two-thirds vote of the elected
5 members of the governing body of the city or village without compliance with the
6 notice requirements of sub. (3). In such annexations, subject to sub. (11), the person
7 filing the petition with the city or village clerk and the town clerk shall, within 5 days
8 of the filing, mail a copy of the scale map and a legal description of the territory to
9 be annexed to the department of ~~commerce~~ administration and the governing body
10 shall review the advice of the department, if any, before enacting the annexation
11 ordinance.

12 **SECTION 1708.** 66.021 (15) of the statutes is amended to read:

13 66.021 (15) ANNEXATION OF TOWN ISLANDS. Upon its own motion, a city or village
14 by a two-thirds vote of the entire membership of its governing body may enact an
15 ordinance annexing territory which comprises a portion of a town or towns and which
16 was completely surrounded by territory of the city or village on December 2, 1973.
17 The ordinance shall include all surrounded town areas except those exempt by
18 mutual agreement of all of the governing bodies involved. The annexation ordinance
19 shall contain a legal description of the territory and the name of the town or towns
20 from which the territory is detached. Upon enactment of the ordinance, the city or
21 village clerk immediately shall file 6 certified copies of the ordinance in the office of
22 the secretary of state, together with 6 copies of a scale map. The secretary of state
23 shall forward 2 copies of the ordinance and scale map to the department of
24 transportation, one copy to the department of natural resources, one copy to the
25 department of revenue and one copy to the department of ~~commerce~~ administration.

1 This subsection does not apply if the town island was created only by the annexation
2 of a railroad right-of-way or drainage ditch. This subsection does not apply to land
3 owned by a town government which has existing town government buildings located
4 thereon. No town island may be annexed under this subsection if the island consists
5 of over 65 acres or contains over 100 residents. After December 2, 1973, no city or
6 village may, by annexation, create a town area which is completely surrounded by
7 the city or village.

8 **SECTION 1709.** 66.023 (1) (a) of the statutes is amended to read:

9 66.023 (1) (a) "Department" means the department of ~~commerce~~
10 administration.

11 **SECTION 2194m.** 66.024 (5m) of the statutes is amended to read:

12 66.024 (5m) TEMPORARY ZONING OF AREA PROPOSED TO BE ANNEXED. An interim
13 zoning ordinance to become effective only upon approval of the annexation at the
14 referendum election may be enacted by the governing body of the city or village.
15 Subject to ~~s. ss.~~ ss. 59.692 (7) and 62.23 (7) (am), the ordinance may temporarily
16 designate the classification of the annexed area for zoning purposes until the zoning
17 ordinance is amended as prescribed in s. 62.23 (7) (d). The proposed interim zoning
18 ordinance shall be referred to and recommended by the plan commission prior to
19 introduction. Authority to make such temporary classification shall not be effective
20 when the county zoning ordinance prevails during litigation as provided in s. 59.69
21 (7).

22 **SECTION 1710.** 66.025 of the statutes is amended to read:

23 **66.025 Annexation of owned territory.** In addition to other methods
24 provided by law and subject to ss. 59.692 (7) and 66.023 (7), territory owned by and
25 lying near but not necessarily contiguous to a village or city may be annexed to a

1 village or city by ordinance enacted by the board of trustees of the village or the
2 common council of the city, provided that in the case of noncontiguous territory the
3 use of the territory by the city or village is not contrary to any town or county zoning
4 regulation. The ordinance shall contain the exact description of the territory
5 annexed and the names of the towns from which detached, and shall operate to
6 attach the territory to the village or city upon the filing of 6 certified copies thereof
7 in the office of the secretary of state, together with 6 copies of a plat showing the
8 boundaries of the territory attached. Two copies of the ordinance and plat shall be
9 forwarded by the secretary of state to the department of transportation, one copy to
10 the department of natural resources, one copy to the department of revenue and one
11 copy to the department of ~~education~~ public instruction.

12 **SECTION 1711.** 66.03 (2c) (a) 2. of the statutes is amended to read:

13 66.03 (2c) (a) 2. The clerk of any school district to which territory is transferred,
14 within 30 days of the effective date of the transfer, shall certify to the clerk of the
15 municipality from which the territory was transferred a metes and bounds
16 description of the land area involved. Upon receipt of the description the clerk of the
17 municipality from which the territory was transferred shall certify to the
18 department of revenue the latest assessed value of the real and personal property
19 located within the transferred territory, file one copy of the certification with the
20 school district clerk and one copy with the department of ~~education~~ public instruction
21 and make such further reports as are needed by the department of revenue in the
22 performance of duties required by law.

23 **SECTION 1712.** 66.03 (3) (c) of the statutes is amended to read:

24 66.03 (3) (c) When as a result of any annexation whereby a school district is left
25 without a school building, any moneys are received by such school district as a result

1 of the division of assets and liabilities required by s. 66.03, which are derived from
2 values that were capital assets, such moneys and interest thereon shall be held in
3 trust by such school district and dispensed only for procuring new capital assets or
4 remitted to an operating district as the remainder of the suspended district becomes
5 a part of such operating district, and shall in no case be used to meet current
6 operating expenditures. This shall include any funds in the hands of any district
7 officers on July 1, 1953, resulting from such action previously taken under s. 66.03.
8 The boards involved shall, as part of their duties in division of assets and liabilities
9 in school districts, make a written report of the allocation of assets and liabilities to
10 ~~the department of education~~ state superintendent of public instruction and any local
11 superintendent of schools whose territory is involved in the division of assets.

12 **SECTION 1713.** 66.03 (5) of the statutes is amended to read:

13 **66.03 (5) APPORTIONMENT BOARD.** The boards or councils of the municipalities,
14 or committees, thereof selected for that purpose, acting together, shall constitute an
15 apportionment board. When any municipality is dissolved by reason of all of its
16 territory being so transferred the board or council thereof existing at the time of such
17 dissolution shall, for the purpose of this section, continue to exist as the governing
18 body of such municipality until there has been an apportionment of assets by
19 agreement of the interested municipalities or by an order of the circuit court. After
20 an agreement for apportionment of assets has been entered into between the
21 interested municipalities, or an order of the circuit court becomes final, a copy of such
22 apportionment agreement, or of such order, certified to by the clerks of the interested
23 municipalities, shall be filed with the department of revenue, the department of
24 natural resources, the department of transportation, ~~the department of education~~
25 state superintendent of public instruction, the department of administration, and

1 with any other department or agency of the state from which the town may be
2 entitled by law to receive funds or certifications or orders relating to the distribution
3 or disbursement of funds, with the county treasurer, with the treasurer of any
4 municipality, or with any other entity from which payment would have become due
5 if such dissolved municipality from which such territory was transferred had
6 continued in existence. Subject to ss. 79.006 and 86.303 (4), thereafter payments
7 from the shared revenue account made pursuant to ch. 79, payments of forest crop
8 taxes under s. 77.05, of transportation aids under s. 20.395, of state aids for school
9 purposes under ch. 121, payments for managed forest land under subch. VI of ch. 77
10 and all payments due from a department or agency of the state, from a county, from
11 a municipality, or from any other entity from which payments would have become
12 due if such dissolved municipality from which such territory was transferred had
13 continued in existence, shall be paid to the interested municipality as provided by
14 such agreement for apportionment of assets or by any order of apportionment by the
15 circuit court and such payments shall have the same force and effect as if made to
16 the dissolved municipality from which such territory was transferred.

17 **SECTION 2198m.** 66.04 (1) (intro.) of the statutes is amended to read:

18 66.04 (1) BONUS TO STATE INSTITUTION. (intro.) No appropriation or bonus of any
19 kind ~~shall~~, except for a donation of land, may be made by any town, village, or city,
20 nor any municipal liability created nor tax levied, as a consideration or inducement
21 to the state to locate any public educational, charitable, reformatory, or penal
22 institution.

23 **SECTION 2200m.** 66.058 (3) (c) 8. of the statutes is amended to read:

24 66.058 (3) (c) 8. The credit under s. 79.10 (9) (bm), as it applies to the principal
25 ~~dwelling on~~ a parcel of taxable property of an owner shall apply to the estimated fair

1 market value of a mobile home that is the principal dwelling of the owner. The owner
2 of the mobile home shall file a claim for the credit with the treasurer of the
3 municipality in which the property is located no later than January 31. To obtain the
4 credit under s. 79.10 (9) (bm), the owner shall attest on the claim that the mobile
5 home is the owner's principal dwelling, as defined in s. 79.10 (1) (f). The treasurer
6 shall reduce the owner's parking permit fee by the amount of any allowable credit.
7 The treasurer shall furnish notice of all ~~claims~~ amounts for credits filed under this
8 subdivision to the department of revenue as provided under s. 79.10 (1m).

9 **SECTION 1714.** 66.119 (1) (b) 7. c. of the statutes is amended to read:

10 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does
11 not appear in court, he or she either will be deemed to have tendered a plea of no
12 contest and submitted to a forfeiture, a penalty assessment imposed by s. 165.87, a
13 jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
14 enforcement assessment imposed by s. 165.755 and any applicable domestic abuse
15 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will
16 be summoned into court to answer the complaint if the court does not accept the plea
17 of no contest.

18 **SECTION 1715.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

19 66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and
20 does not appear in court at the time specified, the court may issue a summons or a
21 warrant for the defendant's arrest or consider the nonappearance to be a plea of no
22 contest and enter judgment under sub. (3) (d), or the municipality may commence an
23 action against the alleged violator to collect the forfeiture, the penalty assessment
24 imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime

1 laboratories and drug law enforcement assessment imposed by s. 165.755 and any
2 applicable domestic abuse assessment imposed by s. 973.055 (1).

3 **SECTION 1716.** 66.119 (1) (c) of the statutes is amended to read:

4 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
5 cash deposits that are to be required for the various ordinance violations, and for the
6 penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46
7 (1), the crime laboratories and drug law enforcement assessment imposed by s.
8 165.755 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for
9 which a citation may be issued. The ordinance shall also specify the court, clerk of
10 court or other official to whom cash deposits are to be made and shall require that
11 receipts be given for cash deposits.

12 **SECTION 1717.** 66.119 (3) (a) of the statutes is amended to read:

13 66.119 (3) (a) The person named as the alleged violator in a citation may appear
14 in court at the time specified in the citation or may mail or deliver personally a cash
15 deposit in the amount, within the time and to the court, clerk of court or other official
16 specified in the citation. If a person makes a cash deposit, the person may
17 nevertheless appear in court at the time specified in the citation, provided that the
18 cash deposit may be retained for application against any forfeiture, restitution,
19 penalty assessment, jail assessment, crime laboratories and drug law enforcement
20 assessment or domestic abuse assessment that may be imposed.

21 **SECTION 1718.** 66.119 (3) (b) of the statutes is amended to read:

22 66.119 (3) (b) If a person appears in court in response to a citation, the citation
23 may be used as the initial pleading, unless the court directs that a formal complaint
24 be made, and the appearance confers personal jurisdiction over the person. The
25 person may plead guilty, no contest or not guilty. If the person pleads guilty or no

1 contest, the court shall accept the plea, enter a judgment of guilty and impose a
2 forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed
3 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
4 imposed by s. 165.755 and any applicable domestic abuse assessment imposed by s.
5 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093
6 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put
7 all matters in the case at issue, and the matter shall be set for trial.

8 **SECTION 1719.** 66.119 (3) (c) of the statutes is amended to read:

9 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear
10 in court, the citation may serve as the initial pleading and the violator shall be
11 considered to have tendered a plea of no contest and submitted to a forfeiture, the
12 penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46
13 (1), the crime laboratories and drug law enforcement assessment imposed by s.
14 165.755 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
15 exceeding the amount of the deposit. The court may either accept the plea of no
16 contest and enter judgment accordingly or reject the plea. If the court finds the
17 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
18 violator into court to determine if restitution shall be ordered under s. 800.093. If
19 the court accepts the plea of no contest, the defendant may move within 10 days after
20 the date set for the appearance to withdraw the plea of no contest, open the judgment
21 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
22 that the failure to appear was due to mistake, inadvertence, surprise or excusable
23 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
24 of not guilty, no costs or fees may be taxed against the violator, but a penalty
25 assessment, a jail assessment, a crime laboratories and drug law enforcement

1 assessment and, if applicable, a domestic abuse assessment shall be assessed. If the
2 court rejects the plea of no contest, an action for collection of the forfeiture, penalty
3 assessment, jail assessment, crime laboratories and drug law enforcement
4 assessment and any applicable domestic abuse assessment may be commenced. A
5 city, village, town sanitary district or public inland lake protection and rehabilitation
6 district may commence action under s. 66.12 (1) and a county or town may commence
7 action under s. 778.10. The citation may be used as the complaint in the action for
8 the collection of the forfeiture, penalty assessment, jail assessment, crime
9 laboratories and drug law enforcement assessment and any applicable domestic
10 abuse assessment.

11 **SECTION 1720.** 66.119 (3) (d) of the statutes is amended to read:

12 66.119 (3) (d) If the alleged violator does not make a cash deposit and fails to
13 appear in court at the time specified in the citation, the court may issue a summons
14 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
15 no contest and enter judgment accordingly if service was completed as provided
16 under par. (e) or the county, town, city, village, town sanitary district or public inland
17 lake protection and rehabilitation district may commence an action for collection of
18 the forfeiture, penalty assessment and, jail assessment and crime laboratories and
19 drug law enforcement assessment and any applicable domestic abuse assessment.
20 A city, village, town sanitary district or public inland lake protection and
21 rehabilitation district may commence action under s. 66.12 (1) and a county or town
22 may commence action under s. 778.10. The citation may be used as the complaint
23 in the action for the collection of the forfeiture, penalty assessment and, jail
24 assessment and crime laboratories and drug law enforcement assessment and any
25 applicable domestic abuse assessment. If the court considers the nonappearance to

1 be a plea of no contest and enters judgment accordingly, the court shall promptly mail
2 a copy or notice of the judgment to the defendant. The judgment shall allow the
3 defendant not less than 20 days from the date of the judgment to pay any forfeiture,
4 penalty assessment ~~and~~, jail assessment and crime laboratories and drug law
5 enforcement assessment and any applicable domestic abuse assessment imposed.
6 If the defendant moves to open the judgment within 6 months after the court
7 appearance date fixed in the citation, and shows to the satisfaction of the court that
8 the failure to appear was due to mistake, inadvertence, surprise or excusable neglect,
9 the court shall reopen the judgment, accept a not guilty plea and set a trial date.

10 **SECTION 1721.** 66.12 (1) (b) of the statutes is amended to read:

11 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.
12 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
13 or all violations under those ordinances, and may designate the manner in which the
14 stipulation is to be made and fix the penalty to be paid. When a person charged with
15 a violation for which stipulation of guilt or no contest is authorized makes a timely
16 stipulation and pays the required penalty and pays the penalty assessment imposed
17 by s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime laboratories and
18 drug law enforcement assessment imposed by s. 165.755 and any applicable
19 domestic abuse assessment imposed by s. 973.055 (1) to the designated official, the
20 person need not appear in court and no witness fees or other additional costs may be
21 taxed unless the local ordinance so provides. A court appearance is required for a
22 violation of a local ordinance in conformity with s. 346.63 (1). The official receiving
23 the penalties shall remit all moneys collected to the treasurer of the city, village, town
24 sanitary district or public inland lake protection and rehabilitation district in whose
25 behalf the sum was paid, except that all jail assessments shall be remitted to the

1 county treasurer, within 20 days after its receipt by him or her; and in case of any
2 failure in the payment, the treasurer may collect the payment of the officer by action,
3 in the name of the office, and upon the official bond of the officer, with interest at the
4 rate of 12% per year from the time when it should have been paid. In the case of the
5 penalty assessment imposed by s. 165.87, the crime laboratories and drug law
6 enforcement assessment imposed by s. 165.755, the driver improvement surcharge
7 imposed by s. 346.655 (1) and any applicable domestic abuse assessment imposed by
8 s. 973.055 (1), the treasurer of the city, village, town sanitary district or public inland
9 lake protection and rehabilitation district shall remit to the state treasurer the sum
10 required by law to be paid on the actions so entered during the preceding month on
11 or before the first day of the next succeeding month. The governing body of the city,
12 village, town sanitary district or public inland lake protection and rehabilitation
13 district shall by ordinance designate the official to receive the penalties and the
14 terms under which the official shall qualify.

15 **SECTION 2210.** 66.184 of the statutes, as affected by 1995 Wisconsin Act 289,
16 is amended to read:

17 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
18 village provides health care benefits under its home rule power, or if a town provides
19 health care benefits, to its officers and employes on a self-insured basis, the
20 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
21 632.745 (2), (3) and (5) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) and
22 ~~(10)~~ to (12), 632.896, 767.25 (4m) (d) and 767.51 (3m) (d).

23 **SECTION 1722.** 66.30 (6) (g) of the statutes is amended to read:

24 66.30 (6) (g) At least 30 days prior to entering into a contract under this
25 subsection or a modification or extension of the contract, the school boards of the

1 districts involved or their designated agent shall file the proposed agreement with
2 the ~~department of education~~ state superintendent of public instruction to enable the
3 ~~department~~ state superintendent or state superintendent's designee to assist and
4 advise the school boards involved in regard to the applicable recognized accounting
5 procedure for the administration of the school aid programs. The ~~department of~~
6 ~~education~~ state superintendent shall review the terms of the proposed contract to
7 ensure that each participating district's interests are protected.

8 **SECTION 2213m.** 66.307 of the statutes is created to read:

9 **66.307 Premier resort areas. (1) DEFINITIONS.** In this section:

10 (a) "Infrastructure expenses" means the costs of purchasing, constructing or
11 improving parking lots; access ways; transportation facilities, including roads and
12 bridges; sewer and water facilities; parks, boat ramps, beaches and other
13 recreational facilities; fire fighting equipment; police vehicles; ambulances; and
14 other equipment or materials dedicated to public safety or public works.

15 (b) "Political subdivision" means a city, village, town or county.

16 (c) "Premier resort area" means a political subdivision whose governing body
17 enacts an ordinance or adopts a resolution under sub. (2) (a).

18 (d) "Tourism-related retailers" means retailers classified in the standard
19 industrial classification manual, 1987 edition, published by the U.S. office of
20 management and budget under the following industry numbers:

21 1. 5331 — Variety stores.

22 2. 5399 — Miscellaneous general merchandise stores.

23 3. 5441 — Candy, nut and confectionary stores.

24 4. 5451 — Dairy product stores.

25 5. 5461 — Retail bakeries.

- 1 6. 5541 — Gasoline service stations.
- 2 7. 5812 — Eating places.
- 3 8. 5813 — Drinking places.
- 4 9. 5912 — Drug stores and proprietary stores.
- 5 10. 5921 — Liquor stores.
- 6 11. 5941 — Sporting goods stores and bicycle shops.
- 7 12. 5946 — Camera and photographic supply stores.
- 8 13. 5947 — Gift, novelty and souvenir shops.
- 9 14. 7011 — Hotels and motels.
- 10 15. 7032 — Sporting and recreational camps.
- 11 16. 7033 — Recreational vehicle parks and campsites.
- 12 17. 7948 — Racing, including track operation.
- 13 18. 7992 — Public golf courses.
- 14 19. 7993 — Coin-operated amusement devices.
- 15 20. 7996 — Amusement parks.
- 16 21. 7999 — Amusement and recreational services, not elsewhere classified.
- 17 **(2) PREMIER RESORT AREA CREATION.** (a) The governing body of a political
18 subdivision, by a two-thirds vote of the members of the governing body who are
19 present when the vote is taken, may enact an ordinance or adopt a resolution
20 declaring itself to be a premier resort area if at least 40% of the equalized assessed
21 value of the taxable property within such political subdivision is used by
22 tourism-related retailers.
- 23 (b) A political subdivision that is a premier resort area may impose the tax
24 under s. 77.994.

1 (c) If 2 or more contiguous political subdivisions that are premier resort areas
2 each impose the tax under s. 77.994, they may enter into a contract under s. 66.30
3 to cooperate in paying for infrastructure expenses, in addition to any other authority
4 they have to act under s. 66.30.

5 (d) The proceeds from a tax that is imposed under s. 77.994 and this subsection
6 may be used only to pay for infrastructure expenses within the jurisdiction of a
7 premier resort area.

8 **(3) JURISDICTION.** The jurisdiction of a premier resort area is coterminous with
9 the boundaries of a political subdivision whose governing body enacts an ordinance
10 or adopts a resolution under sub. (2) (a) or with the boundaries of 2 or more political
11 subdivisions that enter into a contract under sub. (2) (c).

12 **SECTION 1723.** 66.36 (intro.) of the statutes is amended to read:

13 **66.36** (title) **Municipal financing; clean water fund ~~project~~ program**
14 **costs.** (intro.) Subject to the terms and conditions of its financial assistance
15 agreement, a municipality may repay financial assistance costs received ~~from~~ under
16 the clean water fund program under ss. 281.58 and 281.59 by any lawful method,
17 including any one of the following methods or any combination thereof:

18 **SECTION 2214c.** 66.46 (3) (a) of the statutes is amended to read:

19 66.46 **(3)** (a) ~~Create~~ Subject to sub. (3m), create tax incremental districts and
20 to define the boundaries of such districts;

21 **SECTION 2214d.** 66.46 (3m) of the statutes is created to read:

22 66.46 **(3m)** LIMITS ON TAX INCREMENTAL DISTRICT BOUNDARIES. (a) Except as
23 provided in par. (b), no city or planning commission may include within the boundary
24 of a tax incremental district territory that has not been part of the city for at least

1 10 years before the date on which the city or planning commission includes the
2 territory within the district's boundary.

3 (b) Paragraph (a) does not apply if the city or planning commission receives
4 written permission to include territory that is described under par. (a) from the town
5 board of the town in which the territory was located before it became part of the city.

6 **SECTION 2214f.** 66.46 (4) (h) 2. of the statutes is amended to read:

7 66.46 (4) (h) 2. Not more than once during the 7 years after the tax incremental
8 district is created, and subject to sub. (3m), the planning commission may adopt an
9 amendment to a project plan under subd. 1. to modify the district's boundaries by
10 adding territory to the district that is contiguous to the district and that is served by
11 public works or improvements that were created as part of the district's project plan.
12 Expenditures for project costs that are incurred because of an amendment to a
13 project plan to which this subdivision applies may be made for not more than 3 years
14 after the date on which the local legislative body adopts a resolution amending the
15 project plan.

16 **SECTION 2214h.** 66.46 (6) (am) 1. of the statutes is amended to read:

17 66.46 (6) (am) 1. For a tax incremental district that is created after September
18 30, 1995, no expenditure may be made later than 7 years after the tax incremental
19 district is created, and for a tax incremental district that is created before October
20 1, 1995, no expenditure may be made later than 10 years after the tax incremental
21 district is created, except that, for a tax incremental district that is created before
22 October 1, 1995, and which receives tax increments under par. (d), no expenditure
23 may be made later than 12 years after the tax incremental district is created.

24 **SECTION 2214k.** 66.46 (6) (c) of the statutes is amended to read:

1 66.46 (6) (c) Except for tax increments allocated under par. (d), (dm) or (e), all
2 tax increments received with respect to a tax incremental district shall, upon receipt
3 by the city treasurer, be deposited into a special fund for that district. The city
4 treasurer may deposit additional moneys into such fund pursuant to an
5 appropriation by the common council. No moneys may be paid out of such fund
6 except to pay project costs with respect to that district, to reimburse the city for such
7 payments, to pay project costs of a district under par. (d), (dm) or (e) or to satisfy
8 claims of holders of bonds or notes issued with respect to such district. Subject to par.
9 (d), (dm) or (e), moneys paid out of the fund to pay project costs with respect to a
10 district may be paid out before or after the district is terminated under sub. (7).
11 Subject to any agreement with bondholders, moneys in the fund may be temporarily
12 invested in the same manner as other city funds if any investment earnings are
13 applied to reduce project costs. After all project costs and all bonds and notes with
14 respect to the district have been paid or the payment thereof provided for, subject to
15 any agreement with bondholders, if there remain in the fund any moneys that are
16 not allocated under par. (d), (dm) or (e), they shall be paid over to the treasurer of each
17 county, school district or other tax levying municipality or to the general fund of the
18 city in the amounts that belong to each respectively, having due regard for that
19 portion of the moneys, if any, that represents tax increments not allocated to the city
20 and that portion, if any, that represents voluntary deposits of the city into the fund.

21 **SECTION 2214n.** 66.46 (6) (d) 2m. of the statutes is amended to read:

22 66.46 (6) (d) 2m. No tax increments may be allocated under this paragraph
23 later than ~~20~~ 30 years after the last expenditure identified in the project plan of the
24 tax incremental district, the positive tax increments of which are to be allocated, is
25 made if the district is created before October 1, 1995, except that in no case may the

1 total number of years during which expenditures are made under par. (am) 1. plus
2 the total number of years during which tax increments are allocated under this
3 paragraph exceed ~~27~~ 37 years.

4 **SECTION 2214p.** 66.46 (6) (d) 4. of the statutes is amended to read:

5 66.46 (6) (d) 4. This paragraph does not apply after ~~January~~ August 1, 2002
6 2016.

7 **SECTION 2214r.** 66.46 (6) (dm) of the statutes is created to read:

8 66.46 (6) (dm) 1. After the date on which a tax incremental district pays off the
9 aggregate of all of its project costs under its project plan, but not later than the date
10 on which a tax incremental district terminates under sub. (7) (am), a planning
11 commission may amend under sub. (4) (h) 1. the project plan of such a tax
12 incremental district to allocate positive tax increments generated by that tax
13 incremental district to another tax incremental district created by that planning
14 commission in which soil affected by environmental pollution exists to the extent
15 that development has not been able to proceed according to the project plan because
16 of the environmental pollution.

17 2. Except as provided in subd. 2m., no tax increments may be allocated under
18 this paragraph later than 16 years after the last expenditure identified in the project
19 plan of the tax incremental district, the positive tax increments of which are to be
20 allocated, is made.

21 2m. No tax increments may be allocated under this paragraph later than 20
22 years after the last expenditure identified in the project plan of the tax incremental
23 district, the positive tax increments of which are to be allocated, is made if the district
24 is created before October 1, 1995, except that in no case may the total number of years
25 during which expenditures are made under par. (am) 1. plus the total number of

1 years during which tax increments are allocated under this paragraph exceed 27
2 years.

3 3. This paragraph applies only in a city with a population of at least 10,000 that
4 was incorporated in 1950 and that is in a county with a population of more than
5 500,000 which is adjacent to one of the Great Lakes.

6 4. This paragraph does not apply after January 1, 2002.

7 **SECTION 2214u.** 66.46 (7) (a) of the statutes is amended to read:

8 66.46 (7) (a) That time when the city has received aggregate tax increments
9 with respect to such district in an amount equal to the aggregate of all project costs
10 under the project plan and any amendments to the project plan for such district,
11 except that this paragraph does not apply to a district whose positive tax increments
12 have been allocated under sub. (6) (d), (dm) or (e) until the district to which the
13 allocation is made has paid off the aggregate of all of its project costs under its project
14 plan.

15 **SECTION 1724.** 66.462 of the statutes is created to read:

16 **66.462 Environmental remediation tax incremental financing. (1)**

17 **DEFINITIONS.** In this section:

18 (a) “Chief executive officer” means the mayor or city manager of a city, the
19 village president of a village, the town board chairperson of a town or the county
20 executive of a county or, if the county does not have a county executive, the
21 chairperson of the county board of supervisors.

22 (b) “Department” means the department of revenue.

23 (c) “Eligible costs” means capital costs, financing costs and administrative and
24 professional service costs for the investigation, removal, containment or monitoring
25 of, or the restoration of soil or groundwater affected by, environmental pollution,

1 including monitoring costs incurred within 2 years after the date on which the
2 department of natural resources certifies that environmental pollution on the
3 property has been remediated, except that for any parcel of land “eligible costs” shall
4 be reduced by any amounts received from persons responsible for the discharge, as
5 defined in s. 292.01 (3), of a hazardous substance on the property to pay for the costs
6 of remediating environmental pollution on the property and the amount of net gain
7 from the sale of the property by the political subdivision.

8 (d) “Environmental pollution” has the meaning given in s. 292.01 (4), except
9 that “environmental pollution” does not include any damage caused by runoff from
10 land under agricultural use.

11 (e) “Environmental remediation tax increment” means that amount obtained
12 by multiplying the total city, county, school and other local general property taxes
13 levied on a parcel of real property that is certified under this section in a year by a
14 fraction having as a numerator the environmental remediation value increment for
15 that year for that parcel and as a denominator that year’s equalized value of that
16 parcel. In any year, an environmental remediation tax increment is “positive” if the
17 environmental remediation value increment is positive; it is “negative” if the
18 environmental remediation value increment is negative.

19 (f) “Environmental remediation tax incremental base” means the aggregate
20 value, as equalized by the department, of a parcel of real property that is certified
21 under this section as of the January 1 preceding the date on which the department
22 of natural resources issues a certificate certifying that environmental pollution on
23 the property has been remediated in accordance with rules promulgated by the
24 department of natural resources.

1 (g) “Environmental remediation value increment” means the equalized value
2 of a parcel of real property that is certified under this section minus the
3 environmental remediation tax incremental base. In any year, the environmental
4 remediation value increment is “positive” if the environmental remediation tax
5 incremental base of the parcel of property is less than the aggregate value of the
6 parcel of property as equalized by the department; it is “negative” if that base exceeds
7 that aggregate value.

8 (h) “Hazardous substance” has the meaning given in s. 292.01 (5).

9 (i) “Period of certification” means a period of not more than 16 years beginning
10 after the department certifies the environmental remediation tax incremental base
11 of a parcel of property under sub. (4) or a period before all eligible costs have been
12 paid, whichever occurs first.

13 (j) “Political subdivision” means a city, village, town or county.

14 (k) “Taxable property” means all real and personal taxable property.

15 **(2) USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS.** A political subdivision
16 that develops, and whose governing body approves, a written proposal to remediate
17 environmental pollution on property owned by the political subdivision may use an
18 environmental remediation tax increment to pay the eligible costs of remediating
19 environmental pollution on property that is not part of a tax incremental district
20 created under s. 66.46 and that is owned by the political subdivision at the time of
21 the remediation and then transferred to another person after the property is
22 remediated, as provided in this section. No political subdivision may submit an
23 application to the department under sub. (4) until the joint review board approves
24 the political subdivision’s written proposal under sub. (3).

1 **(3) JOINT REVIEW BOARD.** (a) Any political subdivision that seeks to use an
2 environmental remediation tax increment under sub. (2) shall convene a joint review
3 board to review the proposal. The board shall consist of one representative chosen
4 by the school district that has power to levy taxes on the property that is remediated,
5 one representative chosen by the technical college district that has power to levy
6 taxes on the property, one representative chosen by the county that has power to levy
7 taxes on the property that is remediated, one representative chosen by the political
8 subdivision and one public member. If more than one school district, more than one
9 technical college district or more than one county has the power to levy taxes on the
10 property that is remediated, the unit in which is located property that has the
11 greatest value shall choose that representative to the board. The public member and
12 the board's chairperson shall be selected by a majority of the other board members
13 at the board's first meeting. All board members shall be appointed and the first board
14 meeting held within 14 days after the political subdivision's governing body approves
15 the written proposal under sub. (2). Additional meetings of the board shall be held
16 upon the call of any member. The political subdivision that seeks to act under sub.
17 (2) shall provide administrative support for the board. By majority vote, the board
18 may disband following approval or rejection of the proposal.

19 (b) 1. The board shall review the written proposal and the statement described
20 under sub. (4) (a). As part of its deliberations the board may hold additional hearings
21 on the proposal.

22 2. No written application may be submitted under sub. (4) unless the board
23 approves the written proposal under sub. (2) by a majority vote not less than 10 days
24 nor more than 30 days after receiving the proposal.

1 3. The board shall submit its decision to the political subdivision no later than
2 7 days after the board acts on and reviews the written proposal.

3 (c) 1. The board shall base its decision to approve or deny a proposal on the
4 following criteria:

5 a. Whether the development expected in the remediated property would occur
6 without the use of environmental remediation tax incremental financing.

7 b. Whether the economic benefits of the remediated property, as measured by
8 increased employment, business and personal income and property value, are
9 insufficient to compensate for the cost of the improvements.

10 c. Whether the benefits of the proposal outweigh the anticipated
11 environmental remediation tax increments to be paid by the owners of property in
12 the overlying taxing districts.

13 2. The board shall issue a written explanation describing why any proposal it
14 rejects fails to meet one or more of the criteria specified in subd. 1.

15 (d) If a joint review board convened by a city or village under s. 66.46 (4m) is
16 in existence when a city or village seeks to act under this section, the city or village
17 may require the joint review board convened under s. 66.46 (4m) to exercise the
18 functions of a joint review board that could be convened under this subsection.

19 **(4) CERTIFICATION.** Upon written application to the department of revenue by
20 the clerk of a political subdivision on or before April 1 of the year following the year
21 in which the certification described in par. (a) is received from the department of
22 natural resources, the department of revenue shall certify to the clerk of the political
23 subdivision the environmental remediation tax incremental base of a parcel of real
24 property if all of the following apply:

1 (a) The political subdivision submits a statement that it has incurred eligible
2 costs with respect to the parcel of property and the statement details the purpose and
3 amount of the expenditures and includes a dated certificate issued by the
4 department of natural resources that certifies that environmental pollution on the
5 parcel of property has been remediated in accordance with rules promulgated by the
6 department of natural resources.

7 (b) The political subdivision submits a statement that all taxing jurisdictions
8 with the authority to levy general property taxes on the parcel of property have been
9 notified that the political subdivision intends to recover the costs of remediating
10 environmental pollution on the property and have been provided a statement of the
11 estimated costs to be recovered.

12 (c) The political subdivision submits a statement, signed by its chief executive
13 officer, that the political subdivision has attempted to recover the cost of remediating
14 environmental pollution on the property from responsible parties.

15 (d) The political subdivision completes and submits all forms required by the
16 department that relate to the determination of the environmental remediation tax
17 incremental base.

18 **(5) DESIGNATION ON ASSESSMENT AND TAX ROLLS.** The assessor of a taxation
19 district shall identify on the assessment roll returned and examined under s. 70.45
20 those parcels of property that have been certified under sub. (4) during the period of
21 certification. The clerk of a taxation district shall make a similar notation on the tax
22 roll under s. 70.65.

23 **(6) NOTICE TO TAXING JURISDICTIONS.** During the period of certification, the
24 department shall annually give notice to the designated finance officer of all taxing
25 jurisdictions having the power to levy general taxes on property that is certified

1 under sub. (4) of the equalized value of that property and the environmental
2 remediation tax incremental base of that property. The notice shall explain that the
3 environmental remediation tax increment shall be paid to the political subdivision
4 as provided under sub. (8) from the taxes collected.

5 **(7) ENVIRONMENTAL REMEDIATION TAX INCREMENTS AUTHORIZED.** (a) Subject to
6 pars. (b) and (c), the department shall annually authorize the positive environmental
7 remediation tax increment with respect to a parcel of property during the period of
8 certification to the political subdivision that incurred the costs to remediate
9 environmental pollution on the property, except that an authorization granted under
10 this paragraph does not apply after the department receives the notice described
11 under sub. (10) (b).

12 (b) The department may authorize a positive environmental remediation tax
13 increment under par. (a) only if the political subdivision submits to the department
14 all information required by the department on or before the 2nd Monday in June of
15 the year to which the authorization relates.

16 (c) If the department receives the notice described under sub. (10) (b) during
17 the period from January 1 to May 15, the effective date of the notice is the date on
18 which the notice is received. If the department receives the notice described under
19 sub. (10) (b) during the period from May 16 to December 31, the effective date of the
20 notice is the first January 1 after the date on which the notice is received.

21 **(8) SETTLEMENT FOR ENVIRONMENTAL REMEDIATION TAX INCREMENTS.** Every officer
22 charged by law to collect and settle general property taxes shall, on the settlement
23 dates provided by law, pay to the treasurer of a political subdivision from all general
24 property taxes collected by the officer the proportion of the environmental
25 remediation tax increment due the political subdivision that the general property

1 taxes collected bears to the total general property taxes levied, exclusive of levies for
2 state trust fund loans, state taxes and state special charges.

3 **(9) SEPARATE ACCOUNTING REQUIRED.** An environmental remediation tax
4 increment received with respect to a parcel of land that is subject to this section shall
5 be deposited in a separate fund by the treasurer of the political subdivision. No
6 money may be paid out of the fund except to pay eligible costs for a parcel of land, to
7 reimburse the political subdivision for such costs or to satisfy claims of holders of
8 bonds or notes issued to pay eligible costs. If an environmental remediation tax
9 increment that has been collected with respect to a parcel of land remains in the fund
10 after the period of certification has expired, it shall be paid to the treasurers of the
11 taxing jurisdictions in which the parcel is located in proportion to the relative share
12 of those taxing jurisdictions in the most recent levy of general property taxes on the
13 parcel.

14 **(10) REPORTING REQUIREMENTS.** A political subdivision that uses an
15 environmental remediation tax increment to pay eligible costs of remediating
16 environmental pollution under this section shall do all of the following:

17 (a) Prepare and make available to the public updated annual reports describing
18 the status of all projects to remediate environmental pollution funded under this
19 section, including revenues and expenditures. A copy of the report shall be sent to
20 all taxing jurisdictions with authority to levy general property taxes on the parcel
21 of property by May 1 annually.

22 (b) Notify the department within 10 days after the period of certification for a
23 parcel of property has expired.

24 **SECTION 1725.** 66.521 (9) of the statutes is amended to read:

1 66.521 (9) PAYMENT OF TAXES. When any industrial project acquired by a
2 municipality under this section is used by a private person as a lessee, sublessee or
3 in any capacity other than owner, that person shall be subject to taxation in the same
4 amount and to the same extent as though that person were the owner of the property.
5 Taxes shall be assessed to such private person using the real property and collected
6 in the same manner as taxes assessed to owners of real property. When due, the taxes
7 shall constitute a debt due from such private person to the taxing unit and shall be
8 recoverable as provided by law, and such unpaid taxes shall become a lien against
9 the property with respect to which they were assessed, superior to all other liens,
10 except a lien under s. 292.31 (8) (i), ~~292.41 (6) (d)~~ or 292.81, and shall be placed on
11 their tax roll when there has been a conveyance of the property in the same manner
12 as are other taxes assessed against real property.

13 **SECTION 2217f.** 66.55 (1) (f) of the statutes is amended to read:

14 66.55 (1) (f) “Public facilities” means highways, as defined in s. 340.01 (22), and
15 other transportation facilities, traffic control devices, facilities for collecting and
16 treating sewage, facilities for collecting and treating storm and surface waters,
17 facilities for pumping, storing and distributing water, parks, playgrounds and other
18 recreational facilities, solid waste and recycling facilities, fire protection facilities,
19 law enforcement facilities, emergency medical facilities and libraries except that,
20 with regard to counties, “public facilities” does not include highways, as defined in
21 s. 340.01 (22), other transportation facilities or traffic control devices. “Public
22 facilities” does not include facilities owned by a school district.

23 **SECTION 2217h.** 66.55 (2) (a) of the statutes is amended to read:

1 66.55 (2) (a) ~~A~~ Subject to par. (am), a political subdivision may enact an
2 ordinance under this section that imposes impact fees on developers to pay for the
3 capital costs that are necessary to accommodate land development.

4 **SECTION 2217i.** 66.55 (2) (am) of the statutes is created to read:

5 66.55 (2) (am) No county may impose an impact fee under this section to recover
6 costs related to transportation projects.

7 **SECTION 1726.** 66.73 of the statutes is amended to read:

8 **66.73 Citizenship day.** To redirect the attention of the citizens of Wisconsin
9 (particularly those who are about to exercise the franchise for the first time) to the
10 fundamentals of American government and to American traditions, any county,
11 municipal or school board may annually provide for and appropriate funds for a
12 program of citizenship education which stresses, through free and frank discussion
13 of a nonpolitical, nonsectarian and nonpartisan nature, the doctrine of democracy,
14 the duties and responsibilities of elective and appointive officers, the responsibilities
15 of voters in a republic and the organization, functions and operation of government.
16 This program should culminate in a ceremony of induction to citizenship for those
17 who have been enfranchised within the past year. Any county may determine to
18 conduct such ceremony either on or within the octave of the day designated by
19 congress or proclaimed by the president of the United States as Citizenship Day. The
20 board may carry out this function in such manner as it determines. The secretary
21 of state, department of ~~education~~ public instruction and other state officers and
22 departments shall cooperate with the participating units of government by the
23 dissemination of available information which will stimulate interest in the
24 government of Wisconsin and its subdivisions.

1 **SECTION 2219e.** 66.905 (title) of the statutes is renumbered 560.036 (2m)
2 (title).

3 **SECTION 2219g.** 66.905 (1) and (2) of the statutes are renumbered 560.036 (2m)
4 (a) and (b), and 560.036 (2m) (a) (intro.) and 2. and (b), as renumbered, are amended
5 to read:

6 560.036 **(2m)** (a) *Definitions.* (intro.) In this section subsection:

7 2. “Minority group member” has the meaning given under ~~s. 560.036~~ sub. (1)
8 (f).

9 (b) *Program created.* 1. From the amounts allocated for purposes of this section
10 under s. 20.866 (2) (to), the ~~district~~ department shall fund a development and
11 training program for the purpose of developing the capability of minority businesses
12 to participate in construction and construction-related projects funded under the
13 combined sewer overflow abatement program under s. 281.63.

14 2. From the amounts allocated for purposes of this section under s. 20.866 (2)
15 (tc), the ~~district~~ department shall fund a development and training program for the
16 purpose of developing the capability of minority businesses to participate in
17 construction and construction-related projects funded under the clean water fund
18 program under ss. 281.58 and 281.59.

19 3. The ~~district~~ department may implement the training programs under ~~pars.~~
20 ~~(a) and (b)~~ subds. 1. and 2. directly, or may contract under this ~~section~~ subsection for
21 the implementation of these training programs.

22 **SECTION 2219i.** 66.905 (3) and (4) of the statutes are renumbered 560.036 (2m)
23 (c) and (d), and 560.036 (2m) (c) (intro.) and 2. and (d) (title), 1. (intro.) and f. and 2.,
24 as renumbered, are amended to read:

1 560.036 (2m) (c) *Request for proposals.* (intro.) The ~~executive director~~
2 secretary shall request proposals for prime contracts from bondable general
3 contractors or construction contractors that are bona fide independent minority
4 businesses. Each proposal submitted shall include all of the following conditions:

5 2. A subcontracting plan that provides sufficient detail to enable the ~~executive~~
6 ~~director~~ secretary to determine that the prime contractor has made or will make a
7 good faith effort to award at least 20% of the total contract amount to bona fide
8 independent minority business subcontractors.

9 (d) (title) *Determinations by ~~executive director~~ secretary.* 1. (intro.) In
10 determining whether a business is a bona fide minority business, the ~~executive~~
11 ~~director~~ secretary shall take into consideration all of the following:

12 f. Whether the contribution of capital or expertise by a minority owner of the
13 business for the purpose of acquiring an interest in the business is real and
14 substantial. If a contribution consists only of a promise to contribute capital or a note
15 payable to the business or a nonminority owner, or mere participation as an employe
16 of the business, the ~~executive director~~ secretary shall not consider it a real and
17 substantial contribution.

18 2. In determining whether a business is independent, the ~~executive director~~
19 secretary shall consider all relevant factors, including the date the business was
20 established, the adequacy of its resources for the work it is expected to perform under
21 the contract and the degree to which financial, equipment leasing and other
22 relationships with nonminority businesses vary from customary industry practices.
23 Recognition of a business as a separate entity for a tax or corporate purpose is not
24 necessarily sufficient to prove that a business is independent.

1 **SECTION 2219k.** 66.905 (5), (6) and (7) of the statutes are renumbered 560.036
2 (2m) (e), (f) and (g), and 560.036 (2m) (e), (f) (intro.) and 2. and (g) 1. (intro.) and 2.,
3 as renumbered, are amended to read:

4 560.036 **(2m)** (e) *Award of contract.* For each contract to be awarded under this
5 section subsection, the ~~executive director~~ secretary shall select from among all
6 applicants the proposal that best meets the requirements under ~~sub. (3) par. (c)~~,
7 taking into consideration the cost of implementing the proposal. The ~~district~~
8 department shall award contracts to the applicants selected by the ~~executive director~~
9 secretary under this ~~subsection~~ paragraph.

10 (f) *Review and implementation committee.* (intro.) The ~~executive director~~
11 secretary may establish a committee to assist him or her in all of the following areas:

12 2. Developing the implementation plan that is required under ~~sub. (7) par. (g)~~.

13 (g) 1. (intro.) The ~~executive director~~ secretary shall develop a plan for the
14 expeditious implementation of the programs created under this section subsection
15 that does all of the following:

16 2. The ~~executive director~~ secretary shall submit the plan to the secretary of
17 natural resources for review and comment. The secretary of natural resources shall
18 provide the ~~executive director~~ secretary with comments or recommendations for
19 changes in the plan, if any, within 30 days after the plan is submitted. No contracts
20 may be awarded under ~~sub. (5) par. (e)~~ until 30 days after the date the plan is
21 submitted to the secretary of natural resources or until the date the ~~executive~~
22 director secretary receives the ~~secretary's~~ secretary of natural resource's comments
23 or recommendations, whichever is earlier.

24 **SECTION 1727.** 67.03 (1) (b) of the statutes is repealed and recreated to read:

1 67.03 (1) (b) For any school district which offers no less than grades 1 to 12 and
2 which at the time of incurring such debt is eligible to receive state aid under s. 121.08,
3 10% of such equalized value shall be permitted. Any school district about to incur
4 indebtedness may apply to the state superintendent of public instruction for, and the
5 state superintendent may issue, a certificate as to the eligibility of the school district
6 to receive state aid under s. 121.08, which certificate shall be conclusive as to such
7 eligibility for 30 days, but not beyond the next June 30.

8 **SECTION 1728.** 69.03 (5) of the statutes is amended to read:

9 69.03 (5) Under this subchapter, accept for registration, assign a date of
10 acceptance and index and preserve original certificates of birth and death, original
11 marriage documents and original divorce reports. Notwithstanding s. 69.24 (1) (e),
12 the state registrar may transfer the paper original of a vital record to optical disc or
13 electronic format in accordance with s. 16.61 (5) or to microfilm reproduction in
14 accordance with s. 16.61 (6) and destroy the paper original of any vital record that
15 is so converted. For the purposes of this subchapter, the electronic format version
16 or microfilm reproduction version of the paper original of a vital record that has been
17 transferred under this subsection shall serve as the original vital record.

18 **SECTION 1729.** 69.03 (15) of the statutes is amended to read:

19 69.03 (15) Periodically provide to each county designee child support agency
20 under s. 59.53 (5) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of
21 registrants who reside in that county for whom no father's name has been inserted
22 on the registrant's birth certificate within 6 months of birth.

23 **SECTION 1730.** 69.14 (1) (cm) of the statutes is amended to read:

24 69.14 (1) (cm) For a birth which occurs en route to or at a hospital, the filing
25 party shall give the mother a copy of the pamphlet under s. 69.03 (14). If the child's

1 parents are not married at the time of the child's birth, the filing party shall give the
2 mother a copy of the form prescribed by the state registrar under s. 69.15 (3) (b) 3.
3 If the mother provides a completed form to the filing party while she is a patient in
4 the hospital and within 5 days after the birth, the filing party shall send the form
5 directly to the state registrar. From the appropriation under s. 20.445 (3) (mc), the
6 department of workforce development shall pay the filing party a financial incentive
7 for correctly filing a form within 60 days after the child's birth.

8 **SECTION 1731.** 69.15 (3) (b) 3. of the statutes, as affected by 1997 Wisconsin Act
9 3, is amended to read:

10 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
11 a statement acknowledging paternity on a form prescribed by the state registrar and
12 signed by both parents, along with the fee under s. 69.22, the state registrar shall
13 insert the name of the father under subd. 1. The state registrar shall mark the
14 certificate to show that the form is on file. The form shall be available to the
15 department of workforce development or ~~its designee~~ a county child support agency
16 under s. 59.53 (5) pursuant to the program responsibilities under s. 49.22 or to any
17 other person with a direct and tangible interest in the record. The state registrar
18 shall include on the form for the acknowledgment a notice of the information in ss.
19 767.458 (1) (a) to (e) and 767.62.

20 **SECTION 1732.** 69.20 (3) (b) 4. of the statutes is amended to read:

21 69.20 (3) (b) 4. The information is from a birth certificate which indicates that
22 the registrant has a congenital disability and is submitted to the department of
23 education public instruction.

24 **SECTION 1733.** 70.01 of the statutes is amended to read:

1 **70.01 General property taxes; upon whom levied.** Taxes shall be levied,
2 under this chapter, upon all general property in this state except property that is
3 exempt from taxation. Real estate taxes and personal property taxes are deemed to
4 be levied when the tax roll in which they are included has been delivered to the local
5 treasurer under s. 74.03. When so levied such taxes are a lien upon the property
6 against which they are charged. That lien is superior to all other liens, except a lien
7 under s. 292.31 (8) (i), ~~292.41 (6) (d)~~ or 292.81, and is effective as of January 1 in the
8 year when the taxes are levied. Liens of special assessments of benefits for local
9 improvements shall be in force as provided by the charter or general laws applicable
10 to the cities that make the special assessments. In this chapter, unless the context
11 requires otherwise, references to “this chapter” do not include ss. 70.37 to 70.395.

12 **SECTION 2233g.** 70.11 (4) of the statutes is amended to read:

13 **70.11 (4) EDUCATIONAL, RELIGIOUS AND BENEVOLENT INSTITUTIONS; WOMEN'S CLUBS;**
14 **HISTORICAL SOCIETIES; FRATERNITIES; LIBRARIES.** Property owned and used exclusively
15 by educational institutions offering regular courses 6 months in the year; or by
16 churches or religious, educational or benevolent associations, including benevolent
17 nursing homes and ~~retirement homes for the aged~~ but not including an organization
18 that is organized under s. 185.981 or ch. 611, 613 or 614 and that offers a health
19 maintenance organization as defined in s. 609.01 (2) or a limited service health
20 organization as defined in s. 609.01 (3) or an organization that is issued a certificate
21 of authority under ch. 618 and that offers a health maintenance organization or a
22 limited service health organization and not including property owned by any
23 nonstock, nonprofit corporation which services guaranteed student loans for others
24 or on its own account, and also including property owned and used for housing for
25 pastors and their ordained assistants, members of religious orders and communities,

1 and ordained teachers, whether or not contiguous to and a part of other property
2 owned and used by such associations or churches; or by women's clubs; or by
3 domestic, incorporated historical societies; or by domestic, incorporated, free public
4 library associations; or by fraternal societies operating under the lodge system
5 (except university, college and high school fraternities and sororities), but not
6 exceeding 10 acres of land necessary for location and convenience of buildings while
7 such property is not used for profit. Property owned by churches or religious
8 associations necessary for location and convenience of buildings, used for
9 educational purposes and not for profit, shall not be subject to the 10-acre limitation
10 but shall be subject to a 30-acre limitation. Property that is exempt from taxation
11 under this subsection and is leased remains exempt from taxation only if, in addition
12 to the requirements specified in the introductory phrase of this section, the lessee
13 does not discriminate on the basis of race.

14 **SECTION 2233r.** 70.11 (4g) of the statutes is created to read:

15 70.11 (4g) CHARITABLE RETIREMENT HOMES FOR THE AGED. Retirement homes for
16 the aged if no part of the home's net earnings inures to the benefit of any shareholder,
17 member, director or officer; if a substantial number of the residents pay fees that do
18 not fully cover the costs of providing the housing and the services that they receive
19 and if the home benefits a substantial number of persons who are legitimate objects
20 of charity.

21 **SECTION 2233t.** 70.11 (12) (title) and (a) of the statutes are amended to read:

22 70.11 (12) (title) ~~SCOUTS AND BOYS' CLUBS OF AMERICA~~ CERTAIN CHARITABLE
23 ORGANIZATIONS. (a) Property owned by units which are organized in this state of the
24 following organizations: the Salvation Army, the Boy Scouts of America, the Boys'
25 Clubs of America, the Girl Scouts or Camp Fire Girls or any person as trustee for

1 them of property used for the purposes of those organizations, provided no pecuniary
2 profit results to any individual owner or member.

3 **SECTION 2234m.** 70.119 (3) (d) of the statutes is amended to read:

4 70.119 (3) (d) "Municipal services" means police and fire protection, ~~garbage~~
5 ~~and trash disposal and collection not paid for under sub. (1)~~ and, subject to approval
6 by the committee, any other direct general government service provided by
7 municipalities to state facilities and facilities of the University of Wisconsin
8 Hospitals and Clinics Authority described in s. 70.11 (38). "Municipal services"
9 includes garbage and trash disposal and collection services not paid for under sub.
10 (1) provided to state facilities and the facilities of the University of Wisconsin
11 Hospitals and Clinics Authority, if the municipality provides the same services to all
12 commercial properties in the municipality.

13 **SECTION 1734.** 70.27 (5) of the statutes is amended to read:

14 70.27 (5) SURVEYS, RECONCILIATIONS. The surveyor making the plat shall survey
15 and lay out the boundaries of each parcel, street, alley, lane, roadway, or dedication
16 to public or private use, according to the records of the register of deeds, and
17 whatever evidence that may be available to show the intent of the buyer and seller,
18 in the chronological order of their conveyance or dedication, and set temporary
19 monuments to show the results of such survey which shall be made permanent upon
20 recording of the plat as provided for in this section. The map shall be at a scale of
21 not more than 100 feet per inch, unless waived in writing by the department of
22 ~~commerce~~ administration under s. 236.20 (2) (L). The owners of record of lands in
23 the plat shall be notified by certified letter mailed to their last-known address, in
24 order that they shall have opportunity to examine the map, view the temporary
25 monuments, and make known any disagreement with the boundaries as shown by

1 the temporary monuments. It is the duty of the surveyor making the plat to reconcile
2 any discrepancies that may be revealed, so that the plat as certified to the governing
3 body is in conformity with the records of the register of deeds as nearly as is
4 practicable. When boundary lines between adjacent parcels, as evidenced on the
5 ground, are mutually agreed to in writing by the owners of record, such lines shall
6 be the true boundaries for all purposes thereafter, even though they may vary from
7 the metes and bounds descriptions previously of record. Such written agreements
8 shall be recorded in the office of the register of deeds. On every assessor's plat, as
9 certified to the governing body, shall appear the volume, page and document number
10 of the metes and bounds description of each parcel, as recorded in the office of the
11 register of deeds, which shall be identified with the number by which such parcel is
12 designated on the plat, except that lots which have been conveyed or otherwise
13 acquired but upon which no deed is recorded in the office of register of deeds may be
14 shown on an assessor's plat and when so shown shall contain a full metes and bounds
15 description.

16 **SECTION 1735.** 70.27 (8) of the statutes is amended to read:

17 70.27 (8) PLAT FILED WITH GOVERNING BODY. Within 2 days after the assessor's
18 plat is filed with the governing body, it shall be transmitted to the department of
19 ~~commerce~~ administration by the clerk of the governing body which ordered the plat.
20 The department of ~~commerce~~ administration shall review the plat within 30 days of
21 its receipt. No such plat may be given final approval by the local governing body until
22 the department of ~~commerce~~ administration has certified on the face of the original
23 plat that it complies with the applicable provisions of ss. 236.15 and 236.20. After
24 the plat has been so certified the clerk shall promptly publish a class 3 notice thereof,
25 under ch. 985. The plat shall remain on file in the clerk's office for 30 days after the

1 first publication. At any time within the 30-day period any person or public body
2 having an interest in any lands affected by the plat may bring a suit to have the plat
3 corrected. If no suit is brought within the 30-day period, the plat may be approved
4 by the governing body, and filed for record. If a suit is brought, approval shall be
5 withheld until the suit is decided. The plat shall then be revised in accordance with
6 the decision if necessary, and, without rereferral to the department of ~~commerce~~
7 administration unless rereferral is ordered by the court. The plat may then be
8 approved by the governing body and filed for record. When so filed the plat shall
9 carry on its face the certificate of the clerk that all provisions of this section have been
10 complied with. When recorded after approval by the governing body, the plat shall
11 have the same effect for all purposes as if it were a land division plat made by the
12 owners in full compliance with ch. 236. Before January 1 of each year, the register
13 of deeds shall notify the town clerks of the recording of any assessors' plats made or
14 amended during the preceding year, affecting lands in their towns.

15 **SECTION 1736.** 70.375 (2) (b) of the statutes is amended to read:

16 70.375 (2) (b) The secretary may promulgate any rules necessary to implement
17 the tax under ss. 70.37 to 70.39 and 70.395 (1) (1e). In respect to mines not in
18 operation on November 28, 1981, ss. 71.10 (1), 71.30 (1), 71.74 (2), (3), (9), (11) and
19 (15), 71.77, 71.78, 71.80 (6), 71.83 (1) (a) 1. and 2. and (b) 2. and (2) (a) 3. and (b) 1.
20 and 71.85 (2) apply to the administration of this section.

21 **SECTION 1737.** 70.375 (6) of the statutes is amended to read:

22 70.375 (6) INDEXING. ~~For calendar year 1983 and corresponding fiscal years and~~
23 ~~thereafter, the~~ The dollar amounts in sub. (5) and s. 70.395 (1), ~~(1m)~~ and (2) (d) 1m.
24 and 5. a. and ~~(2)~~ (dg) shall be changed to reflect the percentage change between the
25 gross national product deflator for June of the current year and the gross national

1 product deflator for June of the previous year, as determined by the U.S. department
2 of commerce as of December 30 of the year for which the taxes are due, except that
3 no annual increase may be more than 10%. The revised amounts shall be rounded
4 to the nearest whole number divisible by 100 and shall not be reduced below the
5 amounts under sub. (5) on November 28, 1981. Annually, the department shall adopt
6 any changes in dollar amounts required under this subsection and incorporate them
7 into the appropriate tax forms.

8 **SECTION 1738.** 70.395 (1) (intro.) of the statutes is renumbered 70.395 (1e) and
9 amended to read:

10 70.395 (1e) DISTRIBUTION. Fifteen days after the collection of the tax under ss.
11 70.38 to 70.39, the department of administration, upon certification of the
12 department of revenue, shall transfer the amount collected as follows: in respect to
13 mines not in operation on November 28, 1981, to the investment and local impact
14 fund.

15 **SECTION 1739.** 70.395 (1) (a) 1. of the statutes is repealed.

16 **SECTION 1740.** 70.395 (1) (a) 2. of the statutes is renumbered 70.395 (1) and
17 amended to read:

18 70.395 (1) (title) DEFINITION. In this paragraph, ~~except as provided in subd. 3.~~
19 section, “first-dollar payment” means an amount equal to \$100,000 ~~for each county,~~
20 ~~Native American community or municipality eligible to receive a payment under~~
21 ~~sub. (2) (d) 1., 2. or 2m~~ adjusted as provided in s. 70.375 (6).

22 **SECTION 1741.** 70.395 (1) (a) 3. of the statutes is repealed.

23 **SECTION 1742.** 70.395 (1) (b) of the statutes is repealed.

24 **SECTION 1743.** 70.395 (1) (c) of the statutes is repealed.

25 **SECTION 1744.** 70.395 (1g) of the statutes is repealed.

1 **SECTION 1745.** 70.395 (1m) of the statutes is repealed.

2 **SECTION 1746.** 70.395 (2) (d) 1. of the statutes is amended to read:

3 70.395 (2) (d) 1. To each county in which metalliferous minerals are extracted,
4 the first-dollar payment ~~under sub. (1) (a).~~

5 **SECTION 1747.** 70.395 (2) (d) 2. of the statutes is amended to read:

6 70.395 (2) (d) 2. To each city, town or village in which metalliferous minerals
7 are extracted, the first-dollar payment ~~under sub. (1) (a)~~ minus any payment during
8 that year under par. (d) (intro.) or subd. 5. If the minable ore body is located in 2
9 contiguous municipalities and if at least 15% of the minable ore body is in each
10 municipality, each qualifying municipality shall receive a full payment specified in
11 this subdivision as if the ore body were located solely within that municipality. The
12 department of revenue shall annually change the dollar amount specified in this
13 subdivision as specified in s. 70.375 (6) except that the dollar amount may not be
14 reduced below the dollar amount under this subdivision on November 28, 1981.

15 **SECTION 1748.** 70.395 (2) (d) 4. a. of the statutes is amended to read:

16 70.395 (2) (d) 4. a. To ensure an annual payment to each municipality under
17 ~~sub. (1) (a)~~ subds. 1. and 2. in an amount equal to the average payment for the 3
18 previous years to that municipality.

19 **SECTION 1749.** 70.395 (2) (dg) of the statutes is amended to read:

20 70.395 (2) (dg) Each person constructing a metalliferous mining site shall pay
21 to the department of revenue for deposit in the investment and local impact fund, as
22 a construction fee, an amount sufficient to make the construction period payments
23 under par. (d) 5. in respect to that site. Any person paying a construction fee under
24 this paragraph may credit against taxes due under s. 70.375 an amount equal to the
25 payments that the taxpayer has made under this paragraph, provided that the credit

1 does not reduce the taxpayer's liability under s. 70.375 below the amount needed to
2 make the first-dollar payments as defined under sub. (1) (a) ~~2. under subs. 1., 2. and~~
3 2m. for that year in respect to the taxpayer's mine. Any amount not creditable
4 because of that limitation in any year may be carried forward.

5 **SECTION 1750.** 70.395 (2) (g) (intro.) of the statutes is amended to read:

6 70.395 (2) (g) (intro.) The board may distribute the revenues received under
7 ~~subs. (1) (a) and (1g) (b)~~ sub. (1e) or proceeds thereof in accordance with par. (h) for
8 the following purposes, as the board determines necessary:

9 **SECTION 1751.** 71.01 (1m) of the statutes is created to read:

10 71.01 (1m) "Department" means the department of revenue.

11 **SECTION 1752.** 71.01 (5g) of the statutes is created to read:

12 71.01 (5g) "File" means mail or deliver a document that the department
13 prescribes to the department or, if the department prescribes another method of
14 submitting or another destination, use that other method or submit to that other
15 destination.

16 **SECTION 2254b.** 71.01 (6) (d) of the statutes is repealed.

17 **SECTION 2254c.** 71.01 (6) (e) of the statutes is amended to read:

18 71.01 (6) (e) For taxable years that begin after December 31, 1989, and before
19 January 1, 1991, for natural persons and fiduciaries, except fiduciaries of nuclear
20 decommissioning trust or reserve funds, "internal revenue code" means the federal
21 internal revenue code as amended to December 31, 1989, and as amended by P.L.
22 101-280, P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding
23 section 1311 of P.L. 104-188, and as indirectly affected by P.L. 99-514, P.L. 100-203,
24 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280,
25 P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section

1 1311 of P.L. 104-188. The internal revenue code applies for Wisconsin purposes at
2 the same time as for federal purposes. Amendments to the federal internal revenue
3 code enacted after December 31, 1989, do not apply to this paragraph with respect
4 to taxable years beginning after December 31, 1989, and before January 1, 1991,
5 except that changes to the internal revenue code made by P.L. 101-280, P.L. 101-508,
6 P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L.
7 104-188, and changes that indirectly affect the federal internal revenue code made
8 by P.L. 101-280, P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188,
9 excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the same
10 time as for federal purposes.

11 **SECTION 2254d.** 71.01 (6) (f) of the statutes is amended to read:

12 71.01 (6) (f) For taxable years that begin after December 31, 1990, and before
13 January 1, 1992, for natural persons and fiduciaries, except fiduciaries of nuclear
14 decommissioning trust or reserve funds, “internal revenue code” means the federal
15 internal revenue code as amended to December 31, 1990. and as amended by P.L.
16 102-90, P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding
17 section 1311 of P.L. 104-188, and as indirectly affected by P.L. 99-514, P.L. 100-203,
18 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280,
19 P.L. 101-508, P.L. 102-90, P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L.
20 104-188, excluding section 1311 of P.L. 104-188. The internal revenue code applies
21 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
22 federal internal revenue code enacted after December 31, 1990, do not apply to this
23 paragraph with respect to taxable years beginning after December 31, 1990, and
24 before January 1, 1992, except that changes to the internal revenue code made by
25 P.L. 102-90, P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188,

1 excluding section 1311 of P.L. 104-188, and changes that indirectly affect the federal
2 internal revenue code made by P.L. 102-90, P.L. 102-227, P.L. 102-486 and, P.L.
3 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
4 purposes at the same time as for federal purposes.

5 **SECTION 2254e.** 71.01 (6) (g) of the statutes is amended to read:

6 71.01 (6) (g) For taxable years that begin after December 31, 1991, and before
7 January 1, 1993, for natural persons and fiduciaries, except fiduciaries of nuclear
8 decommissioning trust or reserve funds, "internal revenue code" means the federal
9 internal revenue code as amended to December 31, 1991, excluding sections 103, 104
10 and 110 of P.L. 102-227, and as amended by P.L. 102-318, P.L. 102-486 and, P.L.
11 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, and
12 P.L. 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected by
13 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
14 P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding
15 sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and, P.L.
16 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, and
17 P.L. 104-188, excluding section 1311 of P.L. 104-188. The internal revenue code
18 applies for Wisconsin purposes at the same time as for federal purposes.
19 Amendments to the federal internal revenue code enacted after December 31, 1991,
20 do not apply to this paragraph with respect to taxable years beginning after
21 December 31, 1991, and before January 1, 1993, except that changes to the internal
22 revenue code made by P.L. 102-318, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188,
23 excluding section 1311 of P.L. 104-188, and changes that indirectly affect the
24 provisions applicable to this subchapter made by P.L. 102-318, P.L. 102-486 and,

1 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 2254f.** 71.01 (6) (h) of the statutes is amended to read:

4 71.01 (6) (h) For taxable years that begin after December 31, 1992, and before
5 January 1, 1994, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "internal revenue code" means the federal
7 internal revenue code as amended to December 31, 1992, excluding sections 103, 104
8 and 110 of P.L. 102-227, and as amended by P.L. 103-66, excluding sections 13101
9 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and, P.L. 103-465
10 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected
11 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,
12 P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding
13 sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and, P.L.
14 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203
15 of P.L. 103-66, and P.L. 104-188, excluding section 1311 of P.L. 104-188. The
16 internal revenue code applies for Wisconsin purposes at the same time as for federal
17 purposes. Amendments to the federal internal revenue code enacted after December
18 31, 1992, do not apply to this paragraph with respect to taxable years beginning after
19 December 31, 1992, and before January 1, 1994, except that changes to the internal
20 revenue code made by P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding
21 section 1311 of P.L. 104-188, and changes that indirectly affect the provisions
22 applicable to this subchapter made by P.L. 103-66 and, P.L. 103-465 and P.L.
23 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the
24 same time as for federal purposes.

25 **SECTION 2254g.** 71.01 (6) (i) of the statutes is amended to read:

1 71.01 (6) (i) For taxable years that begin after December 31, 1993, and before
2 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, "internal revenue code" means the federal
4 internal revenue code as amended to December 31, 1993, excluding sections 103, 104
5 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d)
6 and 13215 of P.L. 103-66 and as amended by P.L. 103-296, P.L. 103-337, P.L.
7 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
8 section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly
9 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
10 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227,
11 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
12 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
13 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding
14 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
15 104-191 and P.L. 104-193. The internal revenue code applies for Wisconsin
16 purposes at the same time as for federal purposes. Amendments to the federal
17 internal revenue code enacted after December 31, 1993, do not apply to this
18 paragraph with respect to taxable years beginning after December 31, 1993, and
19 before January 1, 1995, except that changes to the internal revenue code made by
20 P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L.
21 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L.
22 104-193 and changes that indirectly affect the provisions applicable to this
23 subchapter made by P.L. ~~103-276~~ 103-296, P.L. 103-337, P.L. 103-465 and, P.L.
24 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.

1 104-188, P.L. 104-191 and P.L. 104-193, apply for Wisconsin purposes at the same
2 time as for federal purposes.

3 **SECTION 2254h.** 71.01 (6) (j) of the statutes is amended to read:

4 71.01 (6) (j) For taxable years that begin after December 31, 1994, and before
5 January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "internal revenue code" means the federal
7 internal revenue code as amended to December 31, 1994, excluding sections 103, 104
8 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203
9 (d) of P.L. 103-66, and as amended by P.L. 104-7 and, P.L. 104-117, P.L. 104-188,
10 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
11 104-193 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
12 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.
13 102-90, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
14 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13113, 13150 (d), 13171
15 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465,
16 P.L. 104-7 and, P.L. 104-117, P.L. 104-188, excluding sections 1202, 1204, 1311 and
17 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193. The internal revenue code
18 applies for Wisconsin purposes at the same time as for federal purposes.
19 Amendments to the federal internal revenue code enacted after December 31, 1994,
20 do not apply to this paragraph with respect to taxable years beginning after
21 December 31, 1994, and before January 1, 1996, except that changes to the internal
22 revenue code made by P.L. 104-7 and, P.L. 104-117, P.L. 104-188, excluding sections
23 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and
24 changes that indirectly affect the provisions applicable to this subchapter made by
25 P.L. 104-7 and, P.L. 104-117, P.L. 104-188, excluding sections 1202, 1204, 1311 and

1 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for Wisconsin purposes
2 at the same time as for federal purposes.

3 **SECTION 2254i.** 71.01 (6) (k) of the statutes is amended to read:

4 71.01 (6) (k) For taxable years that begin after December 31, 1995, and before
5 January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "internal revenue code" means the federal
7 internal revenue code as amended to December 31, 1995, excluding sections 103, 104
8 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203
9 (d) of P.L. 103-66, and as amended by P.L. 104-117, P.L. 104-188, excluding sections
10 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, and
11 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
12 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.
13 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
14 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
15 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7 and,
16 P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of
17 P.L. 104-188, P.L. 104-191 and P.L. 104-193. The internal revenue code applies for
18 Wisconsin purposes at the same time as for federal purposes. Amendments to the
19 federal internal revenue code enacted after December 31, 1995, do not apply to this
20 paragraph with respect to taxable years beginning after December 31, 1995, and
21 before January 1, 1997, except that changes to the internal revenue code made by
22 P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of
23 P.L. 104-188, P.L. 104-191 and P.L. 104-193 and changes that indirectly affect the
24 provisions applicable to this subchapter made by P.L. 104-117, P.L. 104-188,

1 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and
2 P.L. 104-193 apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 2254j.** 71.01 (6) (L) of the statutes is created to read:

4 71.01 (6) (L) For taxable years that begin after December 31, 1996, for natural
5 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
6 reserve funds, "internal revenue code" means the federal internal revenue code as
7 amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102-227,
8 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections
9 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly
10 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
11 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227,
12 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
13 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
14 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L.
15 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
16 104-188, P.L. 104-191 and P.L. 104-193. The internal revenue code applies for
17 Wisconsin purposes at the same time as for federal purposes. Amendments to the
18 federal internal revenue code enacted after December 31, 1996, do not apply to this
19 paragraph with respect to taxable years beginning after December 31, 1996.

20 **SECTION 2254k.** 71.01 (7r) of the statutes is amended to read:

21 71.01 (7r) Notwithstanding sub. (6), for purposes of computing amortization
22 or depreciation, "internal revenue code" means either the federal internal revenue
23 code as amended to December 31, ~~1995~~ 1996, or the federal internal revenue code in
24 effect for the taxable year for which the return is filed, except that property that,
25 under s. 71.02 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year

1 1986 under the internal revenue code as amended to December 31, 1980, shall
2 continue to be depreciated under the internal revenue code as amended to
3 December 31, 1980.

4 **SECTION 1753.** 71.01 (8r) of the statutes is created to read:

5 71.01 (8r) "Pay", in regard to submissions to or for the department, means mail
6 or deliver funds to the department or, if the department prescribes another method
7 of submitting or another destination, use that other method or submit to that other
8 destination.

9 **SECTION 1754.** 71.01 (9c) of the statutes is created to read:

10 71.01 (9c) "Sign" means write one's signature or, if the department prescribes
11 another method of authenticating, use that other method.

12 **SECTION 2256m.** 71.01 (15) of the statutes is repealed.

13 **SECTION 1755.** 71.02 (1) of the statutes is amended to read:

14 71.02 (1) For the purpose of raising revenue for the state and the counties,
15 cities, villages and towns, there shall be assessed, levied, collected and paid a tax on
16 all net incomes of individuals and fiduciaries, except fiduciaries of nuclear
17 decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every
18 natural person residing within the state or by his or her personal representative in
19 case of death, and trusts administered within the state; by every nonresident natural
20 person and trust of this state, upon such income as is derived from property located
21 or business transacted within the state including, but not limited by enumeration,
22 income derived from a limited partner's distributive share of partnership income,
23 income derived from a limited liability company member's distributive share of
24 limited liability company income, the state lottery under ch. 565, any multistate
25 multijurisdictional lottery under ch. 565 if the winning lottery ticket or lottery share

1 was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from
2 the department and pari-mutuel wager winnings or purses under ch. 562, and also
3 by every nonresident natural person upon such income as is derived from the
4 performance of personal services within the state, except as exempted under s. 71.05
5 (1) to (3). Every natural person domiciled in the state shall be deemed to be residing
6 within the state for the purposes of determining liability for income taxes and
7 surtaxes. A single-owner entity that is disregarded as a separate entity under
8 section 7701 of the Internal Revenue Code is disregarded as a separate entity under
9 this chapter, and its owner is subject to the tax on the entity's income.

10 **SECTION 1756.** 71.04 (1) (a) of the statutes is amended to read:

11 71.04 (1) (a) All income or loss of resident individuals and resident estates and
12 trusts shall follow the residence of the individual, estate or trust. Income or loss of
13 nonresident individuals and nonresident estates and trusts from business, not
14 requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the
15 business from which derived. All items of income, loss and deductions of nonresident
16 individuals and nonresident estates and trusts derived from a tax-option
17 corporation not requiring apportionment under sub. (9) shall follow the situs of the
18 business of the corporation from which derived. Income or loss of nonresident
19 individuals and nonresident estates and trusts derived from rentals and royalties
20 from real estate or tangible personal property, or from the operation of any farm,
21 mine or quarry, or from the sale of real property or tangible personal property shall
22 follow the situs of the property from which derived. Income from personal services
23 of nonresident individuals, including income from professions, shall follow the situs
24 of the services. A nonresident limited partner's distributive share of partnership
25 income shall follow the situs of the business. A nonresident limited liability company

1 member's distributive share of limited liability company income shall follow the situs
2 of the business. Income of nonresident individuals, estates and trusts from the state
3 lottery under ch. 565 is taxable by this state. Income of nonresident individuals,
4 estates and trusts from any multistate multijurisdictional lottery under ch. 565 is
5 taxable by this state, but only if the winning lottery ticket or lottery share was
6 purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the
7 department. Income of nonresident individuals, nonresident trusts and nonresident
8 estates from pari-mutuel winnings or purses under ch. 562 is taxable by this state.
9 All other income or loss of nonresident individuals and nonresident estates and
10 trusts, including income or loss derived from land contracts, mortgages, stocks,
11 bonds and securities or from the sale of similar intangible personal property, shall
12 follow the residence of such persons, except as provided in par. (b) and sub. (9).

13 **SECTION 2260m.** 71.05 (6) (intro.) of the statutes is amended to read:

14 71.05 (6) MODIFICATIONS AND TRANSITIONAL ADJUSTMENTS. (intro.) Some of the
15 modifications referred to in s. 71.01 (13), and (14) ~~and (15)~~ are:

16 **SECTION 1757.** 71.05 (6) (a) 15. of the statutes is amended to read:

17 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
18 (2di), (2dj), (2dL), (2dr) ~~and~~, (2ds), (2dx) and (3s) and not passed through by a
19 partnership, limited liability company or tax-option corporation that has added that
20 amount to the partnership's, company's or tax-option corporation's income under s.
21 71.21 (4) or 71.34 (1) (g).

22 **SECTION 2261am.** 71.05 (6) (a) 19. of the statutes is repealed.

23 **SECTION 2261b.** 71.05 (6) (b) 24. of the statutes is repealed.

24 **SECTION 2261c.** 71.05 (6) (b) 25. of the statutes is created to read:

1 71.05 (6) (b) 25. All gains that are not excluded from taxation under subd. 9.,
2 on business assets or on assets used in farming, including shares in a corporation or
3 trust that meets the standards under s. 182.001 (1), or both, held more than one year,
4 that are sold or otherwise disposed of to persons who are related to the seller or
5 transferor by blood, marriage or adoption within the 3rd degree of kinship as that
6 term is used in s. 852.03 (2), as computed under the Internal Revenue Code, not
7 including amounts treated as ordinary income for federal income tax purposes
8 because of the recapture of depreciation or any other reason.

9 **SECTION 2261d.** 71.05 (6) (b) 26. of the statutes is created to read:

10 71.05 (6) (b) 26. For taxable years beginning on or after January 1, 1998, an
11 amount paid by a person for a long-term care insurance policy for the person and his
12 or her spouse, calculated as follows:

13 a. One hundred percent of the amount paid by the person for a long-term care
14 insurance policy. In this subdivision, "long-term care insurance policy" means a
15 disability insurance policy or certificate advertised, marketed, offered or designed
16 primarily to provide coverage for care that is provided in the insured person's home
17 or in institutional and community-based settings and that is convalescent or
18 custodial care or care for a chronic condition or terminal illness; the term does not
19 include a medicare supplement policy or medicare replacement policy or a continuing
20 care contract, as defined in s. 647.01 (2). "Long-term care insurance policy" applies
21 to a policy that covers the person and his or her spouse.

22 b. From the amount calculated under subd. 26. a., subtract the amounts
23 deducted from gross income for a long-term care insurance policy in the calculation
24 of federal adjusted gross income.

1 c. For a person who is a nonresident or a part-year resident of this state, modify
2 the amount calculated under subd. 26. b. by multiplying the amount by a fraction the
3 numerator of which is the person's wages, unearned income and net earnings from
4 a trade or business that are taxable by this state and the denominator of which is the
5 person's total wages, unearned income and net earnings from a trade or business.

6 d. Reduce the amount calculated under subd. 26. b. or c. to the person's
7 aggregate wages, unearned income and net earnings from a trade or business that
8 are taxable by this state.

9 **SECTION 2261f.** 71.06 (2s) of the statutes is created to read:

10 71.06 (2s) NONRESIDENTS AND PART-YEAR RESIDENTS. For taxable years
11 beginning after December 31, 1996, with respect to nonresident individuals,
12 including individuals changing their domicile into or from this state, the tax brackets
13 under subs. (1) and (2) shall be multiplied by a fraction, the numerator of which is
14 Wisconsin adjusted gross income and the denominator of which is federal adjusted
15 gross income. In this subsection, for married persons filing separately "adjusted
16 gross income" means the separate adjusted gross income of each spouse, and for
17 married persons filing jointly "adjusted gross income" means the total adjusted gross
18 income of both spouses. If an individual and that individual's spouse are not both
19 domiciled in this state during the entire taxable year, the tax brackets under subs.
20 (1) and (2) on a joint return shall be multiplied by a fraction, the numerator of which
21 is their joint Wisconsin adjusted gross income and the denominator of which is their
22 joint federal adjusted gross income.

23 **SECTION 2261h.** 71.07 (2dd) (e) of the statutes is created to read:

24 71.07 (2dd) (e) No credit may be claimed under this subsection for taxable
25 years that begin on January 1, 1998, or thereafter. Credits under this subsection for

1 taxable years that begin before January 1, 1998, may be carried forward to taxable
2 years that begin on January 1, 1998, or thereafter.

3 **SECTION 2261j.** 71.07 (2de) (d) of the statutes is created to read:

4 71.07 (2de) (d) No credit may be claimed under this subsection for taxable
5 years that begin on January 1, 1998, or thereafter. Credits under this subsection for
6 taxable years that begin before January 1, 1998, may be carried forward to taxable
7 years that begin on January 1, 1998, or thereafter.

8 **SECTION 2261k.** 71.07 (2di) (i) of the statutes is created to read:

9 71.07 (2di) (i) No credit may be claimed under this subsection for taxable years
10 that begin on January 1, 1998, or thereafter. Credits under this subsection for
11 taxable years that begin before January 1, 1998, may be carried forward to taxable
12 years that begin on January 1, 1998, or thereafter.

13 **SECTION 2261m.** 71.07 (2dj) (i) of the statutes is created to read:

14 71.07 (2dj) (i) No credit may be claimed under this subsection for taxable years
15 that begin on January 1, 1998, or thereafter. Credits under this subsection for
16 taxable years that begin before January 1, 1998, may be carried forward to taxable
17 years that begin on January 1, 1998, or thereafter.

18 **SECTION 2261p.** 71.07 (2dL) (h) of the statutes is created to read:

19 71.07 (2dL) (h) No credit may be claimed under this subsection for taxable
20 years that begin on January 1, 1998, or thereafter. Credits under this subsection for
21 taxable years that begin before January 1, 1998, may be carried forward to taxable
22 years that begin on January 1, 1998, or thereafter.

23 **SECTION 2261q.** 71.07 (2dr) (a) of the statutes is amended to read:

24 71.07 (2dr) (a) *Credit.* Any person may credit against taxes otherwise due
25 under this chapter an amount equal to 5% of the amount obtained by subtracting

1 from the person's qualified research expenses, as defined in section 41 of the internal
2 revenue code, except that "qualified research expenses" include only expenses
3 incurred by the claimant in a development zone under subch. VI of ch. 560, except
4 that a taxpayer may elect the alternative computation under section 41 (c) (4) of the
5 Internal Revenue Code and that election applies until the department permits its
6 revocation and except that "qualified research expenses" do not include
7 compensation used in computing the credit under sub. (2dj) nor research expenses
8 incurred before the claimant is certified for tax benefits under s. 560.765 (3), the
9 person's base amount, as defined in section 41 (c) of the internal revenue code, in a
10 development zone, except that gross receipts used in calculating the base amount
11 means gross receipts from sales attributable to Wisconsin under s. 71.04 (7) (b) 1. and
12 2. and (d) and research expenses used in calculating the base amount include
13 research expenses incurred before the claimant is certified for tax benefits under s.
14 560.765 (3), in a development zone, if the claimant submits with the claimant's
15 return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and
16 a statement from the department of commerce verifying the claimant's qualified
17 research expenses for research conducted exclusively in a development zone. The
18 rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under
19 sub. (2di) (f) and (g), as they apply to the credit under that subsection, apply to claims
20 under this paragraph. Section 41 (h) of the internal revenue code does not apply to
21 the credit under this paragraph.

22 **SECTION 2261t.** 71.07 (2dr) (i) of the statutes is created to read:

23 71.07 (2dr) (i) *Sunset.* No credit may be claimed under this subsection for
24 taxable years that begin on January 1, 1998, or thereafter. Credits under this

1 subsection for taxable years that begin before January 1, 1998, may be carried
2 forward to taxable years that begin on January 1, 1998, or thereafter.

3 **SECTION 2261v.** 71.07 (2ds) (i) of the statutes is created to read:

4 71.07 (2ds) (i) No credit may be claimed under this subsection for taxable years
5 that begin on January 1, 1998, or thereafter. Credits under this subsection for
6 taxable years that begin before January 1, 1998, may be carried forward to taxable
7 years that begin on January 1, 1998, or thereafter.

8 **SECTION 1758.** 71.07 (2dx) of the statutes is created to read:

9 71.07 (2dx) DEVELOPMENT ZONES CREDIT. (a) *Definitions.* In this subsection:

10 1. "Brownfield" means an industrial or commercial facility the expansion or
11 redevelopment of which is complicated by environmental contamination.

12 2. "Development zone" means a development zone under s. 560.70, a
13 development opportunity zone under s. 560.795 or an enterprise development zone
14 under s. 560.797.

15 3. "Environmental remediation" means removal or containment of
16 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
17 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
18 in a brownfield if that removal, containment or restoration fulfills the requirement
19 under sub. (2de) (a) 1. and investigation unless the investigation determines that
20 remediation is required and that remediation is not undertaken.

21 4. "Full-time job" means a regular, nonseasonal full-time position in which an
22 individual, as a condition of employment, is required to work at least 2,080 hours per
23 year, including paid leave and holidays, and for which the individual receives pay
24 that is equal to at least 150% of the federal minimum wage and receives benefits that

1 are not required by federal or state law. "Full-time job" does not include initial
2 training before an employment position begins.

3 5. "Member of a targeted group" means a person under sub. (2dj) (am) 1., a
4 person who resides in an empowerment zone, or an enterprise community, that the
5 U.S. government designates, a person who is employed in an unsubsidized job but
6 meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works
7 employment position, a person who is employed in a trial job, as defined in s. 49.141
8 (1) (n), a person who is eligible for the Wisconsin works health plan under s. 49.153
9 or a person who is eligible for child care assistance under s. 49.155; if the person has
10 been certified in the manner under sub. (2dj) (am) 3. by a designated local agency,
11 as defined in sub. (2dj) (am) 2.

12 (b) *Credit*. Except as provided in s. 73.03 (35) and subject to s. 560.785, for any
13 taxable year for which the person is certified under s. 560.765 (3), any person may
14 claim as a credit against taxes the following amounts:

15 1. Fifty percent of the amount expended for environmental remediation in a
16 development zone.

17 2. The amount determined by multiplying the amount determined under s.
18 560.785 (1) (b) by the number of full-time jobs created in a development zone and
19 filled by a member of a targeted group and by then subtracting the subsidies paid
20 under s. 49.147 (3) (a) for those jobs.

21 3. The amount determined by multiplying the amount determined under s.
22 560.785 (1) (c) by the number of full-time jobs created in a development zone and not
23 filled by a member of a targeted group and by then subtracting the subsidies paid
24 under s. 49.147 (3) (a) for those jobs.

1 4. The amount determined by multiplying the amount determined under s.
2 560.785 (1) (b) by the number of full-time jobs retained, as provided in the rules
3 under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj),
4 in a development zone and filled by a member of a targeted group and by then
5 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

6 5. The amount determined by multiplying the amount determined under s.
7 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules
8 under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj),
9 in a development zone and not filled by a member of a targeted group and by then
10 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

11 (c) *Credit precluded.* If the certification of a person for tax benefits under s.
12 560.765 (3) is revoked, that person may not claim credits under this subsection for
13 the taxable year that includes the day on which the certification is revoked or
14 succeeding taxable years and that person may not carry over unused credits from
15 previous years to offset tax under this chapter for the taxable year that includes the
16 day on which certification is revoked or succeeding taxable years.

17 (d) *Carry-over precluded.* If a person who is certified under s. 560.765 (3) for
18 tax benefits ceases business operations in the development zone during any of the
19 taxable years that that zone exists, that person may not carry over to any taxable
20 year following the year during which operations cease any unused credits from the
21 taxable year during which operations cease or from previous taxable years.

22 (e) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
23 s. 71.28 (4), applies to the credit under this subsection. Subsection (2dj) (c), as it
24 applies to the credit under sub. (2dj), applies to the credit under this subsection.

1 Claimants shall include with their returns a copy of their certification for tax benefits
2 and a copy of the department of commerce's verification of their expenses.

3 **SECTION 2262m.** 71.07 (3s) of the statutes is created to read:

4 71.07 (3s) MANUFACTURING SALES TAX CREDIT. (a) In this subsection:

5 1. "Manufacturing" has the meaning given in s. 77.54 (6m).

6 2. "Sales and use tax under ch. 77 paid by the person" includes use taxes paid
7 directly by the person and sales and use taxes paid by the person's supplier and
8 passed on to the person whether separately stated on the invoice or included in the
9 total price.

10 (b) The tax imposed under s. 71.02 shall be reduced by an amount equal to the
11 sales and use tax under ch. 77 paid by the person in such taxable year on fuel and
12 electricity consumed in manufacturing tangible personal property in this state.
13 Shareholders in a tax-option corporation and partners may claim the credit under
14 this subsection, based on eligible sales and use taxes paid by the partnership or
15 tax-option corporation, in proportion to the ownership interest of each partner or
16 shareholder. The partnership or tax-option corporation shall calculate the amount
17 of the credit which may be claimed by each partner or shareholder and shall provide
18 that information to the partner or shareholder.

19 (c) 1. The credit under par. (b), including any credits carried over, may be offset
20 only against the amount of the tax imposed upon or measured by the business
21 operations of the claimant in which the fuel and electricity are consumed. If the
22 credit computed is not entirely offset against taxes otherwise due, the unused
23 balance shall be carried forward and credited against taxes otherwise due for the
24 following 15 taxable years to the extent not offset by taxes otherwise due in all

1 intervening years between the year in which the expense was incurred and the year
2 in which the carry-forward credit is claimed.

3 2. For shareholders in a tax-option corporation, the credit may be offset only
4 against the tax imposed on the shareholder's prorated share of the tax-option
5 corporation's income.

6 3. For partners, the credit may be offset only against the tax imposed on the
7 partner's distributive share of partnership income.

8 4. If a tax-option corporation becomes liable for tax, the corporation may offset
9 the credit against the tax due, with any remaining credit passing through to the
10 shareholders.

11 5. If a corporation that is not a tax-option corporation has a carry-over credit
12 and becomes a tax-option corporation before the credit carried over is used, the
13 unused portion of the credit may be used by the tax-option corporation's
14 shareholders on a prorated basis.

15 6. If the shareholders of a tax-option corporation have carry-over credits and
16 the corporation becomes a corporation other than a tax-option corporation after the
17 effective date of this subdivision [revisor inserts date], and before the credits
18 carried over are used, the unused portion of the credits may be used by the
19 corporation that is not a tax-option corporation.

20 **SECTION 2262n.** 71.07 (5) (a) 7. of the statutes is repealed.

21 **SECTION 2262nm.** 71.07 (5) (a) 15. of the statutes is amended to read:

22 71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance
23 under section 213 of the ~~internal revenue code~~ Internal Revenue Code that is exempt
24 from taxation under s. 71.05 (6) (b) 17. to 20. and the amount claimed as a deduction
25 for a long-term care insurance policy under section 213 (d) (1) (D) of the Internal

1 Revenue Code, as defined in section 7702B (b) of the Internal Revenue Code that is
2 exempt from taxation under s. 71.05 (6) (b) 26.

3 **SECTION 2262np.** 71.07 (5m) of the statutes is created to read:

4 71.07 (5m) WORKING FAMILIES TAX CREDIT. (a) *Definitions.* In this subsection:

5 1. "Claimant" means an individual who is eligible to claim the credit under this
6 subsection.

7 2. "Department" means the department of revenue.

8 3. "Household" means a claimant and an individual related to the claimant as
9 husband or wife.

10 4. "Net tax liability" means a claimant's income tax liability after he or she
11 completes the computations listed in s. 71.10 (4) (a) to (d).

12 (b) *Filing claims.* Subject to the limitations provided in this subsection, a
13 claimant may claim as a credit against the tax imposed under s. 71.02, up to the
14 amount of those taxes, one of the following amounts:

15 1. If the claimant is single and his or her adjusted gross income is less than
16 \$9,000 in the year to which the claim relates, an amount equal to his or her net tax
17 liability.

18 2. If the claimant is single and his or her adjusted gross income is at least \$9,000
19 but less than \$10,000 in the year to which the claim relates, an amount that is
20 calculated as follows:

21 a. Calculate the value of a fraction, the denominator of which is \$1,000 and the
22 numerator of which is the difference between the claimant's adjusted gross income
23 and \$9,000.

24 b. Subtract from 1.0 the amount that is calculated under subd. 2. a.

1 c. Multiply the amount of the claimant's net income tax liability by the amount
2 that is calculated under subd. 2. b.

3 3. If the claimant is married and filing jointly and the sum of the claimant's
4 adjusted gross income and his or her spouse's adjusted gross income is less than
5 \$18,000 in the year to which the claim relates, an amount equal to the married
6 couple's net tax liability.

7 4. If the claimant is married and filing jointly and the sum of the claimant's
8 adjusted gross income and his or her spouse's adjusted gross income is at least
9 \$18,000 but less than \$19,000 in the year to which the claim relates, an amount that
10 is calculated as follows:

11 a. Calculate the value of a fraction, the denominator of which is \$1,000 and the
12 numerator of which is the difference between the married couple's adjusted gross
13 income and \$18,000.

14 b. Subtract from 1.0 the amount that is calculated under subd. 4. a.

15 c. Multiply the amount of the married couple's net income tax liability by the
16 amount that is calculated under subd. 4. b.

17 5. If the claimant is married and filing separately and his or her adjusted gross
18 income is less than \$9,000 in the year to which the claim relates, an amount equal
19 to his or her net tax liability.

20 6. If the claimant is married and filing separately and his or her adjusted gross
21 income is at least \$9,000 but less than \$10,000 in the year to which the claim relates,
22 an amount that is calculated as follows:

23 a. Calculate the value of a fraction, the denominator of which is \$1,000 and the
24 numerator of which is the difference between the claimant's adjusted gross income
25 and \$9,000.

1 b. Subtract from 1.0 the amount that is calculated under subd. 6. a.

2 c. Multiply the amount of the claimant's net income tax liability by the amount
3 that is calculated under subd. 6. b.

4 (c) *Limitations.* 1. No credit may be allowed under this subsection unless it
5 is claimed within the time period under s. 71.75 (2).

6 2. Part-year residents and nonresidents of this state are not eligible for the
7 credit under this subsection.

8 3. Except as provided in subd. 4., only one credit per household is allowed each
9 year.

10 4. If a married couple files separately, each spouse may claim the credit
11 calculated under par. (b) 5. or 6., except a married person living apart from the other
12 spouse and treated as single under section 7703 (b) of the Internal Revenue Code may
13 claim the credit under par. (b) 1. or 2.

14 5. The credit under this subsection may not be claimed by a person who may
15 be claimed as a dependent on the individual income tax return of another taxpayer.

16 (d) *Administration.* The department of revenue may enforce the credit under
17 this subsection and may take any action, conduct any proceeding and proceed as it
18 is authorized in respect to taxes under this chapter. The income tax provisions in this
19 chapter relating to assessments, refunds, appeals, collection, interest and penalties
20 apply to the credit under this subsection.

21 **SECTION 2262p.** 71.07 (8) (a) of the statutes is renumbered 71.07 (8) (a) (intro.)
22 and amended to read:

23 71.07 (8) (a) (intro.) An exemption of ~~\$25~~ one of the following amounts if the
24 taxpayer has reached the age of 65 prior to the close of the calendar or fiscal year: and
25 if one of the following applies:

1 **SECTION 2262q.** 71.07 (8) (a) 1. to 6. of the statutes are created to read:

2 71.07 (8) (a) 1. If the taxpayer is an individual, the taxpayer files an individual
3 return, and has adjusted gross income of less than \$30,000 in the year to which the
4 claim relates, \$25.

5 2. If the taxpayer is an individual, the taxpayer files an individual return, and
6 has adjusted gross income of at least \$30,000 but less than \$31,000 in the year to
7 which the claim relates, the amount obtained by subtracting from \$25 2.5% of the
8 amount by which the taxpayer's adjusted gross income exceeds \$30,000.

9 3. If the taxpayer is married, the taxpayer files a joint return, and has adjusted
10 gross income of less than \$40,000 in the year to which the claim relates, \$25.

11 4. If the taxpayer is married, the taxpayer files a joint return, and has adjusted
12 gross income of at least \$40,000 but less than \$41,000 in the year to which the claim
13 relates, the amount obtained by subtracting from \$25 2.5% of the amount by which
14 the taxpayer's adjusted gross income exceeds \$40,000.

15 5. If the taxpayer is married, the taxpayer files a separate return, and has
16 adjusted gross income of less than \$20,000 in the year to which the claim relates, \$25.

17 6. If the taxpayer is married, the taxpayer files a separate return and has
18 adjusted gross income of at least \$20,000 but less than \$21,000 in the year to which
19 the claim relates, the amount obtained by subtracting from \$25 2.5% of the amount
20 by which the taxpayer's adjusted gross income exceeds \$20,000.

21 **SECTION 2262r.** 71.07 (9m) (a) of the statutes is amended to read:

22 71.07 (9m) (a) Any person may credit against taxes otherwise due under this
23 chapter, up to the amount of those taxes, an amount equal to 5% of the costs of
24 qualified rehabilitation expenditures, as defined in section 47 (c) (2) of the internal
25 revenue code, for certified historic structures on property located in this state if the

1 physical work of construction or destruction in preparation for construction begins
2 after December 31, 1988, ~~and the rehabilitated property is placed in service after~~
3 ~~June 30, 1989.~~

4 **SECTION 2262s.** 71.07 (10) (a) of the statutes is repealed.

5 **SECTION 2262t.** 71.07 (10) (b) of the statutes is renumbered 71.07 (10).

6 **SECTION 1759.** 71.08 (1) (intro.) of the statutes is amended to read:

7 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
8 couple filing jointly, trust or estate under s. 71.02, not considering the credits under
9 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3m), (6) and (9e),
10 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd) and (2m) and 71.47 (1dd),
11 (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd) and (2m) and subchs. VIII and IX and
12 payments to other states under s. 71.07 (7), is less than the tax under this section,
13 there is imposed on that natural person, married couple filing jointly, trust or estate,
14 instead of the tax under s. 71.02, an alternative minimum tax computed as follows:

15 **SECTION 1760.** 71.09 (6) of the statutes is repealed.

16 **SECTION 2264m.** 71.10 (4) (de) of the statutes is created to read:

17 71.10 (4) (de) The manufacturing sales tax credit under s. 71.07 (3s).

18 **SECTION 2264s.** 71.10 (4) (du) of the statutes is created to read:

19 71.10 (4) (du) Working families tax credit under s. 71.07 (5m).

20 **SECTION 1761.** 71.10 (4) (gu) of the statutes is created to read:

21 71.10 (4) (gu) Development zones credit under s. 71.07 (2dx).

22 **SECTION 2265m.** 71.10 (4) (j) of the statutes is amended to read:

23 71.10 (4) (j) Any amount of ~~money or other~~ assets computed under s. 71.83 (1)
24 (c).

25 **SECTION 1762.** 71.10 (5) (a) 2. of the statutes is amended to read:

1 71.10 (5) (a) 2. “Endangered resources program” means purchasing or
2 improving land or habitats for any native Wisconsin endangered or threatened
3 species as defined in s. 29.415 (2) (a) or (b) or for any nongame species as defined in
4 s. 29.01 (10), conducting the natural heritage inventory program under s. 23.27 (3),
5 conducting wildlife and resource research and surveys and providing wildlife
6 management services, providing for wildlife damage control or the payment of claims
7 for damage associated with endangered or threatened species, repaying the general
8 fund for amounts expended under s. 20.370 (1) (fb) in fiscal year 1983-84 and the
9 payment of administrative expenses related to the administration of this subsection.

10 **SECTION 2266c.** 71.122 of the statutes is created to read:

11 **71.122 Definition.** In this subchapter, “Wisconsin taxable income” means
12 federal taxable income, as defined in s. 71.01 (4), as modified under s. 71.05 (6) to (12),
13 (19) and (20).

14 **SECTION 2266g.** 71.125 of the statutes is renumbered 71.125 (1) and amended
15 to read:

16 71.125 (1) The Except as provided in sub. (2), the tax imposed by this chapter
17 on individuals and the rates under s. 71.06 (1) and (2) shall apply to the Wisconsin
18 taxable income of estates or trusts, except nuclear decommissioning trust or reserve
19 funds, and that tax shall be paid by the fiduciary.

20 **SECTION 2266h.** 71.125 (2) of the statutes is created to read:

21 71.125 (2) Each electing small business trust, as defined in section 1361 (e) (1)
22 of the Internal Revenue Code, is subject to tax at the highest rate under s. 71.06 (1)
23 on its Wisconsin taxable income.

24 **SECTION 2266k.** 71.195 of the statutes is created to read:

1 **71.195 Definition.** In this subchapter, “partnership” includes limited liability
2 companies and other entities that are treated as partnerships under the Internal
3 Revenue Code, and “partnership” does not include publicly traded partnerships
4 treated as corporations under s. 71.22 (1).

5 **SECTION 2266m.** 71.20 (1) of the statutes is amended to read:

6 71.20 (1) Every partnership, ~~except publicly traded partnerships treated as~~
7 ~~corporations under s. 71.22 (1), and every limited liability company, except limited~~
8 ~~liability companies treated as corporations under s. 71.22 (1),~~ shall furnish to the
9 department a true and accurate statement, on or before April 15 of each year, except
10 that returns for fiscal years ending on some other date than December 31 shall be
11 furnished on or before the 15th day of the 4th month following the close of such fiscal
12 year, in such manner and form and setting forth such facts as the department deems
13 necessary to enforce this chapter. A partnership that is the owner of a single-owner
14 entity that is disregarded as a separate entity under section 7701 of the Internal
15 Revenue Code shall include that entity’s information on the owner’s return under
16 this subchapter. The statement shall be subscribed by one of the members of the
17 partnership ~~or limited liability company.~~

18 **SECTION 2266r.** 71.21 (1) of the statutes is amended to read:

19 71.21 (1) The net income of a partnership, ~~except publicly traded partnerships~~
20 ~~treated as corporations under s. 71.22 (1), and of a limited liability company, except~~
21 ~~limited liability companies treated as corporations under s. 71.22 (1),~~ shall be
22 computed in the same manner and on the same basis as provided for computation
23 of the income of persons other than corporations.

24 **SECTION 2266t.** 71.21 (2) of the statutes is amended to read:

1 71.21 (2) The standard deduction shall not be allowed in computing the taxable
2 income of a partnership ~~or of a limited liability company.~~

3 **SECTION 2266u.** 71.21 (3) of the statutes is amended to read:

4 71.21 (3) The credits under s. 71.28 (4) and (5) may not be claimed by a
5 partnership, ~~except a publicly traded partnership treated as a corporation under s.~~
6 ~~71.22 (1), or a limited liability company, except a limited liability company treated~~
7 ~~as a corporation under s. 71.22 (1), or by partners, including partners of a publicly~~
8 ~~traded partnership, or members of a limited liability company.~~

9 **SECTION 1763.** 71.21 (4) of the statutes is amended to read:

10 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
11 (2dj), (2dL) ~~and, (2ds), (2dx) and (3s)~~ and passed through to partners ~~or members~~
12 shall be added to the partnership's ~~or limited liability company's~~ income.

13 **SECTION 2267m.** 71.22 (1) of the statutes is amended to read:

14 71.22 (1) "Corporation" includes corporations, publicly traded partnerships
15 treated as corporations in section 7704 of the internal revenue code, limited liability
16 companies treated as corporations under the internal revenue code, joint stock
17 companies, associations ~~and, common law trusts~~ and all other entities treated as
18 corporations under section 7701 of the Internal Revenue Code, unless the context
19 requires otherwise. A single-owner entity that is disregarded as a separate entity
20 under section 7701 of the Internal Revenue Code is disregarded as a separate entity
21 under this chapter, and its owner is subject to the tax on or measured by the entity's
22 income. "Corporation" does not include any entity that is a qualified subchapter S
23 subsidiary under s. 71.365 (7).

24 **SECTION 1764.** 71.22 (1m) of the statutes is created to read:

25 71.22 (1m) "Department" means the department of revenue.

1 **SECTION 1765.** 71.22 (2m) of the statutes is created to read:

2 71.22 **(2m)** “File” means mail or deliver a document that the department
3 prescribes to the department or, if the department prescribes another method of
4 submitting or another destination, use that other method or submit to that other
5 destination.

6 **SECTION 2269b.** 71.22 (4) (d) of the statutes is repealed.

7 **SECTION 2269c.** 71.22 (4) (e) of the statutes is amended to read:

8 71.22 **(4)** (e) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
9 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after
10 December 31, 1989, and before January 1, 1991, means the federal internal revenue
11 code as amended to December 31, 1989, and as amended by P.L. 101-508, P.L.
12 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
13 and as indirectly affected in the provisions applicable to this subchapter by P.L.
14 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
15 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647,
16 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227
17 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188. The
18 internal revenue code applies for Wisconsin purposes at the same time as for federal
19 purposes. Amendments to the federal internal revenue code enacted after December
20 31, 1989, do not apply to this paragraph with respect to taxable years beginning after
21 December 31, 1989, and before January 1, 1991, except that changes to the internal
22 revenue code made by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188,
23 excluding section 1311 of P.L. 104-188, and changes that indirectly affect the
24 provisions applicable to this subchapter made by P.L. 101-508, P.L. 102-227 and,

1 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 2269d.** 71.22 (4) (f) of the statutes is amended to read:

4 71.22 (4) (f) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
5 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after
6 December 31, 1990, and before January 1, 1992, means the federal internal revenue
7 code as amended to December 31, 1990, and as amended by P.L. 102-227, P.L.
8 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
9 and as indirectly affected in the provisions applicable to this subchapter by P.L.
10 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
11 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647,
12 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
13 P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L.
14 104-188. The internal revenue code applies for Wisconsin purposes at the same time
15 as for federal purposes. Amendments to the federal internal revenue code enacted
16 after December 31, 1990, do not apply to this paragraph with respect to taxable years
17 beginning after December 31, 1990, and before January 1, 1992, except that changes
18 to the internal revenue code made by P.L. 102-227, P.L. 102-486 and, P.L. 103-66
19 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and changes that indirectly
20 affect the provisions applicable to this subchapter made by P.L. 102-227, P.L.
21 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
22 apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 2269e.** 71.22 (4) (g) of the statutes is amended to read:

24 71.22 (4) (g) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after

1 December 31, 1991, and before January 1, 1993, means the federal internal revenue
2 code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L.
3 102-227, and as amended by P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding
4 sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L. 104-188,
5 excluding section 1311 of P.L. 104-188, and as indirectly affected in the provisions
6 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding
7 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514
8 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
9 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
10 102-227, P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a)
11 and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L. 104-188, excluding section 1311
12 of P.L. 104-188. The internal revenue code applies for Wisconsin purposes at the
13 same time as for federal purposes. Amendments to the federal internal revenue code
14 enacted after December 31, 1991, do not apply to this paragraph with respect to
15 taxable years beginning after December 31, 1991, and before January 1, 1993, except
16 that changes to the internal revenue code made by P.L. 102-318, P.L. 102-486 and,
17 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and changes
18 that indirectly affect the provisions applicable to this subchapter made by P.L.
19 102-318, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of
20 P.L. 104-188, apply for Wisconsin purposes at the same time as for federal purposes.

21 **SECTION 2269f.** 71.22 (4) (h) of the statutes is amended to read:

22 71.22 (4) (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
23 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after
24 December 31, 1992, and before January 1, 1994, means the federal internal revenue
25 code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L.

1 102-227, and as amended by P.L. 103-66, excluding sections 13101 (a) and (c) 1,
2 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465, and P.L.
3 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected in the
4 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647
5 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of
6 P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
7 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and
8 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
9 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66 and, P.L.
10 103-465 and P.L. 104-188, excluding section 1311 of P.L. 104-188. The internal
11 revenue code applies for Wisconsin purposes at the same time as for federal purposes.
12 Amendments to the federal internal revenue code enacted after December 31, 1992,
13 do not apply to this paragraph with respect to taxable years beginning after
14 December 31, 1992, and before January 1, 1994, except that changes to the internal
15 revenue code made by P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding
16 section 1311 of P.L. 104-188, and changes that indirectly affect the provisions
17 applicable to this subchapter made by P.L. 103-66 and, P.L. 103-465 and P.L.
18 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the
19 same time as for federal purposes.

20 **SECTION 2269g.** 71.22 (4) (i) of the statutes is amended to read:

21 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
22 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after
23 December 31, 1993, and before January 1, 1995, means the federal internal revenue
24 code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L.
25 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L.

1 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L.
2 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
3 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the provisions
4 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding
5 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514
6 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
7 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
8 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
9 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337,
10 P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188,
11 excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193. The internal
12 revenue code applies for Wisconsin purposes at the same time as for federal purposes.
13 Amendments to the federal internal revenue code enacted after December 31, 1993,
14 do not apply to this paragraph with respect to taxable years beginning after
15 December 31, 1993, and before January 1, 1995, except that changes to the internal
16 revenue code made by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
17 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
18 104-188, P.L. 104-191 and P.L. 104-193 and changes that indirectly affect the
19 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.
20 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
21 section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for Wisconsin
22 purposes at the same time as for federal purposes.

23 **SECTION 2269h.** 71.22 (4) (j) of the statutes is amended to read:

24 71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after

1 December 31, 1994, and before January 1, 1996, means the federal internal revenue
2 code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L.
3 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66,
4 and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and
5 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the
6 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647
7 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of
8 P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
9 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and
10 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
11 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
12 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,
13 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193. The internal revenue
14 code applies for Wisconsin purposes at the same time as for federal purposes.
15 Amendments to the federal internal revenue code enacted after December 31, 1994,
16 do not apply to this paragraph with respect to taxable years beginning after
17 December 31, 1994, and before January 1, 1996, except that changes to the internal
18 revenue code made by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311
19 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and changes that indirectly
20 affect the provisions applicable to this subchapter made by P.L. 104-7, P.L. 104-188,
21 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
22 104-193 apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 2269i.** 71.22 (4) (k) of the statutes is amended to read:

24 71.22 (4) (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after

1 December 31, 1995, and before January 1, 1997, means the federal internal revenue
2 code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L.
3 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66,
4 and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605
5 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the
6 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647
7 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of
8 P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
9 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and
10 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
11 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
12 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202,
13 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193. The internal
14 revenue code applies for Wisconsin purposes at the same time as for federal purposes.
15 Amendments to the federal internal revenue code enacted after December 31, 1995,
16 do not apply to this paragraph with respect to taxable years beginning after
17 December 31, 1995, and before January 1, 1997, except that changes to the Internal
18 Revenue Code made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and
19 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, and changes that indirectly
20 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding
21 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
22 104-193 apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 2269j.** 71.22 (4) (L) of the statutes is created to read:

24 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after

1 December 31, 1996, means the federal internal revenue code as amended to
2 December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102-227, sections
3 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections 1123 (b),
4 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly affected in the
5 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647
6 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of
7 P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
8 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and
9 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
10 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
11 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
12 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191 and P.L. 104-193. The
13 internal revenue code applies for Wisconsin purposes at the same time as for federal
14 purposes. Amendments to the federal internal revenue code enacted after
15 December 31, 1996, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1996.

17 **SECTION 2269k.** 71.22 (4m) (b) of the statutes is repealed.

18 **SECTION 2269L.** 71.22 (4m) (c) of the statutes is amended to read:

19 71.22 (4m) (c) For taxable years that begin after December 31, 1989, and before
20 January 1, 1991, "internal revenue code", for corporations that are subject to a tax
21 on unrelated business income under s. 71.26 (1) (a), means the federal internal
22 revenue code as amended to December 31, 1989, and as amended by P.L. 101-508,
23 P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L.
24 104-188, and as indirectly affected in the provisions applicable to this subchapter
25 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,

1 P.L. 101-239, P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188,
2 excluding section 1311 of P.L. 104-188. The internal revenue code applies for
3 Wisconsin purposes at the same time as for federal purposes. Amendments to the
4 internal revenue code enacted after December 31, 1989, do not apply to this
5 paragraph with respect to taxable years beginning after December 31, 1989, and
6 before January 1, 1991, except that changes to the internal revenue code made by
7 P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section
8 1311 of P.L. 104-188, and changes that indirectly affect the provisions applicable to
9 this subchapter made by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L.
10 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the
11 same time as for federal purposes.

12 **SECTION 2269m.** 71.22 (4m) (d) of the statutes is amended to read:

13 71.22 (4m) (d) For taxable years that begin after December 31, 1990, and before
14 January 1, 1992, “internal revenue code”, for corporations that are subject to a tax
15 on unrelated business income under s. 71.26 (1) (a), means the federal internal
16 revenue code as amended to December 31, 1990, and as amended by P.L. 102-227,
17 P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L.
18 104-188, and as indirectly affected in the provisions applicable to this subchapter
19 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,
20 P.L. 101-239, P.L. 101-508, P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L.
21 104-188, excluding section 1311 of P.L. 104-188. The internal revenue code applies
22 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
23 internal revenue code enacted after December 31, 1990, do not apply to this
24 paragraph with respect to taxable years beginning after December 31, 1990, and
25 before January 1, 1992, except that changes to the internal revenue code made by

1 P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section
2 1311 of P.L. 104-188, and changes that indirectly affect the provisions applicable to
3 this subchapter made by P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L.
4 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the
5 same time as for federal purposes.

6 **SECTION 2269n.** 71.22 (4m) (e) of the statutes is amended to read:

7 71.22 (4m) (e) For taxable years that begin after December 31, 1991, and before
8 January 1, 1993, “internal revenue code”, for corporations that are subject to a tax
9 on unrelated business income under s. 71.26 (1) (a), means the federal internal
10 revenue code as amended to December 31, 1991, excluding sections 103, 104 and 110
11 of P.L. 102-227, and as amended by P.L. 102-318, P.L. 102-486 and, P.L. 103-66,
12 excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L.
13 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected in the
14 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
15 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
16 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and,
17 P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66,
18 and P.L. 104-188, excluding section 1311 of P.L. 104-188. The internal revenue code
19 applies for Wisconsin purposes at the same time as for federal purposes.
20 Amendments to the internal revenue code enacted after December 31, 1991, do not
21 apply to this paragraph with respect to taxable years beginning after December 31,
22 1991, and before January 1, 1993, except that changes to the internal revenue code
23 made by P.L. 102-318, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding
24 section 1311 of P.L. 104-188, and changes that indirectly affect the provisions
25 applicable to this subchapter made by P.L. 102-318, P.L. 102-486 and, P.L. 103-66

1 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
2 purposes at the same time as for federal purposes.

3 **SECTION 2269no.** 71.22 (4m) (f) of the statutes is amended to read:

4 71.22 (4m) (f) For taxable years that begin after December 31, 1992, and before
5 January 1, 1994, “internal revenue code”, for corporations that are subject to a tax
6 on unrelated business income under s. 71.26 (1) (a), means the federal internal
7 revenue code as amended to December 31, 1992, excluding sections 103, 104 and 110
8 of P.L. 102-227, and as amended by P.L. 103-66, excluding sections 13101 (a) and (c)
9 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465, and P.L.
10 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected in the
11 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
12 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
13 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
14 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203
15 of P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding section 1311 of P.L.
16 104-188. The internal revenue code applies for Wisconsin purposes at the same time
17 as for federal purposes. Amendments to the internal revenue code enacted after
18 December 31, 1992, do not apply to this paragraph with respect to taxable years
19 beginning after December 31, 1992, and before January 1, 1994, except that changes
20 to the internal revenue code made by P.L. 103-66 and, P.L. 103-465 and P.L.
21 104-188, excluding section 1311 of P.L. 104-188, and changes that indirectly affect
22 the provisions applicable to this subchapter made by P.L. 103-66 and, P.L. 103-465
23 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
24 purposes at the same time as for federal purposes.

25 **SECTION 2269p.** 71.22 (4m) (g) of the statutes is amended to read:

1 71.22 (4m) (g) For taxable years that begin after December 31, 1993, and
2 before January 1, 1995, “internal revenue code”, for corporations that are subject to
3 a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal
4 revenue code as amended to December 31, 1993, excluding sections 103, 104 and 110
5 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
6 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L.
7 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
8 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the provisions
9 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
10 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
11 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
12 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
13 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding
14 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
15 104-191 and P.L. 104-193. The internal revenue code applies for Wisconsin
16 purposes at the same time as for federal purposes. Amendments to the internal
17 revenue code enacted after December 31, 1993, do not apply to this paragraph with
18 respect to taxable years beginning after December 31, 1993, and before
19 January 1, 1995, except that changes to the internal revenue code made by P.L.
20 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L.
21 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L.
22 104-193 and changes that indirectly affect the provisions applicable to this
23 subchapter made by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
24 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.

1 104-188, P.L. 104-191 and P.L. 104-193 apply for Wisconsin purposes at the same
2 time as for federal purposes.

3 **SECTION 2269q.** 71.22 (4m) (h) of the statutes is amended to read:

4 71.22 (4m) (h) For taxable years that begin after December 31, 1994, and
5 before January 1, 1996, “internal revenue code”, for corporations that are subject to
6 a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal
7 revenue code as amended to December 31, 1994, excluding sections 103, 104 and 110
8 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
9 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,
10 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly
11 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
12 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
13 P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
14 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
15 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
16 P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
17 104-191 and P.L. 104-193. The internal revenue code applies for Wisconsin
18 purposes at the same time as for federal purposes. Amendments to the internal
19 revenue code enacted after December 31, 1994, do not apply to this paragraph with
20 respect to taxable years beginning after December 31, 1994, and before
21 January 1, 1996, except that changes to the internal revenue code made by P.L.
22 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188,
23 P.L. 104-191 and P.L. 104-193, and changes that indirectly affect the provisions
24 applicable to this subchapter made by P.L. 104-7, P.L. 104-188, excluding sections

1 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 2269r.** 71.22 (4m) (i) of the statutes is amended to read:

4 71.22 (4m) (i) For taxable years that begin after December 31, 1995, and before
5 January 1, 1997, “internal revenue code”, for corporations that are subject to a tax
6 on unrelated business income under s. 71.26 (1) (a), means the federal internal
7 revenue code as amended to December 31, 1995, excluding sections 103, 104 and 110
8 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
9 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311
10 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected
11 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
12 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
13 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
14 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
15 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
16 P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188,
17 P.L. 104-191 and P.L. 104-193. The internal revenue code applies for Wisconsin
18 purposes at the same time as for federal purposes. Amendments to the internal
19 revenue code enacted after December 31, 1995, do not apply to this paragraph with
20 respect to taxable years beginning after December 31, 1995, and before January 1,
21 1997 except that changes to the Internal Revenue Code made by P.L. 104-188,
22 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and
23 P.L. 104-193 and changes that indirectly affect the provisions applicable to this
24 subchapter made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and

1 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for Wisconsin purposes
2 at the same time as for federal purposes.

3 **SECTION 2269t.** 71.22 (4m) (j) of the statutes is created to read:

4 71.22 (4m) (j) For taxable years that begin after December 31, 1996, “Internal
5 Revenue Code”, for corporations that are subject to a tax on unrelated business
6 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
7 to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102-227, sections
8 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and sections 1123
9 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188 and as indirectly affected in
10 the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
11 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
12 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
13 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
14 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
15 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
16 104-188, P.L. 104-191 and P.L. 104-193. The Internal Revenue Code applies for
17 Wisconsin purposes at the same time as for federal purposes. Amendments to the
18 Internal Revenue Code enacted after December 31, 1996, do not apply to this
19 paragraph with respect to taxable years beginning after December 31, 1996.

20 **SECTION 1766.** 71.22 (8) of the statutes is repealed and recreated to read:

21 71.22 (8) “Pay”, in regard to submissions to persons other than the department,
22 has the meaning appropriate to the taxpayer’s method of accounting.

23 **SECTION 1767.** 71.22 (9m) of the statutes is created to read:

24 71.22 (9m) “Subscribe” means write one’s signature or, if the department
25 prescribes another method of authenticating, use that other method.

1 **SECTION 1768.** 71.24 (8) of the statutes is repealed.

2 **SECTION 1769.** 71.26 (2) (a) of the statutes is amended to read:

3 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means
4 the gross income as computed under the internal revenue code as modified under
5 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit
6 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed
7 under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL) ~~and~~, (1ds) and (1dx) and not passed
8 through by a partnership, limited liability company or tax-option corporation that
9 has added that amount to the partnership’s, limited liability company’s or tax-option
10 corporation’s income under s. 71.21 (4) or 71.34 (1) (g) plus the amount of losses from
11 the sale or other disposition of assets the gain from which would be wholly exempt
12 income, as defined in sub. (3) (L), if the assets were sold or otherwise disposed of at
13 a gain and minus deductions, as computed under the internal revenue code as
14 modified under sub. (3), plus or minus, as appropriate, an amount equal to the
15 difference between the federal basis and Wisconsin basis of any asset sold,
16 exchanged, abandoned or otherwise disposed of in a taxable transaction during the
17 taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

18 **SECTION 2274b.** 71.26 (2) (b) (title) of the statutes is amended to read:

19 71.26 (2) (b) (title) *Regulated investment companies, real estate mortgage*
20 *investment conduits ~~and~~, real estate investment trusts and financial asset*
21 *securitization investment trusts.*

22 **SECTION 2274bg.** 71.26 (2) (b) 4. of the statutes is repealed.

23 **SECTION 2274c.** 71.26 (2) (b) 5. of the statutes is amended to read:

24 71.26 (2) (b) 5. For taxable years that begin after December 31, 1989, and before
25 January 1, 1991, for a corporation, conduit or common law trust which qualifies as

1 a regulated investment company, real estate mortgage investment conduit or real
2 estate investment trust under the internal revenue code as amended to December
3 31, 1989, and as amended by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L.
4 104-188, excluding section 1311 of P.L. 104-188 and as indirectly affected in the
5 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
6 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227
7 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, “net
8 income” means the federal regulated investment company taxable income, federal
9 real estate mortgage investment conduit taxable income or federal real estate
10 investment trust taxable income of the corporation, conduit or trust as determined
11 under the internal revenue code as amended to December 31, 1989, and as amended
12 by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section
13 1311 of P.L. 104-188, and as indirectly affected in the provisions applicable to this
14 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
15 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L.
16 104-188, excluding section 1311 of P.L. 104-188, except that property that, under s.
17 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983
18 to 1986 under the internal revenue code as amended to December 31, 1980, shall
19 continue to be depreciated under the internal revenue code as amended to December
20 31, 1980, and except that the appropriate amount shall be added or subtracted to
21 reflect differences between the depreciation or adjusted basis for federal income tax
22 purposes and the depreciation or adjusted basis under this chapter of any property
23 disposed of during the taxable year. The internal revenue code as amended to
24 December 31, 1989, and as amended by P.L. 101-508, P.L. 102-227 and, P.L. 103-66
25 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected

1 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
2 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
3 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
4 applies for Wisconsin purposes at the same time as for federal purposes.
5 Amendments to the internal revenue code enacted after December 31, 1989, do not
6 apply to this subdivision with respect to taxable years that begin after December 31,
7 1989, and before January 1, 1991, except that changes to the internal revenue code
8 made by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding
9 section 1311 of P.L. 104-188, and changes that indirectly affect the provisions
10 applicable to this subchapter made by P.L. 101-508, P.L. 102-227 and, P.L. 103-66
11 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
12 purposes at the same time as for federal purposes.

13 **SECTION 2274d.** 71.26 (2) (b) 6. of the statutes is amended to read:

14 71.26 (2) (b) 6. For taxable years that begin after December 31, 1990, and before
15 January 1, 1992, for a corporation, conduit or common law trust which qualifies as
16 a regulated investment company, real estate mortgage investment conduit or real
17 estate investment trust under the internal revenue code as amended to December
18 31, 1990, and as amended by P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L.
19 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected in the
20 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
21 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
22 P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L.
23 104-188, “net income” means the federal regulated investment company taxable
24 income, federal real estate mortgage investment conduit taxable income or federal
25 real estate investment trust taxable income of the corporation, conduit or trust as

1 determined under the internal revenue code as amended to December 31, 1990, and
2 as amended by P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188,
3 excluding section 1311 of P.L. 104-188, and as indirectly affected in the provisions
4 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
5 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, P.L.
6 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
7 except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to
8 be depreciated for taxable years 1983 to 1986 under the internal revenue code as
9 amended to December 31, 1980, shall continue to be depreciated under the internal
10 revenue code as amended to December 31, 1980, and except that the appropriate
11 amount shall be added or subtracted to reflect differences between the depreciation
12 or adjusted basis for federal income tax purposes and the depreciation or adjusted
13 basis under this chapter of any property disposed of during the taxable year. The
14 internal revenue code as amended to December 31, 1990, and as amended by P.L.
15 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of
16 P.L. 104-188, and as indirectly affected in the provisions applicable to this
17 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
18 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, P.L. 102-486 and, P.L.
19 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, applies for
20 Wisconsin purposes at the same time as for federal purposes. Amendments to the
21 internal revenue code enacted after December 31, 1990, do not apply to this
22 subdivision with respect to taxable years that begin after December 31, 1990, and
23 before January 1, 1992, except that changes to the internal revenue code made by
24 P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section
25 1311 of P.L. 104-188, and changes that indirectly affect the provisions applicable to

1 this subchapter made by P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L.
2 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the
3 same time as for federal purposes.

4 **SECTION 2274e.** 71.26 (2) (b) 7. of the statutes is amended to read:

5 71.26 (2) (b) 7. For taxable years that begin after December 31, 1991, and before
6 January 1, 1993, for a corporation, conduit or common law trust which qualifies as
7 a regulated investment company, real estate mortgage investment conduit or real
8 estate investment trust under the internal revenue code as amended to December
9 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L.
10 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171
11 and 13174 of P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
12 and as indirectly affected in the provisions applicable to this subchapter by P.L.
13 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
14 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
15 102-227, P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a)
16 and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L. 104-188, excluding section 1311
17 of P.L. 104-188, “net income” means the federal regulated investment company
18 taxable income, federal real estate mortgage investment conduit taxable income or
19 federal real estate investment trust taxable income of the corporation, conduit or
20 trust as determined under the internal revenue code as amended to December 31,
21 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L.
22 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171
23 and 13174 of P.L. 103-66, and P.L. 104-188, excluding section 1311 of P.L. 104-188,
24 and as indirectly affected in the provisions applicable to this subchapter by P.L.
25 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.

1 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
2 102-227, P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a)
3 and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L. 104-188, excluding section 1311
4 of P.L. 104-188, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
5 is required to be depreciated for taxable years 1983 to 1986 under the internal
6 revenue code as amended to December 31, 1980, shall continue to be depreciated
7 under the internal revenue code as amended to December 31, 1980, and except that
8 the appropriate amount shall be added or subtracted to reflect differences between
9 the depreciation or adjusted basis for federal income tax purposes and the
10 depreciation or adjusted basis under this chapter of any property disposed of during
11 the taxable year. The internal revenue code as amended to December 31, 1991,
12 excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L.
13 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171
14 and 13174 of P.L. 103-66, and P.L. 104-188, excluding section 1311 of P.L. 104-188,
15 and as indirectly affected in the provisions applicable to this subchapter by P.L.
16 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
17 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
18 102-227, P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a)
19 and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L. 104-188, excluding section 1311
20 of P.L. 104-188, applies for Wisconsin purposes at the same time as for federal
21 purposes. Amendments to the internal revenue code enacted after December 31,
22 1991, do not apply to this subdivision with respect to taxable years that begin after
23 December 31, 1991, and before January 1, 1993, except that changes to the internal
24 revenue code made by P.L. 102-318, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188,
25 excluding section 1311 of P.L. 104-188, and changes that indirectly affect the

1 provisions applicable to this subchapter made by P.L. 102-318, P.L. 102-486 and,
2 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for
3 Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 2274f.** 71.26 (2) (b) 8. of the statutes is amended to read:

5 71.26 (2) (b) 8. For taxable years that begin after December 31, 1992, and before
6 January 1, 1994, for a corporation, conduit or common law trust which qualifies as
7 a regulated investment company, real estate mortgage investment conduit or real
8 estate investment trust under the internal revenue code as amended to December
9 31, 1992, excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L.
10 103-66, excluding sections 13101 (a) and (c) 1., 13113, 13150, 13171, 13174 and
11 13203 of P.L. 103-66, and P.L. 103-465 and P.L. 104-188, excluding section 1311 of
12 P.L. 104-188, and as indirectly affected in the provisions applicable to this
13 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
14 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104
15 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
16 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L.
17 103-465 and P.L. 104-188, excluding section 1311 of P.L. 104-188,“net income”
18 means the federal regulated investment company taxable income, federal real estate
19 mortgage investment conduit taxable income or federal real estate investment trust
20 taxable income of the corporation, conduit or trust as determined under the internal
21 revenue code as amended to December 31, 1992, excluding sections 103, 104 and 110
22 of P.L. 102-227, and as amended by P.L. 103-66, and P.L. 103-465 excluding sections
23 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, P.L.
24 103-465 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as indirectly
25 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,

1 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
2 P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
3 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1., 13113, 13150,
4 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and P.L. 104-188,
5 excluding section 1311 of P.L. 104-188, except that property that, under s. 71.02 (1)
6 (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
7 under the internal revenue code as amended to December 31, 1980, shall continue
8 to be depreciated under the internal revenue code as amended to December 31, 1980,
9 and except that the appropriate amount shall be added or subtracted to reflect
10 differences between the depreciation or adjusted basis for federal income tax
11 purposes and the depreciation or adjusted basis under this chapter of any property
12 disposed of during the taxable year. The internal revenue code as amended to
13 December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102-227, and as
14 amended by P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171,
15 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and P.L. 104-188, excluding
16 section 1311 of P.L. 104-188, and as indirectly affected in the provisions applicable
17 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
18 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
19 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
20 sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66,
21 and P.L. 103-465 and P.L. 104-188, excluding section 1311 of P.L. 104-188, applies
22 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
23 internal revenue code enacted after December 31, 1992, do not apply to this
24 subdivision with respect to taxable years that begin after December 31, 1992, and
25 before January 1, 1994, except that changes to the internal revenue code made by

1 P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding section 1311 of P.L.
2 104-188, and changes that indirectly affect the provisions applicable to this
3 subchapter made by P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding
4 section 1311 of P.L. 104-188, apply for Wisconsin purposes at the same time as for
5 federal purposes.

6 **SECTION 2274g.** 71.26 (2) (b) 9. of the statutes is amended to read:

7 71.26 (2) (b) 9. For taxable years that begin after December 31, 1993, and
8 before January 1, 1995, for a corporation, conduit or common law trust which
9 qualifies as a regulated investment company, real estate mortgage investment
10 conduit or real estate investment trust under the internal revenue code as amended
11 to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102-227 and
12 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and
13 as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding
14 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
15 104-191 and P.L. 104-193 and as indirectly affected in the provisions applicable to
16 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
17 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
18 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
19 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L.
20 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L.
21 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L.
22 104-193 “net income” means the federal regulated investment company taxable
23 income, federal real estate mortgage investment conduit taxable income or federal
24 real estate investment trust taxable income of the corporation, conduit or trust as
25 determined under the internal revenue code as amended to December 31, 1993,

1 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
2 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and as amended by P.L.
3 103-296, P.L. 103-337, P.L. 103-465 and P.L. 104-7, excluding section 1 of P.L.
4 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L.
5 104-193 and as indirectly affected in the provisions applicable to this subchapter by
6 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
7 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
8 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, ~~P.L. 103-296, P.L. 103-337, P.L.~~
9 ~~103-465~~ excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
10 of P.L. 103-66, and P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
11 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
12 104-191 and P.L. 104-193, except that property that, under s. 71.02 (1) (c) 8. to 11.,
13 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the
14 internal revenue code as amended to December 31, 1980, shall continue to be
15 depreciated under the internal revenue code as amended to December 31, 1980, and
16 except that the appropriate amount shall be added or subtracted to reflect
17 differences between the depreciation or adjusted basis for federal income tax
18 purposes and the depreciation or adjusted basis under this chapter of any property
19 disposed of during the taxable year. The internal revenue code as amended to
20 December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102-227 and sections
21 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and as
22 amended by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding
23 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
24 104-191 and P.L. 104-193 and as indirectly affected in the provisions applicable to
25 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.

1 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
2 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
3 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L.
4 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L.
5 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L.
6 104-193 applies for Wisconsin purposes at the same time as for federal purposes.
7 Amendments to the internal revenue code enacted after December 31, 1993, do not
8 apply to this subdivision with respect to taxable years that begin after
9 December 31, 1993, and before January 1, 1995, except that changes to the internal
10 revenue code made by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
11 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
12 104-188, P.L. 104-191 and P.L. 104-193 and changes that indirectly affect the
13 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.
14 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
15 section 1311 of P.L. 104-188, P.L.104-191 and P.L. 104-193 apply for Wisconsin
16 purposes at the same time as for federal purposes.

17 **SECTION 2274h.** 71.26 (2) (b) 10. of the statutes is amended to read:

18 71.26 (2) (b) 10. For taxable years that begin after December 31, 1994, and
19 before January 1, 1996, for a corporation, conduit or common law trust which
20 qualifies as a regulated investment company, real estate mortgage investment
21 conduit or real estate investment trust under the internal revenue code as amended
22 to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227 and
23 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as
24 amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605
25 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the

1 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
2 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
3 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
4 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
5 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188,
6 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
7 104-193 “net income” means the federal regulated investment company taxable
8 income, federal real estate mortgage investment conduit taxable income or federal
9 real estate investment trust taxable income of the corporation, conduit or trust as
10 determined under the internal revenue code as amended to December 31, 1994,
11 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
12 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L.
13 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191
14 and P.L. 104-193 and as indirectly affected in the provisions applicable to this
15 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
16 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104
17 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, ~~P.L. 103-296, P.L.~~
18 ~~103-337, P.L. 103-465~~ excluding sections 13113, 13150 (d), 13171 (d), 13174 and
19 13203 (d) of P.L. 103-66, and P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7,
20 P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
21 104-191 and P.L. 104-193, except that property that, under s. 71.02 (1) (c) 8. to 11.,
22 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the
23 internal revenue code as amended to December 31, 1980, shall continue to be
24 depreciated under the internal revenue code as amended to December 31, 1980, and
25 except that the appropriate amount shall be added or subtracted to reflect

1 differences between the depreciation or adjusted basis for federal income tax
2 purposes and the depreciation or adjusted basis under this chapter of any property
3 disposed of during the taxable year. The internal revenue code as amended to
4 December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227 and sections
5 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by
6 P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L.
7 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the provisions
8 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
9 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
10 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
11 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
12 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188,
13 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
14 104-193 applies for Wisconsin purposes at the same time as for federal purposes.
15 Amendments to the internal revenue code enacted after December 31, 1994, do not
16 apply to this subdivision with respect to taxable years that begin after
17 December 31, 1994, and before January 1, 1996, except that changes made by P.L.
18 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188,
19 P.L. 104-191 and P.L. 104-193 and changes that indirectly affect the provisions
20 applicable to this subchapter made by P.L. 104-7, P.L. 104-188, excluding sections
21 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for
22 Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 2274i.** 71.26 (2) (b) 11. of the statutes is amended to read:

24 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and
25 before January 1, 1997, for a corporation, conduit or common law trust which

1 qualifies as a regulated investment company, real estate mortgage investment
2 conduit or real estate investment trust under the internal revenue code as amended
3 to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102-227 and
4 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as
5 amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
6 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected in the provisions
7 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
8 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
9 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
10 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
11 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 ~~and~~, P.L. 104-7, P.L. 104-188,
12 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and
13 P.L. 104-193 “net income” means the federal regulated investment company taxable
14 income, federal real estate mortgage investment conduit taxable income or federal
15 real estate investment trust taxable income of the corporation, conduit or trust as
16 determined under the internal revenue code as amended to December 31, 1995,
17 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
18 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188,
19 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and
20 P.L. 104-193 and as indirectly affected in the provisions applicable to this
21 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
22 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104
23 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, ~~P.L. 103-296, P.L.~~
24 ~~103-337, P.L. 103-465 and P.L. 104-7~~ excluding sections 13113, 13150 (d), 13171 (d),
25 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.

1 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
2 104-188, P.L. 104-191, and P.L. 104-193, except that property that, under s. 71.02
3 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
4 under the internal revenue code as amended to December 31, 1980, shall continue
5 to be depreciated under the internal revenue code as amended to December 31, 1980,
6 and except that the appropriate amount shall be added or subtracted to reflect
7 differences between the depreciation or adjusted basis for federal income tax
8 purposes and the depreciation or adjusted basis under this chapter of any property
9 disposed of during the taxable year. The internal revenue code as amended to
10 December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102-227 and sections
11 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by
12 P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188,
13 P.L. 104-191 and P.L. 104-193 and as indirectly affected in the provisions applicable
14 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
15 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
16 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
17 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
18 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188, excluding
19 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
20 104-193 applies for Wisconsin purposes at the same time as for federal purposes.
21 Amendments to the internal revenue code enacted after December 31, 1995, do not
22 apply to this subdivision with respect to taxable years that begin after
23 December 31, 1995, and before January 1, 1997, except that changes to the Internal
24 Revenue Code made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and
25 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and changes that indirectly

1 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding
2 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
3 104-193 apply for Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 2274j.** 71.26 (2) (b) 12. of the statutes is created to read:

5 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, for a
6 corporation, conduit or common law trust which qualifies as a regulated investment
7 company, real estate mortgage investment conduit, real estate investment trust or
8 financial asset securitization investment trust under the Internal Revenue Code as
9 amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102-227,
10 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections
11 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly
12 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
13 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
14 P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
15 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
16 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
17 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
18 104-188, P.L. 104-191 and P.L. 104-193 “net income” means the federal regulated
19 investment company taxable income, federal real estate mortgage investment
20 conduit taxable income, federal real estate investment trust or financial asset
21 securitization investment trust taxable income of the corporation, conduit or trust
22 as determined under the internal revenue code as amended to December 31, 1996,
23 excluding sections 103, 104 and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171
24 (d), 13174 and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311
25 and 1605 (d) of P.L. 104-188, and as indirectly affected in the provisions applicable

1 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
2 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
3 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
4 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
5 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
6 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191 and P.L.
7 104-193, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is
8 required to be depreciated for taxable years 1983 to 1986 under the internal revenue
9 code as amended to December 31, 1980, shall continue to be depreciated under the
10 Internal Revenue Code as amended to December 31, 1980, and except that the
11 appropriate amount shall be added or subtracted to reflect differences between the
12 depreciation or adjusted basis for federal income tax purposes and the depreciation
13 or adjusted basis under this chapter of any property disposed of during the taxable
14 year. The Internal Revenue Code as amended to December 31, 1996, excluding
15 sections 103, 104 and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174
16 and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605
17 (d) of P.L. 104-188, and as indirectly affected in the provisions applicable to this
18 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
19 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104
20 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
21 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
22 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
23 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191 and P.L. 104-193 applies
24 for Wisconsin purposes at the same time as for federal purposes. Amendments to the

1 internal revenue code enacted after December 31, 1996, do not apply to this
2 subdivision with respect to taxable years that begin after December 31, 1996.

3 **SECTION 1770.** 71.26 (3) (n) of the statutes is amended to read:

4 71.26 (3) (n) Sections 381, 382 and 383 (relating to carry-overs in certain
5 corporate acquisitions) are modified so that they apply to losses under sub. (4) and
6 credits under s. 71.28 (1di), (1dL), (1dx) and (3) to (5) instead of to federal credits and
7 federal net operating losses.

8 **SECTION 2275b.** 71.26 (3) (y) of the statutes is amended to read:

9 71.26 (3) (y) A corporation may compute amortization and depreciation under
10 either the federal internal revenue code as amended to December 31, ~~1995~~ 1996, or
11 the federal internal revenue code in effect for the taxable year for which the return
12 is filed, except that property first placed in service by the taxpayer on or after
13 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
14 1985 stats., is required to be depreciated under the internal revenue code as
15 amended to December 31, 1980, and property first placed in service in taxable year
16 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
17 stats., is required to be depreciated under the internal revenue code as amended to
18 December 31, 1980, shall continue to be depreciated under the internal revenue code
19 as amended to December 31, 1980.

20 **SECTION 2275bm.** 71.28 (1dd) (f) of the statutes is created to read:

21 71.28 (1dd) (f) No credit may be claimed under this subsection for taxable years
22 that begin on January 1, 1998, or thereafter. Credits under this subsection for
23 taxable years that begin before January 1, 1998, may be carried forward to taxable
24 years that begin on January 1, 1998, or thereafter.

25 **SECTION 2275c.** 71.28 (1de) (e) of the statutes is created to read:

1 71.28 **(1de)** (e) No credit may be claimed under this subsection for taxable years
2 that begin on January 1, 1998, or thereafter. Credits under this subsection for
3 taxable years that begin before January 1, 1998, may be carried forward to taxable
4 years that begin on January 1, 1998, or thereafter.

5 **SECTION 2275d.** 71.28 (1di) (j) of the statutes is created to read:

6 71.28 **(1di)** (j) No credit may be claimed under this subsection for taxable years
7 that begin on January 1, 1998, or thereafter. Credits under this subsection for
8 taxable years that begin before January 1, 1998, may be carried forward to taxable
9 years that begin on January 1, 1998, or thereafter.

10 **SECTION 2275e.** 71.28 (1dj) (j) of the statutes is created to read:

11 71.28 **(1dj)** (j) No credit may be claimed under this subsection for taxable years
12 that begin on January 1, 1998, or thereafter. Credits under this subsection for
13 taxable years that begin before January 1, 1998, may be carried forward to taxable
14 years that begin on January 1, 1998, or thereafter.

15 **SECTION 2275f.** 71.28 (1dL) (j) of the statutes is created to read:

16 71.28 **(1dL)** (j) No credit may be claimed under this subsection for taxable years
17 that begin on January 1, 1998, or thereafter. Credits under this subsection for
18 taxable years that begin before January 1, 1998, may be carried forward to taxable
19 years that begin on January 1, 1998, or thereafter.

20 **SECTION 2275g.** 71.28 (1ds) (j) of the statutes is created to read:

21 71.28 **(1ds)** (j) No credit may be claimed under this subsection for taxable years
22 that begin on January 1, 1998, or thereafter. Credits under this subsection for
23 taxable years that begin before January 1, 1998, may be carried forward to taxable
24 years that begin on January 1, 1998, or thereafter.

25 **SECTION 1771.** 71.28 (1dx) of the statutes is created to read:

1 71.28 (1dx) DEVELOPMENT ZONES CREDIT. (a) *Definitions*. In this subsection:

2 1. “Brownfield” means an industrial or commercial facility the expansion or
3 redevelopment of which is complicated by environmental contamination.

4 2. “Development zone” means a development zone under s. 560.70, a
5 development opportunity zone under s. 560.795 or an enterprise development zone
6 under s. 560.797.

7 3. “Environmental remediation” means removal or containment of
8 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
9 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
10 in a brownfield if that removal, containment or restoration fulfills the requirement
11 under sub. (1de) (a) 1. and investigation unless the investigation determines that
12 remediation is required and that remediation is not undertaken.

13 4. “Full-time job” means a regular, nonseasonal full-time position in which an
14 individual, as a condition of employment, is required to work at least 2,080 hours per
15 year, including paid leave and holidays, and for which the individual receives pay
16 that is equal to at least 150% of the federal minimum wage and receives benefits that
17 are not required by federal or state law. “Full-time job” does not include initial
18 training before an employment position begins.

19 5. “Member of a targeted group” means a person under sub. (1dj) (am) 1., a
20 person who resides in an empowerment zone, or an enterprise community, that the
21 U.S. government designates, a person who is employed in an unsubsidized job but
22 meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works
23 employment position, a person who is employed in a trial job, as defined in s. 49.141
24 (1) (n), a person who is eligible for the Wisconsin works health plan under s. 49.153
25 or a person who is eligible for child care assistance under s. 49.155; if the person has

1 been certified in the manner under sub. (1dj) (am) 3. by a designated local agency,
2 as defined in sub. (1dj) (am) 2.

3 (b) *Credit*. Except as provided in s. 73.03 (35) and subject to s. 560.785, for any
4 taxable year for which the person is certified under s. 560.765 (3), any person may
5 claim as a credit against taxes under this subchapter the following amounts:

6 1. Fifty percent of the amount expended for environmental remediation in a
7 development zone.

8 2. The amount determined by multiplying the amount determined under s.
9 560.785 (1) (b) by the number of full-time jobs created in a development zone and
10 filled by a member of a targeted group and by then subtracting the subsidies paid
11 under s. 49.147 (3) (a) for those jobs.

12 3. The amount determined by multiplying the amount determined under s.
13 560.785 (1) (c) by the number of full-time jobs created in a development zone and not
14 filled by a member of a targeted group and by then subtracting the subsidies paid
15 under s. 49.147 (3) (a) for those jobs.

16 4. The amount determined by multiplying the amount determined under s.
17 560.785 (1) (b) by the number of full-time jobs retained, as provided in the rules
18 under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj),
19 in a development zone and filled by a member of a targeted group and by then
20 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

21 5. The amount determined by multiplying the amount determined under s.
22 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules
23 under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj),
24 in a development zone and not filled by a member of a targeted group and by then
25 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

1 (c) *Credit precluded.* If the certification of a person for tax benefits under s.
2 560.765 (3) is revoked, that person may not claim credits under this subsection for
3 the taxable year that includes the day on which the certification is revoked or
4 succeeding taxable years and that person may not carry over unused credits from
5 previous years to offset tax under this chapter for the taxable year that includes the
6 day on which certification is revoked or succeeding taxable years.

7 (d) *Carry-over precluded.* If a person who is certified under s. 560.765 (3) for
8 tax benefits ceases business operations in the development zone during any of the
9 taxable years that that zone exists, that person may not carry over to any taxable
10 year following the year during which operations cease any unused credits from the
11 taxable year during which operations cease or from previous taxable years.

12 (e) *Administration.* Subsection (4) (e) to (h), as it applies to the credit under
13 sub. (4), applies to the credit under this subsection. Subsection (1dj) (c), as it applies
14 to the credit under sub. (1dj), applies to the credit under this subsection. Claimants
15 shall include with their returns a copy of their certification for tax benefits and a copy
16 of the department of commerce's verification of their expenses.

17 **SECTION 2276m.** 71.28 (3) (b) of the statutes is amended to read:

18 71.28 (3) (b) The tax imposed upon or measured by corporation Wisconsin net
19 income under s. 71.23 (1) or (2) shall be reduced by an amount equal to the sales and
20 use tax under ch. 77 paid by the corporation in such taxable year on fuel and
21 electricity consumed in manufacturing tangible personal property in this state.
22 Shareholders of a tax-option corporation and partners may claim the credit under
23 this subsection, based on eligible sales and use taxes paid by the tax-option
24 corporation or partnership, in proportion to the ownership interest of each
25 shareholder or partner. The tax-option corporation or partnership shall calculate

1 the amount of the credit that may be claimed by each shareholder or partner and
2 shall provide that information to the shareholder or partner.

3 **SECTION 2276n.** 71.28 (3) (c) of the statutes is renumbered 71.28 (3) (c) 1.

4 **SECTION 2276no.** 71.28 (3) (c) 2. to 6. of the statutes are created to read:

5 71.28 (3) (c) 2. For shareholders in a tax-option corporation, the credit may be
6 offset only against the tax imposed on the shareholder's prorated share of the
7 tax-option corporation's income.

8 3. For partners, the credit may be offset only against the tax imposed on the
9 partner's distributive share of partnership income.

10 4. If a tax-option corporation becomes liable for tax, the corporation may offset
11 the credit against the tax due, with any remaining credit passing through to the
12 shareholders.

13 5. If a corporation that is not a tax-option corporation has a carry-over credit
14 and becomes a tax-option corporation before the credit carried over is used, the
15 unused portion of the credit may be used by the tax-option corporation's
16 shareholders on a prorated basis.

17 6. If the shareholders of a tax-option corporation have carry-over credits and
18 the corporation becomes a corporation other than a tax-option corporation after the
19 effective date of this subdivision [revisor inserts date], and before the credits
20 carried over are used, the unused portion of the credits may be used by the
21 corporation that is not a tax-option corporation.

22 **SECTION 2276p.** 71.28 (3) (d) of the statutes is repealed.

23 **SECTION 1772.** 71.28 (4) (a) of the statutes is amended to read:

24 71.28 (4) (a) *Credit.* Any corporation may credit against taxes otherwise due
25 under this chapter an amount equal to 5% of the amount obtained by subtracting

1 from the corporation's qualified research expenses, as defined in section 41 of the
2 internal revenue code, except that "qualified research expenses" includes only
3 expenses incurred by the claimant, incurred for research conducted in this state for
4 the taxable year, except that a taxpayer may elect the alternative computation under
5 section 41 (c) (4) of the Internal Revenue Code and that election applies until the
6 department permits its revocation and except that "qualified research expenses"
7 does not include compensation used in computing the credit under ~~sub.~~ subs. (1dj)
8 and (1dx), the corporation's base amount, as defined in section 41 (c) of the internal
9 revenue code, except that gross receipts used in calculating the base amount means
10 gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. and
11 (d). Section 41 (h) of the internal revenue code does not apply to the credit under this
12 paragraph.

13 **SECTION 2277d.** 71.28 (4) (am) 1. of the statutes is amended to read:

14 71.28 (4) (am) 1. In addition to the credit under par. (a), any corporation may
15 credit against taxes otherwise due under this chapter an amount equal to 5% of the
16 amount obtained by subtracting from the corporation's qualified research expenses,
17 as defined in section 41 of the internal revenue code, except that "qualified research
18 expenses" include only expenses incurred by the claimant in a development zone
19 under subch. VI of ch. 560, except that a taxpayer may elect the alternative
20 computation under section 41 (c) (4) of the Internal Revenue Code and that election
21 applies until the department permits its revocation and except that "qualified
22 research expenses" do not include compensation used in computing the credit under
23 sub. (1dj) nor research expenses incurred before the claimant is certified for tax
24 benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41
25 (c) of the internal revenue code, in a development zone, except that gross receipts

1 used in calculating the base amount means gross receipts from sales attributable to
2 Wisconsin under s. 71.25 (9) (b) 1. and 2. and (d) and research expenses used in
3 calculating the base amount include research expenses incurred before the claimant
4 is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant
5 submits with the claimant's return a copy of the claimant's certification for tax
6 benefits under s. 560.765 (3) and a statement from the department of commerce
7 verifying the claimant's qualified research expenses for research conducted
8 exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit
9 under this subdivision. The rules under sub. (1di) (f) and (g) as they apply to the
10 credit under that subsection apply to claims under this subdivision. Section 41 (h)
11 of the internal revenue code does not apply to the credit under this subdivision.

12 **SECTION 2277m.** 71.28 (4) (am) 3. of the statutes is created to read:

13 71.28 (4) (am) 3. No credit may be claimed under this paragraph for taxable
14 years that begin on January 1, 1998, or thereafter. Credits under this paragraph for
15 taxable years that begin before January 1, 1998, may be carried forward to taxable
16 years that begin on January 1, 1998, and thereafter.

17 **SECTION 2277n.** 71.28 (6) (a) of the statutes is amended to read:

18 71.28 (6) (a) Any person may credit against taxes otherwise due under this
19 chapter, up to the amount of those taxes, an amount equal to 5% of the costs of
20 qualified rehabilitation expenditures, as defined in section 47 (c) (2) of the internal
21 revenue code, for certified historic structures on property located in this state if the
22 physical work of construction or destruction in preparation for construction begins
23 after December 31, 1988, ~~and the rehabilitated property is placed in service after~~
24 ~~June 30, 1989.~~

25 **SECTION 1773.** 71.29 (2) of the statutes is amended to read:

1 71.29 (2) WHO SHALL PAY. Every corporation subject to tax under s. 71.23 (1) or
2 (2) and every virtually exempt entity subject to tax under s. 71.125 or 71.23 (1) or (2)
3 shall pay an estimated tax to the department of revenue at its offices in Madison
4 unless the department, by rule, prescribes another place of payment. If the amount
5 of any payment is \$20,000 or more, the department may require the corporation to
6 make the payment electronically.

7 **SECTION 1774.** 71.30 (3) (eom) of the statutes is created to read:

8 71.30 (3) (eom) Development zones credit under s. 71.28 (1dx).

9 **SECTION 2279g.** 71.34 (1) (e) of the statutes is repealed.

10 **SECTION 1775.** 71.34 (1) (g) of the statutes is amended to read:

11 71.34 (1) (g) An addition shall be made for credits computed by a tax-option
12 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL) and, (1ds), (1dx) and (3s) and
13 passed through to shareholders.

14 **SECTION 2280am.** 71.34 (1) (i) of the statutes is created to read:

15 71.34 (1) (i) In section 1366 (f) of the Internal Revenue Code, the tax under s.
16 71.35 is substituted for the taxes under sections 1374 and 1375 of the Internal
17 Revenue Code.

18 **SECTION 2280b.** 71.34 (1g) (d) of the statutes is repealed.

19 **SECTION 2280c.** 71.34 (1g) (e) of the statutes is amended to read:

20 71.34 (1g) (e) “Internal revenue code” for tax-option corporations, for taxable
21 years that begin after December 31, 1989, and before January 1, 1991, means the
22 federal internal revenue code as amended to December 31, 1989, and as amended by
23 P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section
24 1311 of P.L. 104-188, and as indirectly affected in the provisions applicable to this
25 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)

1 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008
2 (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.
3 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of
4 P.L. 104-188, except that section 1366 (f) (relating to pass-through of items to
5 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
6 sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes
7 at the same time as for federal purposes. Amendments to the federal internal
8 revenue code enacted after December 31, 1989, do not apply to this paragraph with
9 respect to taxable years beginning after December 31, 1989, and before January 1,
10 1991, except that changes to the internal revenue code made by P.L. 101-508, P.L.
11 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188,
12 and changes that indirectly affect provisions applicable to this subchapter made by
13 P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188, excluding section
14 1311 of P.L. 104-188, apply for Wisconsin purposes at the same time as for federal
15 purposes.

16 **SECTION 2280d.** 71.34 (1g) (f) of the statutes is amended to read:

17 71.34 (1g) (f) "Internal revenue code" for tax-option corporations, for taxable
18 years that begin after December 31, 1990, and before January 1, 1992, means the
19 federal internal revenue code as amended to December 31, 1990, and as amended by
20 P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section
21 1311 of P.L. 104-188, and as indirectly affected in the provisions applicable to this
22 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
23 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008
24 (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.
25 101-508, P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding

1 section 1311 of P.L. 104-188, except that section 1366 (f) (relating to pass-through
2 of items to shareholders) is modified by substituting the tax under s. 71.35 for the
3 taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin
4 purposes at the same time as for federal purposes. Amendments to the federal
5 internal revenue code enacted after December 31, 1990, do not apply to this
6 paragraph with respect to taxable years beginning after December 31, 1990, and
7 before January 1, 1992, except that changes to the internal revenue code made by
8 P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188, excluding section
9 1311 of P.L. 104-188, and changes that indirectly affect provisions applicable to this
10 subchapter made by P.L. 102-227, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188,
11 excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the same
12 time as for federal purposes.

13 **SECTION 2280e.** 71.34 (1g) (g) of the statutes is amended to read:

14 71.34 (1g) (g) "Internal revenue code" for tax-option corporations, for taxable
15 years that begin after December 31, 1991, and before January 1, 1993, means the
16 federal internal revenue code as amended to December 31, 1991, excluding sections
17 103, 104 and 110 of P.L. 102-227, and as amended by P.L. 102-318, P.L. 102-486 and,
18 P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66,
19 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as indirectly affected
20 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
21 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823
22 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
23 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
24 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and, P.L. 103-66,
25 excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L.

1 104-188, excluding section 1311 of P.L. 104-188, except that section 1366 (f) (relating
2 to pass-through of items to shareholders) is modified by substituting the tax under
3 s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code
4 applies for Wisconsin purposes at the same time as for federal purposes.
5 Amendments to the federal internal revenue code enacted after December 31, 1991,
6 do not apply to this paragraph with respect to taxable years beginning after
7 December 31, 1991, and before January 1, 1993, except that changes to the internal
8 revenue code made by P.L. 102-318, P.L. 102-486 and, P.L. 103-66 and P.L. 104-188,
9 excluding section 1311 of P.L. 104-188, and changes that indirectly affect the
10 provisions applicable to this subchapter made by P.L. 102-318, P.L. 102-486 and,
11 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for
12 Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 2280f.** 71.34 (1g) (h) of the statutes is amended to read:

14 71.34 (1g) (h) "Internal revenue code" for tax-option corporations, for taxable
15 years that begin after December 31, 1992, and before January 1, 1994, means the
16 federal internal revenue code as amended to December 31, 1992, excluding sections
17 103, 104 and 110 of P.L. 102-227, and as amended by P.L. 103-66, excluding sections
18 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L.
19 103-465 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as indirectly
20 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
21 P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and
22 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
23 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
24 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
25 sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66,

1 and P.L. 103-465 and P.L. 104-188, excluding section 1311 of P.L. 104-188, except
2 that section 1366 (f) (relating to pass-through of items to shareholders) is modified
3 by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375.
4 The internal revenue code applies for Wisconsin purposes at the same time as for
5 federal purposes. Amendments to the federal internal revenue code enacted after
6 December 31, 1992, do not apply to this paragraph with respect to taxable years
7 beginning after December 31, 1992, and before January 1, 1994, except that changes
8 to the internal revenue code made by P.L. 103-66 and, P.L. 103-465 and P.L.
9 104-188, excluding section 1311 of P.L. 104-188, and changes that indirectly affect
10 the provisions applicable to this subchapter made by P.L. 103-66 and, P.L. 103-465
11 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
12 purposes at the same time as for federal purposes.

13 **SECTION 2280g.** 71.34 (1g) (i) of the statutes is amended to read:

14 71.34 (1g) (i) "Internal revenue code" for tax-option corporations, for taxable
15 years that begin after December 31, 1993, and before January 1, 1995, means the
16 federal internal revenue code as amended to December 31, 1993, excluding sections
17 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174,
18 13203 (d) and 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337,
19 P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188,
20 excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and as
21 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
22 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
23 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
24 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
25 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.

1 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
2 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding
3 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
4 104-191 and P.L. 104-193 except that section 1366 (f) (relating to pass-through of
5 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
6 under sections 1374 and 1375. The internal revenue code applies for Wisconsin
7 purposes at the same time as for federal purposes. Amendments to the federal
8 internal revenue code enacted after December 31, 1993, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 1993, and
10 before January 1, 1995, except that changes to the internal revenue code made by
11 P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L.
12 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L.
13 104-193 and changes that indirectly affect the provisions applicable to this
14 subchapter made by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
15 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
16 104-188, P.L. 104-191 and P.L. 104-193 apply for Wisconsin purposes at the same
17 time as for federal purposes.

18 **SECTION 2280h.** 71.34 (1g) (j) of the statutes is amended to read:

19 71.34 (1g) (j) "Internal revenue code" for tax-option corporations, for taxable
20 years that begin after December 31, 1994, and before January 1, 1996, means the
21 federal internal revenue code as amended to December 31, 1994, excluding sections
22 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and
23 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding
24 sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193
25 and as indirectly affected in the provisions applicable to this subchapter by P.L.

1 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
2 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647,
3 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
4 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
5 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
6 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188,
7 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
8 104-193 except that section 1366 (f) (relating to pass-through of items to
9 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
10 sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes
11 at the same time as for federal purposes. Amendments to the federal internal
12 revenue code enacted after December 31, 1994, do not apply to this paragraph with
13 respect to taxable years beginning after December 31, 1994, and before
14 January 1, 1996, except changes to the internal revenue code made by P.L. 104-7,
15 P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
16 104-191 and P.L. 104-193 and changes that indirectly affect the provisions
17 applicable to this subchapter made by P.L. 104-7, P.L. 104-188, excluding sections
18 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for
19 Wisconsin purposes at the same time as for federal purposes.

20 **SECTION 2280i.** 71.34 (1g) (k) of the statutes is amended to read:

21 71.34 (1g) (k) "Internal revenue code" for tax-option corporations, for taxable
22 years that begin after December 31, 1995, and before January 1, 1997, means the
23 federal internal revenue code as amended to December 31, 1995, excluding sections
24 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and
25 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123,

1 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, and as
2 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
3 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
4 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
5 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
6 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
7 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
8 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7, P.L. 104-188,
9 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and
10 P.L. 104-193, except that section 1366 (f) (relating to pass-through of items to
11 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
12 sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes
13 at the same time as for federal purposes. Amendments to the federal internal
14 revenue code enacted after December 31, 1995, do not apply to this paragraph with
15 respect to taxable years beginning after December 31, 1995, and before January 1,
16 1997, except that changes to the Internal Revenue Code made by P.L. 104-188,
17 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and
18 P.L. 104-193, and changes that indirectly affect the provisions applicable to this
19 subchapter made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and
20 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 apply for Wisconsin purposes
21 at the same time as for federal purposes.

22 **SECTION 2280j.** 71.34 (1g) (L) of the statutes is created to read:

23 71.34 (1g) (L) "Internal Revenue Code" for tax-option corporations, for taxable
24 years that begin after December 31, 1996, means the federal Internal Revenue Code
25 as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L.

1 102-227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and
2 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as
3 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
4 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
5 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
6 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
7 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
9 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L.
11 104-191 and P.L. 104-193, except that section 1366 (f) (relating to pass-through of
12 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
13 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
14 purposes at the same time as for federal purposes. Amendments to the federal
15 Internal Revenue Code enacted after December 31, 1996, do not apply to this
16 paragraph with respect to taxable years beginning after December 31, 1996.

17 **SECTION 2280L.** 71.365 (1m) of the statutes is amended to read:

18 71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation
19 may compute amortization and depreciation under either the federal internal
20 revenue code as amended to December 31, ~~1995~~ 1996, or the federal internal revenue
21 code in effect for the taxable year for which the return is filed, except that property
22 first placed in service by the taxpayer on or after January 1, 1983, but before
23 January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be
24 depreciated under the internal revenue code as amended to December 31, 1980, and
25 property first placed in service in taxable year 1981 or thereafter but before

1 January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be
2 depreciated under the internal revenue code as amended to December 31, 1980,
3 shall continue to be depreciated under the internal revenue code as amended to
4 December 31, 1980. Any difference between the adjusted basis for federal income
5 tax purposes and the adjusted basis under this chapter shall be taken into account
6 in determining net income or loss in the year or years for which the gain or loss is
7 reportable under this chapter. If that property was placed in service by the taxpayer
8 during taxable year 1986 and thereafter but before the property is used in the
9 production of income subject to taxation under this chapter, the property's adjusted
10 basis and the depreciation or other deduction schedule are not required to be changed
11 from the amount allowable on the owner's federal income tax returns for any year
12 because the property is used in the production of income subject to taxation under
13 this chapter. If that property was acquired in a transaction in taxable year 1986 or
14 thereafter in which the adjusted basis of the property in the hands of the transferee
15 is the same as the adjusted basis of the property in the hands of the transferor, the
16 Wisconsin adjusted basis of that property on the date of transfer is the adjusted basis
17 allowable under the internal revenue code as defined for Wisconsin purposes for the
18 property in the hands of the transferor.

19 **SECTION 2280m.** 71.365 (3) (a) of the statutes is renumbered 71.365 (3).

20 **SECTION 2280n.** 71.365 (3) (b) of the statutes is repealed.

21 **SECTION 2280nm.** 71.365 (4) (a) of the statutes is amended to read:

22 71.365 (4) (a) If persons who hold more than 50% of the shares on the day on
23 which this election is made consent, a corporation that is an S corporation for federal
24 income tax purposes and that does not have a qualified subchapter S subsidiary may
25 elect, on or before the due date or extended due date of its return under this chapter,

1 not to be a tax-option corporation for that taxable year and for later taxable years
2 until its status is again changed.

3 **SECTION 2280p.** 71.365 (7) of the statutes is created to read:

4 71.365 (7) QUALIFIED SUBCHAPTER S SUBSIDIARIES. If a tax-option corporation
5 elects to treat a subsidiary as a qualified subchapter S subsidiary for federal
6 purposes, that election also applies for this chapter. If this state has jurisdiction to
7 impose the taxes under this chapter on the qualified subchapter S subsidiary, this
8 state has the jurisdiction to impose the taxes under this chapter on the tax-option
9 corporation.

10 **SECTION 1776.** 71.42 (1m) of the statutes is created to read:

11 71.42 (1m) "Department" means the department of revenue.

12 **SECTION 2281b.** 71.42 (2) (c) of the statutes is repealed.

13 **SECTION 2281c.** 71.42 (2) (d) of the statutes is amended to read:

14 71.42 (2) (d) For taxable years that begin after December 31, 1989, and before
15 January 1, 1991, "internal revenue code" means the federal internal revenue code as
16 amended to December 31, 1989, and as amended by P.L. 101-508, P.L. 102-227 and,
17 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as
18 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
19 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227 and, P.L. 103-66
20 and P.L. 104-188, excluding section 1311 of P.L. 104-188, except that "internal
21 revenue code" does not include section 847 of the federal internal revenue code. The
22 internal revenue code applies for Wisconsin purposes at the same time as for federal
23 purposes. Amendments to the federal internal revenue code enacted after December
24 31, 1989, do not apply to this paragraph with respect to taxable years beginning after
25 December 31, 1989, and before January 1, 1991, except that changes to the internal

1 revenue code made by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L. 104-188,
2 excluding section 1311 of P.L. 104-188, and changes that indirectly affect the federal
3 internal revenue code made by P.L. 101-508, P.L. 102-227 and, P.L. 103-66 and P.L.
4 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin purposes at the
5 same time as for federal purposes.

6 **SECTION 2281d.** 71.42 (2) (e) of the statutes is amended to read:

7 71.42 (2) (e) For taxable years that begin after December 31, 1990, and before
8 January 1, 1992, "internal revenue code" means the federal internal revenue code as
9 amended to December 31, 1990, and as amended by P.L. 102-227, P.L. 102-486 and,
10 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and as
11 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
12 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, P.L. 102-486 and,
13 P.L. 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, except that
14 "internal revenue code" does not include section 847 of the federal internal revenue
15 code. The internal revenue code applies for Wisconsin purposes at the same time as
16 for federal purposes. Amendments to the federal internal revenue code enacted after
17 December 31, 1990, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 1990, and before January 1, 1992, except that changes
19 to the internal revenue code made by P.L. 102-227, P.L. 102-486 and, P.L. 103-66
20 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and changes that indirectly
21 affect the federal internal revenue code made by P.L. 102-227, P.L. 102-486 and, P.L.
22 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
23 purposes at the same time as for federal purposes.

24 **SECTION 2281e.** 71.42 (2) (f) of the statutes is amended to read:

1 71.42 (2) (f) For taxable years that begin after December 31, 1991, and before
2 January 1, 1993, “internal revenue code” means the federal internal revenue code as
3 amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227,
4 and as amended by P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections
5 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, and P.L. 104-188, excluding
6 section 1311 of P.L. 104-188, and as indirectly affected by P.L. 99-514, P.L. 100-203,
7 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
8 P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
9 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174
10 of P.L. 103-66, and P.L. 104-188, excluding section 1311 of P.L. 104-188, except that
11 “internal revenue code” does not include section 847 of the federal internal revenue
12 code. The internal revenue code applies for Wisconsin purposes at the same time as
13 for federal purposes. Amendments to the federal internal revenue code enacted after
14 December 31, 1991, do not apply to this paragraph with respect to taxable years
15 beginning after December 31, 1991, and before January 1, 1993, except that changes
16 to the internal revenue code made by P.L. 102-318, P.L. 102-486 and, P.L. 103-66
17 and P.L. 104-188, excluding section 1311 of P.L. 104-188, and changes that indirectly
18 affect the federal internal revenue code made by P.L. 102-318, P.L. 102-486 and, P.L.
19 103-66 and P.L. 104-188, excluding section 1311 of P.L. 104-188, apply for Wisconsin
20 purposes at the same time as for federal purposes.

21 **SECTION 2281f.** 71.42 (2) (g) of the statutes is amended to read:

22 71.42 (2) (g) For taxable years that begin after December 31, 1992, and before
23 January 1, 1994, “internal revenue code” means the federal internal revenue code as
24 amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102-227,
25 and as amended by P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150,

1 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and P.L. 104-188,
2 excluding section 1311 of P.L. 104-188, and as indirectly affected by P.L. 99-514, P.L.
3 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
4 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
5 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113,
6 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and P.L. 104-188,
7 excluding section 1311 of P.L. 104-188, except that “internal revenue code” does not
8 include section 847 of the federal internal revenue code. The internal revenue code
9 applies for Wisconsin purposes at the same time as for federal purposes.
10 Amendments to the federal internal revenue code enacted after December 31, 1992,
11 do not apply to this paragraph with respect to taxable years beginning after
12 December 31, 1992, and before January 1, 1994, except that changes to the internal
13 revenue code made by P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding
14 section 1311 of P.L. 104-188, and changes that indirectly affect the federal internal
15 revenue code made by P.L. 103-66 and, P.L. 103-465 and P.L. 104-188, excluding
16 section 1311 of P.L. 104-188, apply for Wisconsin purposes at the same time as for
17 federal purposes.

18 **SECTION 2281g.** 71.42 (2) (h) of the statutes is amended to read:

19 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before
20 January 1, 1995, “internal revenue code” means the federal internal revenue code as
21 amended to December 31, 1993 excluding sections 103, 104 and 110 of P.L. 102-227
22 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66,
23 and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465 and, P.L. 104-7,
24 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
25 104-188, P.L. 104-191 and P.L. 104-193, and as indirectly affected by P.L. 99-514,

1 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
2 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
3 102-318, P.L. 102-486 and P.L. 103-66, excluding sections 13113, 13150 (d), 13171
4 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
5 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
6 section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, except that “internal
7 revenue code” does not include section 847 of the federal internal revenue code. The
8 internal revenue code applies for Wisconsin purposes at the same time as for federal
9 purposes. Amendments to the federal internal revenue code enacted after
10 December 31, 1993, do not apply to this paragraph with respect to taxable years
11 beginning after December 31, 1993, and before January 1, 1995, except that
12 changes to the internal revenue code made by P.L. 103-296, P.L. 103-337, P.L.
13 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
14 section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and changes that
15 indirectly affect the provisions applicable to this subchapter made by P.L. 103-296,
16 P.L. 103-337, P.L. 103-465 and, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.
17 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191 and P.L. 104-193
18 apply for Wisconsin purposes at the same time as for federal purposes.

19 **SECTION 2281h.** 71.42 (2) (i) of the statutes is amended to read:

20 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before
21 January 1, 1996, “internal revenue code” means the federal internal revenue code as
22 amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227
23 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as
24 amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605
25 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, and as indirectly affected by P.L.

1 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
2 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
3 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
4 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
5 103-465 and, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605
6 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, except that “internal revenue code”
7 does not include section 847 of the federal internal revenue code. The internal
8 revenue code applies for Wisconsin purposes at the same time as for federal purposes.
9 Amendments to the federal internal revenue code enacted after December 31, 1994,
10 do not apply to this paragraph with respect to taxable years beginning after
11 December 31, 1994, and before January 1, 1996, except that changes to the internal
12 revenue code made by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311
13 and 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193 and changes that indirectly
14 affect the provisions applicable to this subchapter made by P.L. 104-7, P.L. 104-188,
15 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
16 104-193 apply for Wisconsin purposes at the same time as for federal purposes.

17 **SECTION 2281i.** 71.42 (2) (j) of the statutes is amended to read:

18 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
19 January 1, 1997, “internal revenue code” means the federal internal revenue code as
20 amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102-227
21 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as
22 amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
23 104-188, P.L. 104-191 and P.L. 104-193 and as indirectly affected by P.L. 99-514,
24 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
25 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.

1 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
2 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465 and,
3 P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
4 104-188, P.L. 104-191 and P.L. 104-193 except that “internal revenue code” does not
5 include section 847 of the federal internal revenue code. The internal revenue code
6 applies for Wisconsin purposes at the same time as for federal purposes.
7 Amendments to the federal internal revenue code enacted after December 31, 1995,
8 do not apply to this paragraph with respect to taxable years beginning after
9 December 31, 1995, and before January 1, 1997, except that changes to the Internal
10 Revenue Code made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and
11 1605 of P.L. 104-188, P.L. 104-191 and P.L. 104-193, and changes that indirectly
12 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding
13 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191 and P.L.
14 104-193 apply for Wisconsin purposes at the same time as for federal purposes.

15 **SECTION 2281j.** 71.42 (2) (k) of the statutes is created to read:

16 71.42 (2) (k) For taxable years that begin after December 31, 1996, “Internal
17 Revenue Code” means the federal Internal Revenue Code as amended to
18 December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102-227, sections
19 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections 1123 (b),
20 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly affected by P.L.
21 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
22 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
23 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
24 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
25 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311

1 and 1605 (d) of P.L. 104-188, P.L. 104-191 and P.L. 104-193 except that “Internal
2 Revenue Code” does not include section 847 of the federal Internal Revenue Code.
3 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
4 federal purposes. Amendments to the federal Internal Revenue Code enacted after
5 December 31, 1996, do not apply to this paragraph with respect to taxable years
6 beginning after December 31, 1996.

7 **SECTION 1777.** 71.42 (3m) of the statutes is created to read:

8 71.42 (3m) “Pay” means mail or deliver funds to the department or, if the
9 department prescribes another method of payment or another destination, use that
10 other method or submit to that other destination.

11 **SECTION 1778.** 71.44 (4) (a) of the statutes is repealed.

12 **SECTION 1779.** 71.45 (2) (a) 10. of the statutes is amended to read:

13 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
14 computed under s. 71.47 (1dd) to ~~(1ds)~~ (1dx) and not passed through by a partnership,
15 limited liability company or tax-option corporation that has added that amount to
16 the partnership’s, limited liability company’s or tax-option corporation’s income
17 under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47
18 (1), (3), (4) and (5).

19 **SECTION 2285b.** 71.45 (2) (a) 10m. of the statutes is created to read:

20 71.45 (2) (a) 10m. By adding to federal taxable income the amount deducted
21 under section 847 of the Internal Revenue Code.

22 **SECTION 2285bm.** 71.45 (2) (a) 13. of the statutes is amended to read:

23 71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference
24 between the depreciation deduction under the federal internal revenue code as
25 amended to December 31, ~~1995~~ 1996, and the depreciation deduction under the

1 federal internal revenue code in effect for the taxable year for which the return is
2 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,
3 except that property first placed in service by the taxpayer on or after
4 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
5 1985 stats., is required to be depreciated under the internal revenue code as
6 amended to December 31, 1980, and property first placed in service in taxable year
7 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
8 stats., is required to be depreciated under the internal revenue code as amended to
9 December 31, 1980, shall continue to be depreciated under the internal revenue code
10 as amended to December 31, 1980.

11 **SECTION 2285bp.** 71.47 (1dd) (e) of the statutes is created to read:

12 71.47 (1dd) (e) No credit may be claimed under this subsection for taxable
13 years that begin on January 1, 1998, or thereafter. Credits under this subsection for
14 taxable years that begin before January 1, 1998, may be carried forward to taxable
15 years that begin on January 1, 1998, or thereafter.

16 **SECTION 2285c.** 71.47 (1de) (d) of the statutes is created to read:

17 71.47 (1de) (d) No credit may be claimed under this subsection for taxable
18 years that begin on January 1, 1998, or thereafter. Credits under this subsection for
19 taxable years that begin before January 1, 1998, may be carried forward to taxable
20 years that begin on January 1, 1998, or thereafter.

21 **SECTION 2285d.** 71.47 (1di) (i) of the statutes is created to read:

22 71.47 (1di) (i) No credit may be claimed under this subsection for taxable years
23 that begin on January 1, 1998, or thereafter. Credits under this subsection for
24 taxable years that begin before January 1, 1998, may be carried forward to taxable
25 years that begin on January 1, 1998, or thereafter.

1 **SECTION 2285e.** 71.47 (1dj) (i) of the statutes is created to read:

2 71.47 (1dj) (i) No credit may be claimed under this subsection for taxable years
3 that begin on January 1, 1998, or thereafter. Credits under this subsection for
4 taxable years that begin before January 1, 1998, may be carried forward to taxable
5 years that begin on January 1, 1998, or thereafter.

6 **SECTION 2285f.** 71.47 (1dL) (h) of the statutes is created to read:

7 71.47 (1dL) (h) No credit may be claimed under this subsection for taxable
8 years that begin on January 1, 1998, or thereafter. Credits under this subsection for
9 taxable years that begin before January 1, 1998, may be carried forward to taxable
10 years that begin on January 1, 1998, or thereafter.

11 **SECTION 2285g.** 71.47 (1ds) (i) of the statutes is created to read:

12 71.47 (1ds) (i) No credit may be claimed under this subsection for taxable years
13 that begin on January 1, 1998, or thereafter. Credits under this subsection for
14 taxable years that begin before January 1, 1998, may be carried forward to taxable
15 years that begin on January 1, 1998, or thereafter.

16 **SECTION 1780.** 71.47 (1dx) of the statutes is created to read:

17 71.47 (1dx) DEVELOPMENT ZONES CREDIT. (a) *Definitions.* In this subsection:

18 1. “Brownfield” means an industrial or commercial facility the expansion or
19 redevelopment of which is complicated by environmental contamination.

20 2. “Development zone” means a development zone under s. 560.70, a
21 development opportunity zone under s. 560.795 or an enterprise development zone
22 under s. 560.797.

23 3. “Environmental remediation” means removal or containment of
24 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
25 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),

1 in a brownfield if that removal, containment or restoration fulfills the requirement
2 under sub. (1de) (a) 1. and investigation unless the investigation determines that
3 remediation is required and that remediation is not undertaken.

4 4. "Full-time job" means a regular, nonseasonal full-time position in which an
5 individual, as a condition of employment, is required to work at least 2,080 hours per
6 year, including paid leave and holidays, and for which the individual receives pay
7 that is equal to at least 150% of the federal minimum wage and receives benefits that
8 are not required by federal or state law. "Full-time job" does not include initial
9 training before an employment position begins.

10 5. "Member of a targeted group" means a person under sub. (1dj) (am) 1., a
11 person who resides in an empowerment zone, or an enterprise community, that the
12 U.S. government designates, a person who is employed in an unsubsidized job but
13 meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works
14 employment position, a person who is employed in a trial job, as defined in s. 49.141
15 (1) (n), a person who is eligible for the Wisconsin works health plan under s. 49.153
16 or a person who is eligible for child care assistance under s. 49.155; if the person has
17 been certified in the manner under sub. (1dj) (am) 3. by a designated local agency,
18 as defined in sub. (1dj) (am) 2.

19 (b) *Credit*. Except or provided in s. 73.03 (35) and subject to s. 560.785, for any
20 taxable year for which the person is certified under s. 560.765 (3), any person may
21 claim as a credit against taxes under this subchapter the following amounts:

22 1. Fifty percent of the amount expended for environmental remediation in a
23 development zone.

24 2. The amount determined by multiplying the amount determined under s.
25 560.785 (1) (b) by the number of full-time jobs created in a development zone and

1 filled by a member of a targeted group and by then subtracting the subsidies paid
2 under s. 49.147 (3) (a) for those jobs.

3 3. The amount determined by multiplying the amount determined under s.
4 560.785 (1) (c) by the number of full-time jobs created in a development zone and not
5 filled by a member of a targeted group and by then subtracting the subsidies paid
6 under s. 49.147 (3) (a) for those jobs.

7 4. The amount determined by multiplying the amount determined under s.
8 560.785 (1) (b) by the number of full-time jobs retained, as provided in the rules
9 under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj),
10 in a development zone and filled by a member of a targeted group and by then
11 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

12 5. The amount determined by multiplying the amount determined under s.
13 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules
14 under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj),
15 in a development zone and not filled by a member of a targeted group and by then
16 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

17 (c) *Credit precluded.* If the certification of a person for tax benefits under s.
18 560.765 (3) is revoked, that person may not claim credits under this subsection for
19 the taxable year that includes the day on which the certification is revoked or
20 succeeding taxable years and that person may not carry over unused credits from
21 previous years to offset tax under this chapter for the taxable year that includes the
22 day on which certification is revoked or succeeding taxable years.

23 (d) *Carry-over precluded.* If a person who is certified under s. 560.765 (3) for
24 tax benefits ceases business operations in the development zone during any of the
25 taxable years that that zone exists, that person may not carry over to any taxable

1 year following the year during which operations cease any unused credits from the
2 taxable year during which operations cease or from previous taxable years.

3 (e) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
4 s. 71.28 (4), applies to the credit under this subsection. Subsection (1dj) (c), as it
5 applies to the credit under sub. (1dj), applies to the credit under this subsection.
6 Claimants shall include with their returns a copy of their certification for tax benefits
7 and a copy of the department of commerce's verification of their expenses.

8 **SECTION 2286m.** 71.47 (3) (b) of the statutes is amended to read:

9 71.47 (3) (b) The tax imposed upon or measured by corporation Wisconsin net
10 income under s. 71.43 (1) or (2) shall be reduced by an amount equal to the sales and
11 use tax under ch. 77 paid by the corporation in such taxable year on fuel and
12 electricity consumed in manufacturing tangible personal property in this state.
13 Shareholders of a tax-option corporation and partners may claim the credit under
14 this subsection, based on eligible sales and use taxes paid by the tax-option
15 corporation or partnership, in proportion to the ownership interest of each
16 shareholder or partner. The tax-option corporation or partnership shall calculate
17 the amount of the credit that may be claimed by each shareholder or partner and
18 shall provide that information to the shareholder or partner.

19 **SECTION 2286n.** 71.47 (3) (c) of the statutes is renumbered 71.47 (3) (c) 1.

20 **SECTION 2286no.** 71.47 (3) (c) 2. to 6. of the statutes are created to read:

21 71.47 (3) (c) 2. For shareholders in a tax-option corporation, the credit may be
22 offset only against the tax imposed on the shareholder's prorated share of the
23 tax-option corporation's income.

24 3. For partners, the credit may be offset only against the tax imposed on the
25 partner's distributive share of partnership income.

1 4. If a tax-option corporation becomes liable for tax, the corporation may offset
2 the credit against the tax due, with any remaining credit passing through to the
3 shareholders.

4 5. If a corporation that is not a tax-option corporation has a carry-over credit
5 and becomes a tax-option corporation before the credit carried over is used, the
6 unused portion of the credit may be used by the tax-option corporation's
7 shareholders on a prorated basis.

8 6. If the shareholders of a tax-option corporation have carry-over credits and
9 the corporation becomes a corporation other than a tax-option corporation after the
10 effective date of this subdivision [revisor inserts date], and before the credits
11 carried over are used, the unused portion of the credits may be used by the
12 corporation that is not a tax-option corporation.

13 **SECTION 2286p.** 71.47 (3) (d) of the statutes is repealed.

14 **SECTION 1781.** 71.47 (4) (a) of the statutes is amended to read:

15 71.47 (4) (a) *Credit.* Any corporation may credit against taxes otherwise due
16 under this chapter an amount equal to 5% of the amount obtained by subtracting
17 from the corporation's qualified research expenses, as defined in section 41 of the
18 internal revenue code, except that "qualified research expenses" includes only
19 expenses incurred by the claimant, incurred for research conducted in this state for
20 the taxable year, except that a taxpayer may elect the alternative computation under
21 section 41 (c) (4) of the Internal Revenue Code and that election applies until the
22 department permits its revocation and except that "qualified research expenses"
23 does not include compensation used in computing the credit under ~~sub.~~ subs. (1dj)
24 and (1dx), the corporation's base amount, as defined in section 41 (c) of the internal
25 revenue code, except that gross receipts used in calculating the base amount means

1 gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. and
2 (d). Section 41 (h) of the internal revenue code does not apply to the credit under this
3 paragraph.

4 **SECTION 2287m.** 71.47 (4) (am) of the statutes is amended to read:

5 71.47 (4) (am) *Development zone additional research credit.* In addition to the
6 credit under par. (a), any corporation may credit against taxes otherwise due under
7 this chapter an amount equal to 5% of the amount obtained by subtracting from the
8 corporation's qualified research expenses, as defined in section 41 of the internal
9 revenue code, except that "qualified research expenses" include only expenses
10 incurred by the claimant in a development zone under subch. VI of ch. 560, except
11 that a taxpayer may elect the alternative computation under section 41 (c) (4) of the
12 Internal Revenue Code and that election applies until the department permits its
13 revocation and except that "qualified research expenses" do not include
14 compensation used in computing the credit under sub. (1dj) nor research expenses
15 incurred before the claimant is certified for tax benefits under s. 560.765 (3), the
16 corporation's base amount, as defined in section 41 (c) of the internal revenue code,
17 in a development zone, except that gross receipts used in calculating the base amount
18 means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and
19 2. and (d) and research expenses used in calculating the base amount include
20 research expenses incurred before the claimant is certified for tax benefits under s.
21 560.765 (3), in a development zone, if the claimant submits with the claimant's
22 return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and
23 a statement from the department of commerce verifying the claimant's qualified
24 research expenses for research conducted exclusively in a development zone. The
25 rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under

1 sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims
2 under this paragraph. Section 41 (h) of the internal revenue code does not apply to
3 the credit under this paragraph. No credit may be claimed under this paragraph for
4 taxable years that begin on January 1, 1998, or thereafter. Credits under this
5 paragraph for taxable years that begin before January 1, 1998, may be carried
6 forward to taxable years that begin on January 1, 1998, or thereafter.

7 **SECTION 2287mn.** 71.47 (6) (a) of the statutes is amended to read:

8 71.47 (6) (a) Any person may credit against taxes otherwise due under this
9 chapter, up to the amount of those taxes, an amount equal to 5% of the costs of
10 qualified rehabilitation expenditures, as defined in section 47 (c) (2) of the internal
11 revenue code, for certified historic structures on property located in this state if the
12 physical work of construction or destruction in preparation for construction begins
13 after December 31, 1988, ~~and the rehabilitated property is placed in service after~~
14 ~~June 30, 1989.~~

15 **SECTION 1782.** 71.49 (1) (eom) of the statutes is created to read:

16 71.49 (1) (eom) Development zones credit under s. 71.47 (1dx).

17 **SECTION 1783.** 71.52 (6) of the statutes is amended to read:

18 71.52 (6) "Income" means the sum of Wisconsin adjusted gross income and the
19 following amounts, to the extent not included in Wisconsin adjusted gross income:
20 maintenance payments (except foster care maintenance and supplementary
21 payments excludable under section 131 of the internal revenue code), support money,
22 cash public assistance (not including credit granted under this subchapter and
23 amounts under s. 46.27), cash benefits paid by counties under s. 59.53 (21), the gross
24 amount of any pension or annuity (including railroad retirement benefits, all
25 payments received under the federal social security act and veterans disability

1 pensions), nontaxable interest received from the federal government or any of its
2 instrumentalities, nontaxable interest received on state or municipal bonds,
3 worker's compensation, unemployment compensation, the gross amount of "loss of
4 time" insurance, compensation and other cash benefits received from the United
5 States for past or present service in the armed forces, scholarship and fellowship gifts
6 or income, capital gains, gain on the sale of a personal residence excluded under
7 section 121 of the internal revenue code, dividends, income of a nonresident or
8 part-year resident who is married to a full-year resident, housing allowances
9 provided to members of the clergy, the amount by which a resident manager's rent
10 is reduced, nontaxable income of an American Indian, nontaxable income from
11 sources outside this state and nontaxable deferred compensation. Intangible drilling
12 costs, depletion allowances and depreciation, including first-year depreciation
13 allowances under section 179 of the internal revenue code, amortization,
14 contributions to individual retirement accounts under section 219 of the internal
15 revenue code, contributions to Keogh plans, net operating loss carry-forwards and
16 capital loss carry-forwards deducted in determining Wisconsin adjusted gross
17 income shall be added to "income". "Income" does not include gifts from natural
18 persons, cash reimbursement payments made under title XX of the federal social
19 security act, surplus food or other relief in kind supplied by a governmental agency,
20 the gain on the sale of a personal residence deferred under section 1034 of the
21 internal revenue code or nonrecognized gain from involuntary conversions under
22 section 1033 of the internal revenue code. Amounts not included in adjusted gross
23 income but added to "income" under this subsection in a previous year and repaid
24 may be subtracted from income for the year during which they are repaid.
25 Scholarship and fellowship gifts or income that are included in Wisconsin adjusted

1 gross income and that were added to household income for purposes of determining
2 the credit under this subchapter in a previous year may be subtracted from income
3 for the current year in determining the credit under this subchapter. A marital
4 property agreement or unilateral statement under ch. 766 has no effect in computing
5 “income” for a person whose homestead is not the same as the homestead of that
6 person’s spouse.

7 **SECTION 1784.** 71.63 (1m) of the statutes is created to read:

8 71.63 (1m) “Deposit” means mail or deliver funds to the department or, if the
9 department prescribes another method of submitting or if the department of
10 administration designates under s. 34.05 another destination, use that other method
11 or submit to that other destination.

12 **SECTION 1785.** 71.63 (2) of the statutes is amended to read:

13 71.63 (2) “Employe” means a resident individual who performs or performed
14 services for an employer anywhere or a nonresident individual who performs or
15 performed such services within this state, and includes an officer, employe or elected
16 official of the United States, a state, territory, or any political subdivision thereof, or
17 the District of Columbia, or any agency or instrumentality of any one or more of these
18 entities. The term includes an officer of a corporation, an entertainer and an
19 entertainment corporation, but does not include a qualified real estate agent or a
20 direct seller who is not treated as an employe under section 3508 of the Internal
21 Revenue Code.

22 **SECTION 2291m.** 71.63 (3) (c) of the statutes is created to read:

23 71.63 (3) (c) In regard to a single-owner entity that is disregarded as a separate
24 entity under section 7701 of the Internal Revenue Code, the owner, not the entity, is
25 an “employer”.

1 **SECTION 1786.** 71.63 (3m) of the statutes is created to read:

2 71.63 **(3m)** “File” means mail or deliver a document that the department
3 prescribes to the department or, if the department prescribes another method of
4 submitting or the department of administration designates under s. 34.05 another
5 destination, use that other method or submit to that other destination.

6 **SECTION 1787.** 71.63 (3r) of the statutes is created to read:

7 71.63 **(3r)** “Furnish” means mail or deliver a document that the department
8 prescribes to the department or, if the department prescribes another method of
9 submitting or another destination, use that other method or submit to that other
10 destination.

11 **SECTION 1788.** 71.63 (5m) of the statutes is created to read:

12 71.63 **(5m)** “Remit” means mail or deliver funds to the department or, if the
13 department prescribes another method of submitting or if the department of
14 administration designates under s. 34.05 another destination, use that other method
15 or submit to that other destination.

16 **SECTION 2294m.** 71.64 (9) (b) of the statutes is amended to read:

17 71.64 **(9)** (b) The department shall from time to time adjust the withholding
18 tables to reflect any changes in income tax rates, any applicable surtax or any
19 changes in dollar amounts in s. 71.06 (1) and (2) resulting from statutory changes.
20 The tables shall account for the working families tax credit under s. 71.07 (5m). The
21 tables shall be extended to cover from zero to 10 withholding exemptions, shall
22 assume that the payment of wages in each pay period will, when multiplied by the
23 number of pay periods in a year, reasonably reflect the annual wage of the employe
24 from the employer and shall be based on the further assumption that the annual
25 wage will be reduced for allowable deductions from gross income. The department

1 may determine the length of the tables and a reasonable span for each bracket. In
2 preparing the tables the department shall adjust all withholding amounts not an
3 exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents.
4 The department shall also provide instructions with the tables for withholding with
5 respect to quarterly, semiannual and annual pay periods.

6 **SECTION 1789.** 71.65 (2) (title) and (a) of the statutes are amended to read:

7 71.65 (2) (title) ~~EMPLOYERS MUST FURNISH STATEMENT TO THE DEPARTMENT~~
8 EMPLOYERS' STATEMENTS. (a) Every person required to deduct and withhold from an
9 employe under this subchapter shall furnish ~~to the department of revenue at its~~
10 ~~offices in Madison~~, in respect to remuneration paid by such person to such employe
11 during the calendar year, on or before January 31 of the succeeding year, one copy
12 of the statement under sub. (1).

13 **SECTION 1790.** 71.65 (2) (b) of the statutes is amended to read:

14 71.65 (2) (b) Every resident of this state and every nonresident carrying on
15 activities within this state, whether taxable or not under this chapter, who pays in
16 any calendar year for services performed within this state by an individual
17 remuneration which is excluded from the definition of wages, in the amount of \$600
18 or more, shall, on or before January 31 of the succeeding year, furnish ~~the~~
19 ~~department of revenue at its offices in Madison~~ a statement in such form as required
20 by the department, disclosing the name of the payor, the name and address of the
21 recipient and the total amount paid in such year to such recipient. In any case in
22 which an individual receives wages and also remuneration for services which
23 remuneration is excluded from such definition, both from the same payor, the wages
24 and the excluded remuneration shall both be reported in the report required under

1 this subsection in a manner satisfactory to the department, regardless of the amount
2 of the excluded remuneration.

3 **SECTION 1791.** 71.65 (3) (a) of the statutes is amended to read:

4 71.65 (3) (a) Every employer who deducts and withholds any amount under
5 this subchapter shall deposit such amount on a quarterly basis, except that if the
6 amount deducted and withheld in any quarter exceeds \$300, the department may
7 require by written notice to the employer, that amounts deducted and withheld on
8 and after the date indicated on such notice be deposited on a monthly basis.
9 Employers who are required to file reports and deposit withheld taxes on a monthly,
10 quarterly or annual basis, as the case may be, shall file such reports and deposit such
11 taxes on or before the last day of the month next succeeding the withholding period.
12 If the amount deducted and withheld in any quarter exceeds \$5,000, the department
13 may require by written notice to the employer, that for amounts deducted and
14 withheld from the first day of the month through the 15th day of the month, the
15 employer shall file reports and deposit such taxes on or before the last day of such
16 month and that for amounts deducted and withheld from the 16th day of the month
17 through the last day of the month the employer shall file reports and deposit such
18 taxes on or before the 15th day of the next succeeding month. The department may
19 require any employer who files and pays on a monthly basis or more frequently to
20 do so electronically. Employers shall file reports and deposit taxes with such public
21 depository in Wisconsin as the department of administration designates a public
22 depository therefor under s. 34.05 to the credit of the general fund. With each deposit
23 the employer shall include a deposit report on a form to be provided by the
24 department. The department may, when satisfied that the revenues will be
25 adequately safeguarded, permit an employer whose withheld taxes do not exceed \$50

1 per month to deposit withheld taxes and reports for other than quarterly periods.
2 The department may revoke such permission at any time. The department, if it
3 deems it necessary in order to ensure payment to or facilitate the collection by the
4 state of the amount of taxes, may require reports or payments of the amount of
5 withheld taxes for other than quarterly periods. The public depository shall record
6 on such deposit report the amount deposited and shall then forward such report to
7 the department in such manner and at such time as the department by rule
8 prescribes. On or before January 31 of each year every employer shall file with the
9 ~~department at its offices in Madison, or at such other place as the department by rule~~
10 ~~prescribes~~, a withholding report on a form to be provided by the department showing
11 the amount withheld from the wages paid each employe in the previous calendar
12 year, the amount deposited in respect to each employe on wages paid in the previous
13 calendar year and a reconciliation of the aggregate of the amounts deposited in
14 respect to each employe on wages paid in the previous calendar year with the
15 aggregate of the amounts shown on the semimonthly, monthly and quarterly deposit
16 reports filed in respect to such withholding. Every employer who discontinues
17 business prior to the end of a calendar year shall, within 30 days of such
18 discontinuance, deposit withheld taxes not previously deposited and submit a
19 deposit report concerning such deposit with the public depository and file a
20 withholding report with the department covering the period from the beginning of
21 the calendar year to the date of discontinuance. No employe shall have any right of
22 action against an employer in regard to money deducted from wages and deposited
23 with the public depository in compliance or intended compliance with this
24 subchapter.

25 **SECTION 1792.** 71.65 (3) (d) of the statutes is amended to read:

1 71.65 (3) (d) On or before January 31 of each year every employer shall file ~~with~~
2 ~~the department~~ an annual withholding report on forms provided by the department
3 showing the amount withheld from the wages paid each employe in the previous
4 calendar year, the amount deposited or paid over in respect to each employe on wages
5 paid in the previous calendar year and a reconciliation of the aggregate deposited or
6 paid over in respect to each employe on wages paid in the previous calendar year with
7 the aggregate of the amounts shown on deposit and withholding reports filed in
8 respect of such withholding.

9 **SECTION 1793.** 71.65 (3) (e) of the statutes is amended to read:

10 71.65 (3) (e) Every employer who discontinues his or her business prior to the
11 end of a calendar year shall, within 30 days of such discontinuance, pay over
12 withheld taxes not previously deposited or paid over, and shall file a withholding
13 report ~~with the department~~ covering the period from the beginning of the calendar
14 year to the date of discontinuance.

15 **SECTION 1794.** 71.65 (4) of the statutes is amended to read:

16 71.65 (4) SELF-INSURERS. A person who is required to file an annual
17 withholding report under sub. (3) (a) and who is a self-insurer for the purposes of
18 subch. II of ch. 619 149 shall indicate on the return that the person is such a
19 self-insurer.

20 **SECTION 1795.** 71.66 (1) (a), (b), (c) and (d) of the statutes are amended to read:

21 71.66 (1) (a) On or before the date on which an employe commences
22 employment with an employer each employe shall ~~furnish~~ provide his or her
23 employer with a signed withholding exemption certificate relating to the number of
24 withholding exemptions he or she claims, which shall not exceed the number to
25 which he or she is entitled. If the employe fails to ~~furnish~~ provide such certificate,

1 such employe, for withholding purposes, shall be considered as claiming no
2 withholding exemptions.

3 (b) If the number of withholding exemptions to which the employe is entitled
4 is less than the number of withholding exemptions claimed by him or her on the
5 withholding exemption certificate then in effect, the employe shall within 10 days
6 after the change occurs ~~furnish~~ provide the employer with a new withholding
7 exemption certificate, which shall not exceed the number to which he or she is
8 entitled.

9 (c) If the number of withholding exemptions to which the employe is entitled
10 is more than the number of withholding exemptions claimed by him or her on the
11 withholding exemption certificate then in effect, the employe may ~~furnish~~ provide
12 the employer with a new withholding exemption certificate on which the employe
13 must not claim more than the number of withholding exemptions to which he or she
14 is entitled on such day.

15 (d) A withholding exemption certificate ~~furnished~~ provided to the employer
16 shall take effect as of the beginning of the first payroll period ending after the date
17 on which such certificate is ~~furnished~~ provided.

18 **SECTION 1796.** 71.66 (1) (f) of the statutes is amended to read:

19 71.66 (1) (f) Whenever the internal revenue code or regulations or rulings of
20 the internal revenue service require an employer to submit copies of, or information
21 taken from, an employe's withholding allowance certificate to the internal revenue
22 service, the employer shall also ~~furnish~~ provide copies of, or information taken from,
23 the certificate to the department within 15 days after the employer is required to file
24 the certificate or information with the internal revenue service.

25 **SECTION 1797.** 71.68 of the statutes is created to read:

1 **71.68 Definitions.** In this subchapter:

2 (1) "Department" means the department of revenue.

3 (2) "File" means mail or deliver a document that the department prescribes to
4 the department or, if the department prescribes another method of submitting or
5 another destination, use that other method or submit to that other destination.

6 **SECTION 1798.** 71.69 of the statutes is amended to read:

7 **71.69 Capital stock transfers.** All corporations doing business in this state
8 shall file with the department, on or before March 15 of each year on forms prescribed
9 by the department, a statement of such transfers of its capital stock as have been
10 made by or to residents of this state during the preceding calendar year. Such
11 statement shall contain the name and address of the seller, date of transfer, and the
12 number of shares of stock transferred.

13 **SECTION 1799.** 71.70 of the statutes is amended to read:

14 **71.70 Rents or royalties. (1) PERSONS OTHER THAN CORPORATIONS.** Persons
15 other than corporations deducting rent or royalties in determining taxable income
16 shall ~~inform the department of~~ file a report that shows the amounts and of the name
17 and address of all natural persons who are residents of this state and to whom
18 royalties of \$600 or more were paid during the taxable year; and of the amounts and
19 of the name and address of all natural persons to whom rent of \$600 or more is paid
20 during the taxable year for property having a situs in this state. Such information
21 shall be filed at the time of filing the income tax return on which such payments are
22 deducted or at such other time as the department prescribes.

23 (2) CORPORATIONS. All corporations doing business in this state shall file with
24 the department, on or before March 15 of each year, any information relative to
25 payments made within the preceding calendar year of rents and royalties to all

1 natural persons taxable thereon under this chapter ~~in amounts and in the manner~~
2 ~~and form prescribed by the department.~~

3 **SECTION 1800.** 71.71 (2) of the statutes is amended to read:

4 71.71 (2) (title) ~~STATEMENT EMPLOYER MUST FURNISH TO DEPARTMENT FILE.~~ Every
5 person required to deduct and withhold from an employe under subch. X shall
6 ~~furnish to the department of revenue at its offices in Madison file,~~ in respect to
7 remuneration paid by such person to such employe during the calendar year, on or
8 before January 31 of the succeeding year, one copy of the statement referred to in sub.
9 (1).

10 **SECTION 1801.** 71.72 of the statutes is amended to read:

11 **71.72 Statement of nonwage payments.** Every resident of this state and
12 every nonresident carrying on activities within this state, whether taxable or not
13 under this chapter, who pays in any calendar year for services performed within this
14 state by an individual remuneration which is excluded from the definition of wages
15 in s. 71.63 (6), in the amount of \$600 or more, shall, on or before January 31 of the
16 succeeding year ~~furnish the department of revenue at its offices in Madison, file~~ a
17 ~~statement in such form as required by the department,~~ disclosing the name of the
18 payor, the name and address of the recipient and the total amount paid in such year
19 to such recipient. In any case in which an individual receives wages, as defined in
20 s. 71.63 (6), and also remuneration for services which remuneration is excluded from
21 such definition, both from the same payor, the wages and the excluded remuneration
22 shall both be reported in the statement required by s. 71.71 (2) in a manner
23 satisfactory to the department, regardless of the amount of the excluded
24 remuneration.

25 **SECTION 1802.** 71.738 of the statutes is repealed and recreated to read:

1 **71.738 Definitions.** In this subchapter:

2 (1) “Department” means the department of revenue.

3 (2) “File” means mail or deliver a document that the department prescribes to
4 the department or, if the department prescribes another method of submitting or
5 another destination, use that other method or submit to that other destination.

6 (3) “Last day prescribed by law” means the unextended due date of the return
7 or of the claim made under subch. VIII.

8 (4) “Sign” means write one’s signature or, if the department prescribes another
9 method of authenticating, use that other method.

10 **SECTION 1803.** 71.74 (1) of the statutes is amended to read:

11 71.74 (1) OFFICE AUDIT. The department of revenue shall, as soon as practicable,
12 office audit such returns as it deems advisable and if it is found from such office audit
13 that a person has been over or under assessed, or found that no assessment has been
14 made when one should have been made, the department of revenue shall correct or
15 assess the income of such person. Any assessment, correction or adjustment made
16 as a result of such office audit shall be presumed to be the result of an audit of the
17 return only, and such office audit shall not be deemed a verification of any item in
18 said return unless the amount of such item and the propriety thereof shall have been
19 determined after hearing and review as provided in s. 71.88 (1) (a) and (2) (a). Such
20 office audit shall not preclude the department of revenue from making field audits
21 of the books and records of the taxpayer and from making further adjustment,
22 correction and assessment of income.

23 **SECTION 1804.** 71.74 (3) of the statutes is amended to read:

24 71.74 (3) DEFAULT ASSESSMENT. Any person required to make file an income or
25 franchise tax return, who fails, neglects or refuses to do so ~~in the manner and form~~

1 and within the time prescribed by this chapter, or ~~makes files~~ a return that does not
2 disclose the person's entire net income, shall be assessed by the department
3 according to its best judgment.

4 **SECTION 1805.** 71.74 (6) of the statutes is amended to read:

5 71.74 (6) CONSOLIDATED STATEMENTS. For the purpose of this chapter, whenever
6 a corporation which is required to file an income or franchise tax return is affiliated
7 with or related to any other corporation through stock ownership by the same
8 interests or as parent or subsidiary corporations, or whose income is regulated
9 through contract or other arrangement, the department of ~~revenue~~ may require such
10 consolidated statements as in its opinion are necessary in order to determine the
11 taxable income received by any one of the affiliated or related corporations.

12 **SECTION 1806.** 71.74 (8) (a) of the statutes is amended to read:

13 71.74 (8) (a) If an audit of a claim for a credit under s. 71.07, 71.28 or 71.47 or
14 subch. VIII or IX indicates that an incorrect claim was filed, the department of
15 revenue shall make a determination of the correct amount and notify the claimant
16 of the determination and the reasons therefor under sub. (11) within 4 years of the
17 last day prescribed by law for filing the claim. If the claim has been paid, or credited
18 against income or franchise taxes otherwise payable, the credit shall be reduced or
19 canceled, and the proper portion of any amount paid shall be similarly recovered by
20 assessment as income or franchise taxes are assessed.

21 **SECTION 1807.** 71.74 (8) (d) of the statutes is amended to read:

22 71.74 (8) (d) If a claim for a state historic rehabilitation credit under s. 71.07
23 (9r) is false or excessive, the department of ~~revenue~~ shall disallow the claim in full.
24 If a credit has been allowed against income taxes otherwise payable, the credit shall
25 be canceled and the amount may be recovered by assessment as income taxes are

1 assessed. Notwithstanding par. (a) and s. 71.77, the department shall notify the
2 claimant of the determination and shall give reasons for the disallowance under sub.
3 (11) within 4 years after the date that the state historical society notifies the
4 department that the preservation or rehabilitation is not in compliance with s. 71.07
5 (9r) (b) 3. b. or 4., but that notification must be made within 6 years after the date
6 that the physical work of construction, or destruction in preparation for construction,
7 begins.

8 **SECTION 1808.** 71.74 (9) of the statutes is amended to read:

9 71.74 (9) LIABILITY MAY BE ASSESSED TO MORE THAN ONE PERSON. If the department
10 of revenue determines that a liability exists under this chapter and that the liability
11 may be owed by more than one person, the department may assess the entire amount
12 to each person, specifying that it is assessing in the alternative.

13 **SECTION 1809.** 71.74 (14) of the statutes is amended to read:

14 71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department of revenue may
15 also proceed under s. 71.91 (5) for the collection of any additional assessment of
16 income or franchise taxes or surtaxes, after notice thereof has been given under sub.
17 (11) and before the same shall have become delinquent, when it has reasonable
18 grounds to believe that the collection of such additional assessment will be
19 jeopardized by delay. In such cases notice of the intention to so proceed shall be given
20 by registered mail to the taxpayer, and the warrant of the department of revenue
21 shall not issue if the taxpayer within 10 days after such notice furnishes a bond in
22 such amount, not exceeding double the amount of the tax, and with such sureties as
23 the department of revenue shall approve, conditioned upon the payment of so much
24 of the additional taxes as shall finally be determined to be due, together with interest
25 thereon as provided by s. 71.82 (1) (a). Nothing in this subsection shall affect the

1 review of additional assessments provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2),
2 73.01 and 73.015, and any amounts collected under this subsection shall be deposited
3 with the state treasurer and disbursed after final determination of the taxes as are
4 amounts deposited under s. 71.90 (2).

5 **SECTION 1810.** 71.75 (6) and (7) of the statutes are amended to read:

6 71.75 (6) Every claim for refund or credit of income taxes, franchise taxes or
7 surtaxes, if any, shall be filed with the department of revenue in the manner, and on
8 a form, prescribed or approved by the department and signed by the person or, in the
9 case of joint returns, by both persons who filed the return on which the claim is based
10 and shall set forth specifically and explain in detail the reasons for and the basis of
11 the claim. After the claim has been filed it shall be considered and acted upon in the
12 same manner as are additional assessments made under s. 71.74 (1) and (2). No
13 marital property agreement or unilateral statement under ch. 766 affects claims for
14 refund or credit under this section.

15 (7) The department of revenue is directed to shall act on any claim for refund
16 or credit within one year after receipt and failure to act shall have the effect of
17 allowing the claim and the department shall certify the refund or credit unless the
18 taxpayer has consented in writing to an extension of the one-year time period prior
19 to its expiration.

20 **SECTION 1811.** 71.76 of the statutes is amended to read:

21 **71.76 Internal revenue service and other state adjustments.** If for any
22 year the amount of federal net income tax payable, of a credit claimed or carried
23 forward, of a net operating loss carried forward or of a capital loss carried forward
24 of any taxpayer as reported to the internal revenue service is changed or corrected
25 by the internal revenue service or other officer of the United States, such taxpayer

1 shall report such changes or corrections to the department within 90 days after its
2 final determination and shall concede the accuracy of such determination or state
3 how the determination is erroneous. Such changes or corrections need not be
4 reported unless they affect the amount of net tax payable under this chapter, of a
5 credit calculated under this chapter, of a Wisconsin net operating loss carried
6 forward, of a Wisconsin net business loss carried forward or of a capital loss carried
7 forward under this chapter. Any taxpayer filing submitting an amended return with
8 to the internal revenue service, or ~~with~~ to another state if there has been allowed a
9 credit against Wisconsin taxes for taxes paid to that state, shall also file, within 90
10 days of such filing date, an amended return ~~with the department~~ if any information
11 contained on the amended return affects the amount of net tax payable under this
12 chapter of a credit calculated under this chapter, of a Wisconsin net operating loss
13 carried forward, of a Wisconsin net business loss carried forward or of a capital loss
14 carried forward under this chapter.

15 **SECTION 2317m.** 71.77 (2m) of the statutes is created to read:

16 71.77 (2m) Notwithstanding sub. (2), the department of revenue may assess
17 a deficiency related to a contribution to the capital of the taxpayer, as defined in
18 section 118 (c) of the Internal Revenue Code, within 4 years after the department
19 receives notice by the taxpayer, in the manner that the department prescribes, of any
20 of the following:

21 (a) The amount of the expenditure under section 118 (c) (2) (A) of the Internal
22 Revenue Code.

23 (b) The intent of the person against whom the deficiency is to be assessed not
24 to make the expenditure under section 118 (c) (2) (A) of the Internal Revenue Code.

1 (c) Expiration of the time period under section 118 (c) (2) (B) of the Internal
2 Revenue Code and failure of the person against whom the deficiency is to be assessed
3 to make the expenditure under section 118 (c) (2) (B) of the Internal Revenue Code.

4 **SECTION 1812.** 71.77 (3) of the statutes is amended to read:

5 71.77 (3) Irrespective of sub. (2), if any person has made filed an incorrect
6 income tax or franchise tax return for any ~~of the years since January 1, 1911, year~~
7 with intent to defeat or evade the income tax or franchise tax assessment provided
8 by law, or has failed to file any income tax or franchise tax return for any of such
9 years, income of any such year may be assessed when discovered by the proper
10 assessing authority. The department of revenue shall assess the taxes owed for
11 taxable years beginning before January 1, 1990, by using the definition of "Internal
12 Revenue Code" that applied to the year for which the assessment was made, as
13 modified by P.L. 104-188 if P.L. 104-188 applied for federal purposes for that year.

14 **SECTION 1813.** 71.77 (5) of the statutes is amended to read:

15 71.77 (5) The limitation periods provided in this section may be extended by
16 written agreement between the taxpayer and the department of revenue entered
17 ~~into~~ prior to the expiration of such limitation periods or any extension of such
18 limitation periods. During any such extension period, the department may issue an
19 assessment or a refund, and the taxpayer may file a claim for a refund, relating to
20 the year which the extension covers. Subsection (4) shall not apply to any
21 assessment made in any such extended period. The department of revenue shall
22 assess the taxes owed or compute the refund due for taxable years beginning before
23 January 1, 1990, by using the definition of "Internal Revenue Code" that applied to
24 the year for which the assessment was made, as modified by P.L. 104-188 if P.L.
25 104-188 applied for federal purposes for that year.

1 **SECTION 1814.** 71.78 (1) of the statutes is amended to read:

2 71.78 (1) DIVULGING INFORMATION. Except as provided in subs. (4), (4m) and (10),
3 no person may divulge or circulate or offer to obtain, divulge or circulate any
4 information derived from an income, franchise, withholding, fiduciary, partnership,
5 limited liability company or gift tax return or tax credit claim, including information
6 which may be furnished by the department of revenue as provided in this section.
7 This subsection does not prohibit publication by any newspaper of information
8 lawfully derived from such returns or claims for purposes of argument or prohibit
9 any public speaker from referring to such information in any address. This
10 subsection does not prohibit the department of revenue from publishing statistics
11 classified so as not to disclose the identity of particular returns, or claims or reports
12 and the items thereof. This subsection does not prohibit employees or agents of the
13 department of revenue from offering or submitting any return, including joint
14 returns of a spouse or former spouse, separate returns of a spouse, individual returns
15 of a spouse or former spouse and combined individual income tax returns, or from
16 offering or submitting any claim, schedule, exhibit, writing or audit report or a copy
17 of, and any information derived from, any of those documents as evidence into the
18 record of any contested matter involving the department in proceedings or litigation
19 on state tax matters if, in the department's judgment, that evidence has reasonable
20 probative value.

21 **SECTION 1815.** 71.78 (8) (d) (intro.) of the statutes is amended to read:

22 71.78 (8) (d) (intro.) The department of revenue may allow an examination of
23 information under par. (c) only if a district attorney petitions a court of record in this
24 state for an order allowing the examination and the court issues an order after
25 finding:

1 **SECTION 1816.** 71.78 (9) and (10) of the statutes are amended to read:

2 71.78 (9) DISCLOSURE OF DEBTOR ADDRESS. The department of revenue may
3 supply the address of a debtor to an agency certifying a debt of that debtor under s.
4 71.93 or to a municipality or county certifying a debt of a debtor under s. 71.935.

5 (10) DIVULGING INFORMATION TO REQUESTER. The department of revenue shall
6 inform each requester of the total amount of taxes withheld under subch. X during
7 any reporting period and reported on a return filed by any city, village, town, county,
8 school district, special purpose district or technical college district; whether that
9 amount was paid by the statutory due date; the amount of any tax, fees, penalties
10 or interest assessed by the department; and the total amount due or assessed under
11 subch. X but unpaid by the filer, except that the department may not divulge tax
12 return information that in the department's opinion violates the confidentiality of
13 that information with respect to any person other than the units of government and
14 districts specified in this subsection. The department shall provide to the requester
15 a written explanation if it fails to divulge information on grounds of confidentiality.
16 The department shall collect from the person requesting the information a fee of \$4
17 for each return.

18 **SECTION 1817.** 71.80 (1) (a) of the statutes is amended to read:

19 71.80 (1) (a) The department of revenue shall assess incomes as provided in
20 this chapter and in performance of such duty the department shall possess all powers
21 now or hereafter granted by law to the department in the assessment of personal
22 property and also the power to estimate incomes.

23 **SECTION 1818.** 71.80 (1) (c) to (e), (2) and (3) of the statutes are amended to read:

24 71.80 (1) (c) The department of revenue may make such regulations as it shall
25 deem necessary in order to carry out this chapter.

1 (d) The department of revenue may employ such clerks and specialists as are
2 necessary to carry into effective operation this chapter. Salaries and compensations
3 of such clerks and specialists shall be charged to the proper appropriation for the
4 department of revenue.

5 (e) Representatives of the department of revenue directed by it to accept
6 payment of income or franchise taxes shall file bonds with the state treasurer in such
7 amount and with such sureties as the state treasurer shall direct and approve. ~~In~~
8 ~~collecting income or franchise taxes as provided in this chapter, the department of~~
9 ~~revenue shall be deemed to act as agents of the state, counties and towns, cities or~~
10 ~~villages entitled to receive the taxes collected.~~

11 **(2) NOTICE TO TAXPAYER BY DEPARTMENT.** The department of revenue shall notify
12 each taxpayer by mail of the amount of income or franchise taxes assessed against
13 the taxpayer and of the date when the taxes become delinquent.

14 **(3) CREDITING OF OVERPAYMENTS ON INDIVIDUAL OR SEPARATE RETURNS.** In the case
15 of any overpayment, refundable credit or refund on an individual or separate return,
16 the department of revenue, within the applicable period of limitations, may credit
17 the amount of overpayment, refundable credit or refund including any interest
18 allowed, against any liability in respect to any tax collected by the department, a debt
19 under s. 71.93 or 71.935 or a certification under s. 49.855 on the part of the person
20 who made the overpayment or received the refundable credit or the refund and shall
21 refund any balance to the person. The department shall presume that the
22 overpayment, refundable credit or refund is nonmarital property of the filer. Within
23 2 years after the crediting, the spouse or former spouse of the person filing the return
24 may file a claim for a refund of amounts credited by the department if the spouse or
25 former spouse shows by clear and convincing evidence that all or part of the state tax

1 overpayment, refundable credit or refund was nonmarital property of the
2 nonobligated spouse.

3 **SECTION 1819.** 71.80 (3m) (intro.) of the statutes is amended to read:

4 71.80 (3m) CREDITING OF OVERPAYMENTS ON JOINT RETURNS. (intro.) For married
5 persons, unless within 20 days after the date of the notice under par. (c) the
6 nonobligated spouse shows by clear and convincing evidence that the overpayment,
7 refundable credit or refund is the nonmarital property of the nonobligated spouse,
8 notwithstanding s. 766.55 (2) (d), the department of ~~revenue~~ may credit
9 overpayments, refundable credits and refunds, including any interest allowed,
10 resulting from joint returns under this chapter as follows:

11 **SECTION 1820.** 71.80 (3m) (c) and (d) of the statutes are amended to read:

12 71.80 (3m) (c) If the department of ~~revenue~~ determines that a spouse is
13 otherwise entitled to a state tax refund or homestead or farmland credit, it shall
14 notify the spouses under s. 71.74 (11) that the state intends to reduce any state tax
15 refund or a refundable credit due the spouses by the amount credited against any
16 liability under par. (a) or (b) or both.

17 (d) If a spouse does not receive notice under par. (c) and if the department of
18 revenue incorrectly credits the state tax overpayment, refund or a refundable credit
19 of a spouse or spouses against a liability under par. (a) or (b) or both, a claim for
20 refund of the incorrectly credited amount may be filed under s. 71.75 (5) within 2
21 years after the date of the offset that was the subject of the notice under par. (c)

22 **SECTION 1821.** 71.80 (7) and (8) of the statutes are amended to read:

23 71.80 (7) PUBLICATION OF NOTICES IN ADMINISTRATIVE REGISTER. The department
24 of ~~revenue~~ shall annually publish notice of the standard deduction amounts and the
25 brackets for the individual income tax in the administrative register.

1 **(8) RECEIPT FOR PAYMENT OF TAXES.** The department of revenue shall accept
2 payments of income or franchise taxes in accordance with this chapter, and upon
3 request shall give a printed or written receipt therefor.

4 **SECTION 1822.** 71.80 (16) (a) of the statutes is amended to read:

5 **71.80 (16) (a)** All nonresident persons, whether incorporated or not, engaging
6 in construction contracting in this state as contractor or subcontractor and not
7 otherwise regularly engaged in business in this state, shall file a surety bond with
8 the department, payable to the department of revenue, to guarantee the payment of
9 income or franchise taxes, required unemployment compensation contributions,
10 sales and use taxes and income taxes withheld from wages of employes, together with
11 any penalties and interest thereon. The department shall approve the form and
12 contents of such bond. The amount of the bond shall be 3% of the contract or
13 subcontract price on all contracts of \$50,000 or more or 3% of contractor's or
14 subcontractor's estimated cost-and-profit under a cost-plus contract of \$50,000 or
15 more. When the aggregate of 2 or more contracts in one calendar year is \$50,000 or
16 more the amount of the bond or bonds shall be 3% of the aggregate amount of such
17 contracts. Such surety bond must be filed within 60 days after construction is begun
18 in this state by any such contractor or subcontractor on any contract the price of
19 which is \$50,000 or more (or the estimated cost-and-profit of which is \$50,000 or
20 more), or within 60 days after construction is begun in this state on any contract for
21 less than \$50,000, when the amount of such contract, when aggregated with any
22 other contracts, construction on which was begun in this state in the same calendar
23 year, equals or exceeds \$50,000. If the department concludes that no bond is
24 necessary to protect the tax revenues of the state, including contributions under ch.
25 108, the requirements under this subsection may be waived by the secretary of

1 revenue or the secretary's designated departmental representative. The bond shall
2 remain in force until the liability thereunder is released by the secretary or the
3 secretary's designated departmental representative.

4 **SECTION 1823.** 71.80 (17) and (18) of the statutes are amended to read:

5 71.80 (17) TAX RECEIPTS TRANSMITTED TO STATE TREASURER. Within 15 days after
6 receipt of any income or franchise tax payments the department of revenue shall
7 transmit the same to the state treasurer.

8 (18) TIMELY FILING DEFINED. Documents and payments required or permitted
9 by this chapter that are mailed shall be considered furnished, reported, filed or made
10 on time, if mailed in a properly addressed envelope, with postage duly prepaid, which
11 envelope is postmarked before midnight of the date prescribed for such furnishing,
12 reporting, filing or making, provided such document or payment is actually received
13 by the department or at the destination that the department or the department of
14 administration prescribes within 5 days of such prescribed date. Documents and
15 payments that are not mailed are timely if they are received on or before the due date
16 by the department or at the destination that the department or the department of
17 administration prescribes.

18 **SECTION 2332t.** 71.83 (1) (c) of the statutes is repealed and recreated to read:

19 71.83 (1) (c) *Medical savings account withdrawals.* Any person who is liable
20 for a penalty for federal income tax purposes under section 220 (f) (4) of the Internal
21 Revenue Code is liable for a penalty equal to 33% of that penalty. The department
22 of revenue shall assess, levy and collect the penalty under this paragraph as it
23 assesses, levies and collects taxes under this chapter.

24 **SECTION 1824.** 71.90 (1) of the statutes is amended to read:

1 71.90 (1) (title) ~~DEPOSIT WITH THE DEPARTMENT~~. The department shall notify any
2 person who files a petition for redetermination that the person may deposit the
3 amount of an additional assessment, including any interest or penalty, with the
4 department, or with a person that the department prescribes, at any time before the
5 department makes its redetermination. The department shall notify spouses jointly
6 except that, if the spouses have different addresses and if either spouse notifies the
7 department in writing of those addresses, the department shall serve a duplicate of
8 the original notice on the spouse who has the address other than the address to which
9 the original notice was sent. Amounts deposited under this subsection shall be
10 subject to the interest provided by s. 71.82 only to the extent of the interest accrued
11 prior to the first day of the month succeeding the date of deposit. Any deposited
12 amount which is refunded shall bear interest at the rate of 9% per year during the
13 time the funds were on deposit. A person may also pay any portion of an assessment
14 which is admitted to be correct and the payment shall be considered an admission
15 of the validity of that portion of the assessment and may not be recovered in an appeal
16 or in any other action or proceeding.

17 **SECTION 1825.** 71.91 (1) (b) of the statutes is amended to read:

18 71.91 (1) (b) *Withholding*. Any amount not deposited or paid over to the
19 department, or to the person that the department prescribes, within the time
20 required shall be deemed delinquent and deposit reports or withholding reports filed
21 after the due date shall be deemed late. In the case of a timely filed deposit or
22 withholding report, withheld taxes shall become delinquent if not deposited or paid
23 over on or before the due date of the report. In the case of no report filed or a report
24 filed late, withheld taxes shall become delinquent if not deposited or paid over by the
25 due date of the report. In the case of an assessment under s. 71.83 (1) (b) 2., the

1 amount assessed shall become delinquent if not paid on or before the due date
2 specified in the notice of deficiency, but if the assessment is contested before the tax
3 appeals commission or in the courts, it shall become delinquent on the 30th day
4 following the date on which the order or judgment representing final determination
5 becomes final.

6 **SECTION 1826.** 71.91 (6) (c) 3. of the statutes is amended to read:

7 71.91 (6) (c) 3. The levy under subd. 2. is satisfied if the person who issued the
8 contract pays to the department, or to the person that the department prescribes, the
9 amount that the person against whom the tax is assessed could have had advanced
10 by the person who issued the contract on the date under subd. 2. for the satisfaction
11 of the levy, increased by the amount of any advance, including contractual interest,
12 made to the person against whom the tax is assessed on or after the date the person
13 who issued the contract had actual notice or knowledge of the existence of the lien
14 with respect to which that levy is made, other than an advance, including contractual
15 interest on it, made automatically to maintain the contract in force under an
16 agreement entered into before the person who issued the contract had notice or
17 knowledge of that lien. Any person who issued a contract and who satisfies a levy
18 under this paragraph is discharged from all liability to any beneficiary because of
19 that satisfaction.

20 **SECTION 1827.** 71.91 (6) (g) 1. of the statutes is amended to read:

21 71.91 (6) (g) 1. Any person whose property has been levied upon may pay the
22 amount due and the expenses of the proceeding to the department, or to the person
23 that the department prescribes, at any time before the sale. Upon that payment, the
24 department shall restore the property to ~~that~~ the person whose property has been
25 levied upon and stop all proceedings related to the levy.

1 **SECTION 1828.** 71.91 (7) (d) of the statutes is amended to read:

2 71.91 (7) (d) The employer shall, on or before the last day of the month after
3 the month during which an amount was withheld, remit to the department or to the
4 person that the department prescribes that amount. Any amount withheld from an
5 employe by an employer shall immediately be a trust fund for this state. Should any
6 employer, after notice, wilfully fail to withhold in accordance with the notice and this
7 subsection, or wilfully fail to remit any amount withheld, as required by this
8 subsection, such employer shall be liable for the total amount set forth in the notice
9 together with delinquent interest as though the amount shown by the notice was due
10 by such employer as a direct obligation to the state for delinquent taxes, and may be
11 collected by any means provided by law including the means provided for the
12 collection of delinquent income or franchise taxes. However, no amount required to
13 be paid by an employer by reason of his or her failure to remit under this paragraph
14 may be deducted from the gross income of such employer. Any amount collected from
15 the employer for failure to withhold or for failure to remit under this subsection shall
16 be credited as tax, costs, penalties and interest paid by the employe.

17 **SECTION 1829.** 71.93 (1) (a) 5. of the statutes is created to read:

18 71.93 (1) (a) 5. An amount owed to the department of corrections under s.
19 304.073 (2) or 304.074 (2).

20 **SECTION 1830.** 72.01 (12m) of the statutes is created to read:

21 72.01 (12m) "File" means mail or deliver a document that the department
22 prescribes to the department or, if the department prescribes another method of
23 submitting or another destination, use that other method or submit to that other
24 destination.

25 **SECTION 1831.** 72.01 (14m) of the statutes is created to read:

1 72.01 (14m) "Pay" means mail or deliver funds to the department or, if the
2 department prescribes another method of submitting or another destination, use
3 that other method or submit to that other destination.

4 **SECTION 1832.** 72.045 of the statutes is amended to read:

5 **72.045 Timely filing.** Documents and payments required or permitted by this
6 chapter ~~are furnished, reported, that are filed or made by mail are~~ on time if they are
7 mailed in a properly addressed envelope, if the postage is paid, if the envelope is
8 postmarked before midnight of the due date and if the department or the person that
9 the department designates receives them no later than 5 days after the due date.
10 Documents and payments that are not mailed are timely if they are received on or
11 before the due date by the department or at the destination that the department
12 prescribes.

13 **SECTION 1833.** 72.22 (1) of the statutes is amended to read:

14 72.22 (1) WHEN PAYABLE. Except as provided in s. 72.225, the tax imposed by
15 this chapter ~~is due and payable shall be paid~~ on the date 9 months after the
16 decedent's death.

17 **SECTION 1834.** 72.22 (3) of the statutes is amended to read:

18 72.22 (3) PAYMENT. ~~Payments must be made to the department. Except as~~
19 ~~provided in s. 72.225, full payment shall accompany the estate tax return~~ at the time
20 that the return is filed, the full tax shall be paid. If a prepayment was made, any
21 additional tax shown owing on the return, as filed, shall accompany the return.

22 **SECTION 1835.** 72.30 (1) of the statutes is amended to read:

23 72.30 (1) FILING REQUIREMENTS. If a federal estate tax return is required, the
24 personal representative, special administrator, trustee, distributee or other person
25 interested shall prepare the return for the tax under this chapter, compute the tax

1 due under this chapter and on or before the due date, as extended, of the federal
2 estate tax return file ~~with the department~~ the return for tax under this chapter, a
3 copy of the federal estate tax return and a copy of all documents submitted with the
4 federal estate tax return.

5 **SECTION 1836.** 72.30 (4) of the statutes is amended to read:

6 72.30 (4) HEARING IN CIRCUIT COURT. The attorney general, department, district
7 attorney or any person dissatisfied with the appraisal, assessment or determination
8 of the tax due under this chapter may apply for a hearing before the circuit court
9 within 6 months from the date the certificate in sub. (3) is issued. The applicant must
10 ~~file~~ give a written notice ~~with~~ to the court stating the grounds of the application. No
11 statute of limitations shall run against the department in cases of fraud or collusion
12 or where property is not disclosed in the return.

13 **SECTION 1837.** 72.33 (2) (intro.) of the statutes is repealed and recreated to
14 read:

15 72.33 (2) (intro.) A person who is entitled to a refund of the federal estate tax
16 or liable for additional payments of that tax shall, within 30 days after receiving
17 notice of that fact, do the following:

18 **SECTION 1838.** 72.34 of the statutes is amended to read:

19 **72.34 Notice of obligations.** Every person liable for ~~paying~~ ~~benefits~~
20 transmitting to the estate or a beneficiary of a deceased employe or former employe
21 ~~in the form of~~ an annuity, bonus, pension or other benefit under a retirement,
22 deferred compensation or profit-sharing plan taxable under this chapter, directly or
23 through a trust or fund created by the employer for such purpose, shall give notice
24 of such obligation to the department within 30 days following the date of payment,

1 or the date of the initial payment if more than one payment is forthcoming, to the
2 estate or any beneficiary of such employe or former employe.

3 **SECTION 1839.** 73.01 (5) (a) of the statutes is amended to read:

4 73.01 (5) (a) Any person who is aggrieved by a determination of the state board
5 of assessors under s. 70.995 (8) or by the department of revenue under s. 70.11 (21)
6 or who has filed a petition for redetermination with the department of revenue and
7 who is aggrieved by the redetermination of the department may, within 60 days of
8 the determination of the state board of assessors or of the department or, in all other
9 cases, within 60 days after the redetermination but not thereafter, file with the clerk
10 of the commission a petition for review of the action of the department and the
11 number of copies of the petition required by rule adopted by the commission. If a
12 municipality appeals, its appeal shall set forth that the appeal has been authorized
13 by an order or resolution of its governing body and the appeal shall be verified by a
14 member of that governing body as pleadings in courts of record are verified. The clerk
15 of the commission shall transmit one copy to the department of revenue and to each
16 party. In the case of appeals from manufacturing property assessments, the person
17 assessed shall be a party to a proceeding initiated by a municipality. At the time of
18 filing the petition, the petitioner shall pay to the commission a \$5 filing fee, ~~which~~
19 the for appeals under subch. VIII of ch. 71 and a \$25 filing fee for all other appeals.
20 The commission shall deposit the fee in the general fund. Within 30 days after such
21 transmission the department, except for petitions objecting to manufacturing
22 property assessments, shall file with the clerk of the commission an original and the
23 number of copies of an answer to the petition required by rule adopted by the
24 commission and shall serve one copy on the petitioner or the petitioner's attorney or
25 agent. Within 30 days after service of the answer, the petitioner may file and serve

1 a reply in the same manner as the petition is filed. Any person entitled to be heard
2 by the commission under s. 76.38 (12) (a), 76.39 (4) (c), 76.48 or 76.91 may file a
3 petition with the commission within the time and in the manner provided for the
4 filing of petitions in income or franchise tax cases. Such papers may be served as a
5 circuit court summons is served or by certified mail. For the purposes of this
6 subsection, a petition for review is considered timely filed if mailed by certified mail
7 in a properly addressed envelope, with postage duly prepaid, which envelope is
8 postmarked before midnight of the last day for filing.

9 **SECTION 1840.** 73.01 (5) (a) of the statutes, as affected by 1995 Wisconsin Act
10 351, section 12, and 1997 Wisconsin Act (this act), is repealed and recreated to
11 read:

12 73.01 (5) (a) Any person who is aggrieved by a determination of the state board
13 of assessors under s. 70.995 (8) or by the department of revenue under s. 70.11 (21)
14 or who has filed a petition for redetermination with the department of revenue and
15 who is aggrieved by the redetermination of the department may, within 60 days of
16 the determination of the state board of assessors or of the department or, in all other
17 cases, within 60 days after the redetermination but not thereafter, file with the clerk
18 of the commission a petition for review of the action of the department and the
19 number of copies of the petition required by rule adopted by the commission. If a
20 municipality appeals, its appeal shall set forth that the appeal has been authorized
21 by an order or resolution of its governing body and the appeal shall be verified by a
22 member of that governing body as pleadings in courts of record are verified. The clerk
23 of the commission shall transmit one copy to the department of revenue and to each
24 party. In the case of appeals from manufacturing property assessments, the person
25 assessed shall be a party to a proceeding initiated by a municipality. At the time of

1 filing the petition, the petitioner shall pay to the commission a \$5 filing fee for
2 appeals under subch. VIII of chapter 71 and a \$25 filing fee for all other appeals. The
3 commission shall deposit the fee in the general fund. Within 30 days after such
4 transmission the department, except for petitions objecting to manufacturing
5 property assessments, shall file with the clerk of the commission an original and the
6 number of copies of an answer to the petition required by rule adopted by the
7 commission and shall serve one copy on the petitioner or the petitioner's attorney or
8 agent. Within 30 days after service of the answer, the petitioner may file and serve
9 a reply in the same manner as the petition is filed. Any person entitled to be heard
10 by the commission under s. 76.38 (12) (a), 1993 stats., or s. 76.39 (4) (c), 76.48 or 76.91
11 may file a petition with the commission within the time and in the manner provided
12 for the filing of petitions in income or franchise tax cases. Such papers may be served
13 as a circuit court summons is served or by certified mail. For the purposes of this
14 subsection, a petition for review is considered timely filed if mailed by certified mail
15 in a properly addressed envelope, with postage duly prepaid, which envelope is
16 postmarked before midnight of the last day for filing.

17 **SECTION 2355m.** 73.03 (2a) of the statutes is amended to read:

18 73.03 (2a) To prepare, have published and distribute to each county having a
19 county property tax assessor system ~~under s. 70.99 and to each town, city and village~~
20 ~~in the state for the use of assessors, assessment personnel and the public detailed~~
21 and to others who so request assessment manuals, except that if an assessor is hired
22 ~~by more than one county, town, city or village the department shall provide that~~
23 ~~assessor with only one cost component of the manual rather than providing the cost~~
24 ~~component of the manual to each county, town, city or village that hires that assessor~~
25 manuals. The manual shall be produced on CD-ROM if the department of revenue

1 determines that there is sufficient demand for that format. The manual shall discuss
2 and illustrate accepted assessment methods, techniques and practices with a view
3 to more nearly uniform and more consistent assessments of property at the local
4 level. The manual shall be amended by the department from time to time to reflect
5 advances in the science of assessment, court decisions concerning assessment
6 practices, costs, and statistical and other information deemed valuable to local
7 assessors by the department. The manual shall incorporate standards for the
8 assessment of all types of renewable energy resource systems used in this state as
9 soon as such systems are used in sufficient numbers and sufficient data exists to
10 allow the formulation of valid guidelines. The manual shall incorporate standards,
11 which the department of revenue and the state historical society of Wisconsin shall
12 develop, for the assessment of nonhistoric property in historic districts and for the
13 assessment of historic property, including but not limited to property that is being
14 preserved or restored; property that is subject to a protective easement, covenant or
15 other restriction for historic preservation purposes; property that is listed in the
16 national register of historic places in Wisconsin or in this state's register of historic
17 places and property that is designated as a historic landmark and is subject to
18 restrictions imposed by a municipality or by a landmarks commission. The manual
19 shall incorporate general guidelines about ways to determine whether property is
20 taxable in part under s. 70.11 (8) and examples of the ways that s. 70.11 (8) applies
21 in specific situations. The manual shall state that assessors are required to comply
22 with s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a
23 supplement to it shall specify per acre value guidelines for each municipality for
24 various categories of agricultural land based on the income that could be generated
25 from its estimated rental for agricultural use, as defined by rule, and capitalization

1 rates established by rule. The manual shall include guidelines for classifying land
2 as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines for distinguishing
3 between land and improvements to land. The cost of the development, preparation,
4 publication and distribution of the manual and of revisions and amendments to it
5 shall be borne by the ~~assessment districts~~ assessors and requesters at an individual
6 volume cost or a subscription cost as determined by the department. All receipts
7 shall be credited to the appropriation under s. 20.566 (2) (hi). ~~The department shall,~~
8 ~~on the 4th Monday in August, certify past-due accounts and include them in the next~~
9 ~~apportionment of state special charges to counties and municipalities under s. 70.60.~~
10 ~~If the department provides an assessment manual to an assessor who is hired by~~
11 ~~more than one unit of government, those units of government shall each pay an equal~~
12 ~~share of the cost of that manual.~~ The department may provide free assessment
13 manuals to other state agencies or exchange them at no cost with agencies of other
14 states or of the federal government for similar information or publications.

15 **SECTION 1841.** 73.03 (30) of the statutes is amended to read:

16 73.03 (30) To analyze the data provided under sub. (29), after consultation with
17 the department of ~~education~~ public instruction and the legislative fiscal bureau, and
18 to notify the presiding officers of the houses of the legislature and the cochairpersons
19 of the joint committee on finance of the results of the analysis.

20 **SECTION 1842.** 73.03 (35) of the statutes is amended to read:

21 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
22 (2dj), (2dL), (2dr) ~~or~~, (2ds) or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx)
23 or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) or (4) (am) if granting
24 the full amount claimed would violate the requirement under s. ~~560.75 (9) or 560.797~~
25 (4) (e) or would bring the total of the credits granted to that claimant under s. ~~560.75~~

1 ~~(9) or~~ 560.797 (4) (e), or the total of the credits granted to that claimant under all of
2 those subsections, over the limit for that claimant under s. 560.768, 560.795 (2) (b)
3 or 560.797 (5) (b).

4 **SECTION 1843.** 73.03 (46) of the statutes is amended to read:

5 73.03 **(46)** In each school year, to determine and certify to the ~~secretary of~~
6 ~~education~~ state superintendent of public instruction the rate for determining the
7 secondary ceiling cost per member under s. 121.07 (6) (d). The rate for any school year
8 is the average percentage change in the consumer price index for all urban
9 consumers, U.S. city average, for the calendar year ending on the 2nd preceding
10 December 31, as computed by the federal department of labor.

11 **SECTION 1844.** 73.03 (50) of the statutes is amended to read:

12 73.03 **(50)** With the approval of the joint committee on finance, to establish fees
13 for obtaining a business tax registration certificate, which is valid for 2 years, and
14 for renewing that certificate and shall issue and renew those certificates if the person
15 who wishes to obtain or renew a certificate applies on a form that the department
16 prescribes; sets forth the name under which the applicant intends to operate, the
17 location of the applicant's place of operations and the other information that the
18 department requires; and, in the case of a sole proprietor, signs the form or, in the
19 case of other persons, has an individual who is authorized to act on behalf of the
20 person sign the form, ~~or, in the case of a single-owner entity that is disregarded as~~
21 a separate entity under section 7701 of the Internal Revenue Code, the person is the
22 owner.

23 **SECTION 1845.** 73.03 (53) of the statutes is created to read:

24 73.03 **(53)** To enter into agreements with direct marketers about the collection
25 of state and local sales taxes and use taxes. The department of revenue may not

1 implement any agreement under this subsection if the agreement does not conform
2 to the law of this state.

3 **SECTION 1846.** 73.0305 of the statutes is repealed and recreated to read:

4 **73.0305 Revenue limits calculations.** The department of revenue shall
5 annually determine and certify to the state superintendent of public instruction, no
6 later than the 4th Monday in June, the allowable rate of increase for the limit
7 imposed under subch. VII of ch. 121. For that limit, the allowable rate of increase
8 is the percentage change in the consumer price index for all urban consumers, U.S.
9 city average, between the preceding March 31 and the 2nd preceding March 31, as
10 computed by the federal department of labor.

11

12 **SECTION 1847.** 74.09 (2m) of the statutes is repealed.

13 **SECTION 1848.** 74.11 (13) of the statutes is created to read:

14 **74.11 (13) PAYMENT BY CREDIT CARD.** A municipality or county may accept
15 payment by credit card of the amounts due under this section. A municipality or
16 county that allows such payment may impose a surcharge to recover the costs that
17 it owes to credit card companies.

18 **SECTION 1849.** 74.12 (13) of the statutes is created to read:

19 **74.12 (13) PAYMENT BY CREDIT CARD.** A municipality or county may accept
20 payment by credit card of the amounts due under this section. A municipality or
21 county that allows such payment may impose a surcharge to recover the amounts
22 that it owes to credit card companies.

23 **SECTION 1850.** 74.87 (9) of the statutes is created to read:

1 74.87 (9) PAYMENT BY CREDIT CARD. A city may accept payment by credit card
2 of the amounts due under this section. A city that allows such payment may impose
3 a surcharge to recover the amounts that it owes to credit card companies.

4 **SECTION 1851.** 75.105 of the statutes is created to read:

5 **75.105 Cancellation of delinquent real property taxes on property**
6 **contaminated by hazardous substances. (1) DEFINITIONS.** In this section:

7 (a) "Department" means the department of natural resources.

8 (b) "Discharge" has the meaning given in s. 292.01 (3).

9 (c) "Hazardous substance" has the meaning given in s. 292.01 (5).

10 **(2) CANCELLATION AUTHORIZED.** At any time before the recording of a tax deed
11 based on a tax certificate issued on property for nonpayment of taxes, the governing
12 body of a county may cancel all or a portion of the unpaid real property taxes for
13 which a tax certificate has been issued plus interest and penalties on those taxes on
14 the property if all of the following apply:

15 (a) The property is contaminated by a hazardous substance.

16 (b) An environmental investigation of the property has been conducted that is
17 approved by the department.

18 (c) The owner of the property or another person agrees to clean up the property
19 by restoring the environment to the extent practicable and minimizing the harmful
20 effects from a discharge of a hazardous substance in accordance with rules that the
21 department promulgates.

22 (d) The owner of the property or another person agrees to obtain a certificate
23 of completion from the department indicating that the requirements of par. (c) have
24 been satisfied.

1 (e) The owner of the property agrees to maintain and monitor the property as
2 required under rules that the department promulgates and under any contract
3 entered into under those rules.

4 **(3) ADMINISTRATION.** Upon the cancellation of all or a portion of real property
5 taxes under sub. (2), the county treasurer shall execute and provide to the owner of
6 the property a statement identifying the property for which taxes have been
7 cancelled and shall enter on the tax certificate the date upon which the taxes were
8 cancelled and the amount of taxes cancelled.

9 **(4) CERTAIN CITIES AUTHORIZED.** A city authorized to proceed under s. 74.87 may
10 act under this section with respect to unpaid real property taxes for which it has
11 settled with other taxing jurisdictions.

12 **SECTION 1852.** 76.13 (2) of the statutes is amended to read:

13 76.13 (2) Every tax roll upon completion shall be delivered to the state
14 treasurer and a copy of the tax roll filed with the secretary of administration. The
15 department shall notify, by certified mail, all companies listed on the tax roll of the
16 amount of tax due, which shall be paid to the department. The payment dates
17 provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any
18 company may, if the company has brought an action in the Dane county circuit court
19 under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time
20 prior to the date upon which the appeal becomes final, but any part of the tax
21 ultimately required to be paid shall bear interest from the original due date to the
22 date the appeal became final at the rate of 12% per year and at 1.5% per month
23 thereafter until paid. The taxes extended against any company after the same
24 become due, with interest, shall be a lien upon all the property of the company prior
25 to all other liens, claims and demands whatsoever, except as provided in ss. 292.31

1 (8) (i), ~~292.41 (6) (d)~~ and 292.81, which lien may be enforced in an action in the name
2 of the state in any court of competent jurisdiction against the property of the
3 company within the state as an entirety.

4 **SECTION 1853.** 76.22 (1) of the statutes is amended to read:

5 76.22 (1) The taxes levied upon and extended against the property of any
6 company defined in s. 76.02, after the same become due, with interest thereon, shall
7 become a lien upon the property of such company within the state prior to all other
8 liens, debts, claims or demands whatsoever, except as provided in ss. 292.31 (8) (i),
9 ~~292.41 (6) (d)~~ and 292.81, which lien may be enforced in an action in the name of the
10 state in any state court of competent jurisdiction against such company and against
11 the property of such company within the state. The place of the trial shall not be
12 changed from the county in which any such action is commenced, except upon
13 consent of parties.

14 **SECTION 1854.** 76.39 (5) of the statutes is amended to read:

15 76.39 (5) Delinquent taxes, penalties, interest and late filing fees shall be a lien
16 upon the property of any railroad company or car line company prior to all other liens,
17 claims and demands, except as provided in ss. 292.31 (8) (i), ~~292.41 (6) (d)~~ and 292.81,
18 which lien may be enforced in any action in the name of the state in any court of
19 competent jurisdiction. All provisions of law for enforcing payment of delinquent
20 income or franchise taxes under ch. 71 or enforcing payment of delinquent taxes
21 based on the value of property under this chapter shall be available to collection of
22 taxes on gross receipts in this state levied under this section.

23 **SECTION 2377m.** 76.84 (3) of the statutes is repealed.

24 **SECTION 1855.** 76.90 (2) of the statutes is repealed and recreated to read:

1 76.90 (2) “Commercial mobile service” has the meaning given in 47 USC 332
2 (d).

3 **SECTION 2379b.** 76.91 (intro.) of the statutes is renumbered 76.91 (1) (intro.)
4 and amended to read:

5 76.91 (1) (intro.) For 1999 and 2000, there is imposed on each ~~cellular mobile~~
6 ~~radio—telecommunications—utility~~ person that is licensed by the federal
7 communications commission to provide commercial mobile service and on each
8 person that, on June 6, 1996, provides basic local exchange service a transitional
9 adjustment fee. Taxpayers shall pay the tax during May 1998, November 1998, May
10 1999, November 1999 and May 2000. For each month that a fee is due under this
11 subchapter, the taxpayer shall pay to the department an amount calculated as
12 follows:

13 **SECTION 2379c.** 76.91 (1) of the statutes is renumbered 76.91 (1) (a).

14 **SECTION 2379d.** 76.91 (2) of the statutes is renumbered 76.91 (1) (b) and
15 amended to read:

16 76.91 (1) (b) Subtract from the amount under ~~sub. (1)~~ par. (a) the taxpayer’s
17 payment during that month of the tax under subch. IV.

18 **SECTION 2379e.** 76.91 (2) of the statutes is created to read:

19 76.91 (2) If a person that is licensed by the federal communications commission
20 to provide commercial mobile service in this state is a telephone company under s.
21 76.02 (9u), 1993 stats., on June 6, 1996, the calculation of the fee under this
22 subchapter is limited to that person’s activities as a provider of commercial mobile
23 service in this state.

24 **SECTION 2379m.** Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77**TAXATION OF FOREST CROPLANDS;
REAL ESTATE TRANSFER FEES; SALES
AND USE TAXES; COUNTY AND
SPECIAL DISTRICT SALES AND USE
TAXES; MANAGED FOREST LAND;
TEMPORARY RECYCLING SURCHARGE;
LOCAL FOOD AND BEVERAGE TAX;
LOCAL RENTAL CAR TAX; PREMIER
RESORT AREA TAXES; STATE RENTAL
VEHICLE FEE; DRY CLEANING FEES;
TAX ON ADULT ENTERTAINMENT**

SECTION 1856. 77.51 (2) of the statutes is amended to read:

77.51 (2) "Contractors" and "subcontractors" are the consumers of tangible personal property used by them in real property construction activities and the sales and use tax applies to the sale of tangible personal property to them. ~~In this subsection, "real property construction activities" include the fabrication of modular units designed and fabricated for a specific prefabricated building to be affixed to land at a particular location designated by the purchaser before the fabrication of the modules if the modular units will have a realty function and will become a permanent accession to the realty. A contractor engaged primarily in real property construction activities may use resale certificates only with respect to purchases of property which the contractor has sound reason to believe the contractor will sell to customers for whom the contractor will not perform real property construction activities involving the use of such property. In this subsection, "real property construction activities"~~

1 means activities that occur at a site where tangible personal property that is applied
2 or adapted to the use or purpose to which real property is devoted is affixed to that
3 real property, if the intent of the person who affixes that property is to make a
4 permanent accession to the real property. In this subsection, “real property
5 construction activities” do not include affixing to real property tangible personal
6 property that remains tangible personal property after it is affixed.

7 **SECTION 1857.** 77.51 (3r) of the statutes is created to read:

8 77.51 (3r) “File” means mail or deliver a document that the department
9 prescribes to the department or, if the department prescribes another method of
10 submitting or another destination, use that other method or submit to that other
11 destination.

12 **SECTION 1858.** 77.51 (4) (b) 3. of the statutes is amended to read:

13 77.51 (4) (b) 3. In all transactions, except those to which subd. 7. applies, in
14 which an article of tangible personal property is traded toward the purchase of an
15 article of greater value, the gross receipts shall be only that portion of the purchase
16 price represented by the difference between the full purchase price of the article of
17 greater value and the amount allowed for the article traded.

18 **SECTION 1859.** 77.51 (4) (b) 7. of the statutes is created to read:

19 77.51 (4) (b) 7. For the sale of a manufactured building, as defined in s. 101.71
20 (6); at the retailer’s option, except that after a retailer chooses an option, the retailer
21 may not use the other option for other sales without the department’s written
22 approval; either 35% of the gross receipts or an amount equal to the gross receipts
23 minus the cost of the materials that become an ingredient or component part of the
24 building.

25 **SECTION 2383m.** 77.51 (10) of the statutes is amended to read:

1 77.51 (10) "Person" includes any natural person, firm, partnership, limited
2 liability company, joint venture, joint stock company, association, public or private
3 corporation, the United States, the state of Wisconsin, including any unit or division
4 thereof, any county, city, village, town, municipal utility, municipal power district or
5 other governmental unit, cooperative, estate, trust, receiver, executor,
6 administrator, any other fiduciary, and any representative appointed by order of any
7 court or otherwise acting on behalf of others. "Person" also includes the owner of a
8 single-owner entity that is disregarded as a separate entity under ch. 71.

9 **SECTION 1860.** 77.51 (15) (b) 4. of the statutes is amended to read:

10 77.51 (15) (b) 4. In all transactions, except those to which subd. 6. applies, in
11 which an article of tangible personal property is traded toward the purchase of an
12 article of greater value, the sales price shall be only that portion of the purchase price
13 represented by the difference between the full purchase price of the article of greater
14 value and the amount allowed for the article traded.

15 **SECTION 1861.** 77.51 (15) (b) 6. of the statutes is created to read:

16 77.51 (15) (b) 6. For the sale of a manufactured building, as defined in s. 101.71
17 (6); at the retailer's option, except that after a retailer chooses an option, the retailer
18 may not use the other option for other sales without the department's written
19 approval; either 35% of the sales price or an amount equal to the sales price minus
20 the cost of the materials that become an ingredient or component part of the building.

21 **SECTION 1862.** 77.51 (17r) of the statutes is created to read:

22 77.51 (17r) "Sign" means write one's signature or, if the department prescribes
23 another method of authenticating, use that other method.

24 **SECTION 2386g.** 77.51 (18) (intro.) of the statutes is renumbered 77.51 (18) and
25 amended to read:

1 77.51 (18) “Storage” includes any keeping or retention in this state of tangible
2 personal property purchased from a retailer for any purpose except the following:
3 sale in the regular course of business.

4 **SECTION 2386h.** 77.51 (18) (a) and (b) of the statutes are repealed.

5 **SECTION 2386p.** 77.51 (22) (a) of the statutes is amended to read:

6 77.51 (22) (a) “Use” includes the exercise of any right or power over tangible
7 personal property or taxable services incident to the ownership, possession or
8 enjoyment of the property or services, or the results produced by the services,
9 including installation or affixation to real property and including the possession of,
10 or the exercise of any right or power over tangible personal property by a lessee under
11 a lease, except that “use” does not include the activities under sub. (18) ~~(a) and (b).~~

12 **SECTION 1863.** 77.52 (2) (a) 5. of the statutes is amended to read:

13 77.52 (2) (a) 5. The sale of telecommunications services that either originate
14 or terminate in this state; except services that are obtained by means of a toll-free
15 number, that originate outside this state and that terminate in this state; and are
16 charged to a service address in this state, regardless of the location where that charge
17 is billed or paid.

18 **SECTION 1864.** 77.52 (2) (a) 5m. of the statutes is created to read:

19 77.52 (2) (a) 5m. The sale of services that consist of recording
20 telecommunications messages and transmitting them to the purchaser of the service
21 or at that purchaser’s direction, but not including those services if they are merely
22 an incidental, as defined in s. 77.51 (5), element of another service that is sold to that
23 purchaser and is not taxable under this subchapter.

24 **SECTION 1865.** 77.52 (17m) (a) of the statutes is amended to read:

1 77.52 (17m) (a) A person who holds a valid certificate issued under s. 73.03 (50)
2 may apply for a direct pay permit by ~~submitting to the department~~ filing a completed
3 form that the department prescribes.

4 **SECTION 1866.** 77.53 (1m) (a) of the statutes is amended to read:

5 77.53 (1m) (a) If the motor vehicle is assigned to and used by an employe of the
6 dealer for whom the dealer is required to withhold amounts for federal income tax
7 purposes or by a person who both has an ownership interest in the dealership and
8 actively participates in the day-to-day operation of the dealership, \$96 per month
9 for each motor vehicle registration plate held by the dealer, except that beginning in
10 1997 the department shall annually, as of January 1, adjust the dollar amount under
11 this paragraph, rounded to the nearest whole dollar, to reflect the annual percentage
12 change in the U.S. consumer price index for all urban consumers, U.S. city average,
13 as determined by the U.S. department of labor, for the 12 months ending on June 30
14 of the year before the change. In this paragraph, “actively participates” means
15 performs services for the motor vehicle dealership; including selling, accounting,
16 managing and consulting; for more than 500 hours in a taxable year for which the
17 person receives compensation, and “actively participates” does not include services
18 performed only in the capacity of an investor; including studying and reviewing
19 financial statements or reports on the operation of the business, preparing or
20 compiling summaries or analyses of the finances of the business for the investor’s
21 own use or monitoring the finances or operations of the activity in a nonmanagerial
22 capacity.

23 **SECTION 1867.** 77.54 (3m) of the statutes is repealed and recreated to read:

24 77.54 (3m) The gross receipts from the sale of and the storage, use or other
25 consumption of the following items if they are used exclusively by the purchaser or

1 user in the business of farming; including dairy farming, agriculture, horticulture,
2 floriculture and custom farming services:

3 (a) Seeds for planting.

4 (b) Plants.

5 (c) Feed.

6 (d) Fertilizer.

7 (e) Soil conditioners.

8 (f) Animal bedding.

9 (g) Sprays, pesticides and fungicides.

10 (h) Breeding and other livestock.

11 (i) Poultry.

12 (j) Farm work stock.

13 (k) Baling twine and baling wire.

14 (L) Containers for fruits, vegetables, grain, hay, silage and animal wastes.

15 (m) Plastic bags, plastic sleeves and plastic sheeting used to store or cover hay
16 or silage.

17 **SECTION 2393no.** 77.54 (14) (f) of the statutes is created to read:

18 77.54 (14) (f) Furnished without charge to a physician, surgeon, nurse
19 anesthetist, advanced practice nurse, osteopath, dentist who is licensed under ch.
20 447, podiatrist who is licensed under ch. 448 or optometrist who is licensed under ch.
21 449 if the medicine may not be dispensed without a prescription.

22 **SECTION 2393nq.** 77.54 (20) (c) 5. of the statutes is amended to read:

23 77.54 (20) (c) 5. Taxable sales shall not include meals, food, food products or
24 beverages furnished in accordance with any contract or agreement by a public or
25 private institution of higher education if the items are furnished for purposes that

1 are consistent with the institution's educational mission and are not furnished to
2 faculty members.

3 **SECTION 2393q.** 77.54 (43) of the statutes is created to read:

4 77.54 (43) The gross receipts from the sale of and the storage, use or other
5 consumption of raw materials used for the processing, fabricating or manufacturing
6 of, or the attaching to or incorporating into, printed materials that are transported
7 and used solely outside this state.

8 **SECTION 1868.** 77.58 (1m) of the statutes is created to read:

9 77.58 (1m) Persons who owe amounts under this subchapter shall pay them
10 by mailing or delivering them to the department or, if the department prescribes
11 another method of submitting or another destination, those persons shall pay those
12 amounts in that other method or to that other destination, except that the
13 department may require any person who pays under sub. (1) (b) to do so
14 electronically.

15 **SECTION 2394g.** 77.58 (3) (a) of the statutes is amended to read:

16 77.58 (3) (a) For purposes of the sales tax a return shall be filed by every seller.
17 For purposes of the use tax a return shall be filed by every retailer engaged in
18 business in this state and by every person purchasing tangible personal property or
19 services, the storage, use or other consumption of which is subject to the use tax, who
20 has not paid the use tax due to a retailer required to collect the tax. If a qualified
21 subchapter S subsidiary is not regarded as a separate entity under ch. 71, the owner
22 of that subsidiary shall include the information for that subsidiary on the owner's
23 return. Returns shall be signed by the person required to file the return or by a duly
24 authorized agent but need not be verified by oath. If a single-owner entity is

1 disregarded as a separate entity under ch. 71, the owner shall include the
2 information from the entity on the owner's return.

3 **SECTION 1869.** 77.61 (14) of the statutes is amended to read:

4 77.61 (14) Documents and payments required or permitted under this
5 subchapter that are mailed are timely furnished, filed or made if they are mailed in
6 a properly addressed envelope with the postage duly prepaid, if the envelope is
7 postmarked before midnight of the due date and if the document or payment is
8 received by the department, or at the destination that the department prescribes,
9 within 5 days after the prescribed date. Documents and payments that are not
10 mailed are timely if they are received on or before the due date by the department
11 or at the destination that the department designates.

12 **SECTION 1870.** 77.75 of the statutes is amended to read:

13 **77.75 Reports.** Every person subject to county or special district sales and use
14 taxes shall, for each reporting period, record that person's sales made in the county
15 or special district that has imposed those taxes separately from sales made
16 elsewhere in this state and file a report of the measure of the county or special district
17 sales and use taxes and the tax due thereon separately ~~to the department of revenue~~
18 ~~on forms to be provided by the department.~~

19 **SECTION 2399f.** 77.76 (3) of the statutes is amended to read:

20 77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall
21 distribute ~~98.5%~~ 98.7% of the county taxes reported for each enacting county, minus
22 the county portion of the retailers' discounts, to the county and shall indicate the
23 taxes reported by each taxpayer, no later than the end of the 3rd month following the
24 end of the calendar quarter in which such amounts were reported. In this subsection,
25 the "county portion of the retailers' discount" is the amount determined by

1 multiplying the total retailers' discount by a fraction the numerator of which is the
2 gross county sales and use taxes payable and the denominator of which is the sum
3 of the gross state and county sales and use taxes payable. The county taxes
4 distributed shall be increased or decreased to reflect subsequent refunds, audit
5 adjustments and all other adjustments of the county taxes previously distributed.
6 Interest paid on refunds of county sales and use taxes shall be paid from the
7 appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1)
8 (a). The county may retain the amount it receives or it may distribute all or a portion
9 of the amount it receives to the towns, villages, cities and school districts in the
10 county. Any county receiving a report under this subsection is subject to the duties
11 of confidentiality to which the department of revenue is subject under s. 77.61 (5).

12 **SECTION 2399fm.** 77.76 (4) of the statutes is amended to read:

13 77.76 (4) There shall be retained by the state 1.5% of the taxes collected under
14 this subchapter for special districts and 1.3% of the taxes collected under this
15 subchapter for counties to cover costs incurred by the state in administering,
16 enforcing and collecting the tax. All interest and penalties collected shall be
17 deposited and retained by this state in the general fund.

18 **SECTION 2399g.** 77.82 (1) (b) 2. of the statutes is amended to read:

19 77.82 (1) (b) 2. A parcel that is developed for commercial recreation, for
20 industry, human residence or for any other use determined by the department to be
21 incompatible with the practice of forestry.

22 **SECTION 2399i.** 77.82 (1) (b) 3. of the statutes is created to read:

23 77.82 (1) (b) 3. A parcel that is developed for a human residence.

24 **SECTION 2399k.** 77.82 (1) (bn) of the statutes is created to read:

1 77.82 (1) (bn) For purposes of par. (b) 3., the department by rule shall define
2 “human residence” to include a residence of the petitioner regardless of whether it
3 is the petitioner’s primary residence. The definition may also include up to one acre
4 surrounding the residence for a residence that is not the petitioner’s primary
5 residence.

6 **SECTION 1871.** 77.92 (1m) of the statutes is created to read:

7 77.92 (1m) “File” means mail or deliver a document that the department
8 prescribes to the department or, if the department prescribes another method of
9 submitting or another destination, use that other method or submit to that other
10 destination.

11 **SECTION 1872.** 77.92 (4) of the statutes is amended to read:

12 77.92 (4) “Net business income”, with respect to a partnership ~~or limited~~
13 ~~liability company~~, means taxable income as calculated under section 703 of the
14 internal revenue code; plus the items of income and gain under section 702 of the
15 internal revenue code; minus the items of loss and deduction under section 702 of the
16 internal revenue code; plus payments treated as not made to partners under section
17 707 (a) of the internal revenue code; plus the credits claimed under s. 71.07 (2dd),
18 (2de), (2di), (2dj), (2dL), (2dr) ~~and~~, (2ds) and (2dx); but excluding income, gain, loss
19 and deductions from farming. “Net business income”, with respect to a natural
20 person, estate or trust, means profit from a trade or business for federal income tax
21 purposes and includes net income derived as an employe as defined in section 3121
22 (d) (3) of the internal revenue code.

23 **SECTION 2401m.** 77.92 (4m) of the statutes is amended to read:

24 77.92 (4m) “Partnership” has the meaning given in section 761 (a) of the
25 internal revenue code, except that “partnership” does not include entities that are

1 excluded under the regulations interpreting section 761 (a) of the internal revenue
2 code from the operation of all or part of subchapter K of chapter one of the internal
3 revenue code. “Partnership” also includes an entity treated as a partnership under
4 section 7701 of the Internal Revenue Code.

5 **SECTION 2401r.** 77.93 (3m) of the statutes is repealed.

6 **SECTION 2401t.** 77.93 (5) of the statutes is amended to read:

7 77.93 (5) All natural persons, estates, trusts, and partnerships ~~and limited~~
8 ~~liability companies~~ that are engaged in farming. The surcharge is imposed on the
9 partnership ~~or limited liability company~~, not on its partners ~~or members~~, except that
10 if a partnership’s or company’s surcharge is delinquent the partners ~~or members~~ are
11 jointly and severally liable for it.

12 **SECTION 2401v.** 77.935 of the statutes is created to read:

13 **77.935 Single-owner entities.** A single-owner entity that is disregarded as
14 a separate entity under ch. 71 is disregarded as a separate entity under this
15 subchapter. The owner of that entity shall include the information from the entity
16 on the owner’s return under this subchapter.

17 **SECTION 1873.** 77.96 (5) of the statutes is amended to read:

18 77.96 (5) Each person subject to a surcharge under s. 77.93 shall, on or before
19 the due date, including extensions, for filing under ch. 71, file ~~with the department~~
20 ~~of revenue, on a form prescribed by the department~~, an accurate statement of its
21 gross tax liability or net business income. Payments made after the due date under
22 sub. (2) and on or before the due date under this subsection are not delinquent but
23 are subject to interest at the rate of 12% per year.

24 **SECTION 1874.** 77.96 (5m) of the statutes is created to read:

1 77.96 (5m) Persons who owe amounts under this subchapter shall mail or
2 deliver those amounts to the department of revenue or, if that department prescribes
3 another method of submitting or another destination, those persons shall use that
4 other method or submit those amounts to that other destination.

5 **SECTION 2404b.** 77.98 of the statutes is amended to read:

6 **77.98 Imposition.** A local exposition district under subch. II of ch. 229 may
7 impose a tax on the retail sale, except sales for resale, within the district's
8 jurisdiction under s. 229.43; and a city may impose a tax on the retail sale, except
9 sales for resale, within the city; of products that are subject to a tax under s. 77.54
10 (20) (c) 1. to 3. and not exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m),
11 (9), (9a) or (20) (c) 5.

12 **SECTION 2405b.** 77.981 of the statutes is amended to read:

13 **77.981 Rate.** The tax under s. 77.98 is imposed by cities on the sale of taxable
14 products at a rate of up to 0.25% and is imposed by local exposition districts at the
15 rate of 0.25% of the gross receipts, except that ~~the~~ a district, by a vote of a majority
16 of the authorized members of its board of directors, may impose the tax at the rate
17 of 0.5% of the gross receipts. A majority of the authorized members of the district's
18 board may vote that, if the balance in a special debt service reserve fund of the district
19 is less than the requirement under s. 229.50 (5), the tax rate under this subchapter
20 is 0.5%. The 0.5% rate shall be effective on the next January 1, April 1, July 1 or
21 October 1, and ~~this~~ the tax under this subchapter imposed by a local exposition
22 district is irrevocable if any bonds issued by the district and secured by the special
23 debt service reserve fund are outstanding.

24 **SECTION 1875.** 77.9815 of the statutes is created to read:

1 **77.9815 Exemption.** Any retailer whose liability for the tax under this
2 subchapter would be less than \$5 for a year is exempt from that tax for that year.

3 **SECTION 2408c.** 77.982 (3) of the statutes is amended to read:

4 77.982 (3) From the appropriation under s. 20.835 (4) (gg), the department of
5 revenue shall distribute 97% of the taxes collected under this subchapter for each
6 district to that district, no later than the end of the month following the end of the
7 calendar quarter in which the amounts were collected. The taxes distributed to
8 districts shall be increased or decreased to reflect subsequent refunds, audit
9 adjustments and all other adjustments. Interest paid on refunds of the tax imposed
10 by districts under this subchapter shall be paid from the appropriation under s.
11 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Those taxes may be used only for the
12 district's debt service on its bond obligations. Any district that receives a report along
13 with a payment under this subsection is subject to the duties of confidentiality to
14 which the department of revenue is subject under s. 77.61 (5).

15 **SECTION 2408f.** 77.982 (3m) of the statutes is created to read:

16 77.982 (3m) From the appropriation under s. 20.835 (4) (gf), the department
17 of revenue shall distribute 97% of the taxes collected under this subchapter for each
18 city to that city, no later than the end of the month following the end of the calendar
19 quarter in which the amounts were collected. The taxes distributed to cities shall be
20 increased or decreased to reflect subsequent refunds, audit adjustments and all
21 other adjustments. Interest paid on refunds of the tax imposed by cities under this
22 subchapter shall be paid from the appropriation under s. 20.835 (4) (gf) at the rate
23 under s. 77.60 (1) (a). Those taxes may be used only for facilities that are owned,
24 operated or leased by the city and used primarily for conventions, expositions, trade
25 shows, musical or dramatic events or other events involving educational or cultural

1 activities. Any city that receives a report along with a payment under this subsection
2 is subject to the duties of confidentiality to which the department of revenue is
3 subject under s. 77.61 (5).

4 **SECTION 2410m.** Subchapter X of chapter 77 [precedes 77.994] of the statutes
5 is created to read:

6 **CHAPTER 77**

7 **SUBCHAPTER X**

8 **PREMIER RESORT AREA TAXES**

9 **77.994 Premier resort area tax. (1)** A municipality or a county all of which
10 is included in a premier resort area under s. 66.307 may, by ordinance, impose a tax
11 at a rate of 0.5% or less of the gross receipts from the sale, lease or rental in the
12 municipality or county of goods or services that are taxable under subch. III made
13 by businesses that are classified in the standard industrial classification manual,
14 1987 edition, published by the U.S. office of management and budget, under the
15 following industry numbers:

16 (a) 5331 — Variety stores.

17 (b) 5399 — Miscellaneous general merchandise stores.

18 (c) 5441 — Candy, nut and confectionary stores.

19 (d) 5451 — Dairy product stores.

20 (e) 5461 — Retail bakeries.

21 (f) 5541 — Gasoline service stations.

22 (g) 5812 — Eating places.

23 (h) 5813 — Drinking places.

24 (i) 5912 — Drug stores and proprietary stores.

25 (j) 5921 — Liquor stores.

1 (k) 5941 — Sporting goods stores and bicycle shops.

2 (L) 5946 — Camera and photographic supply stores.

3 (m) 5947 — Gift, novelty and souvenir shops.

4 (n) 7011 — Hotels and motels.

5 (o) 7032 — Sporting and recreational camps.

6 (p) 7033 — Recreational vehicle parks and campsites.

7 (q) 7948 — Racing, including track operation.

8 (r) 7992 — Public golf courses.

9 (s) 7993 — Coin-operated amusement devices.

10 (t) 7996 — Amusement parks

11 (u) 7999 — Amusement and recreational services, not elsewhere classified.

12 (2) There is imposed a tax at the rate specified by ordinance on the storage, use
13 or other consumption in a municipality or county that has imposed a tax under sub.
14 (1) of goods or services that are taxable under sub. (1). A receipt that the tax under
15 sub. (1) has been paid relieves the buyer of liability for the tax under this subsection.

16 **77.9941 Administration.** (1) The ordinance under s. 77.994 is effective on
17 January 1, April 1, July 1 or October 1. The municipality or county shall deliver a
18 certified copy of that ordinance to the secretary of revenue at least 120 days before
19 its effective date.

20 (2) A municipality or county that imposes a tax under s. 77.994 may, by
21 ordinance, change the rate of the tax if the new rate is 0.5% or less. A rate change
22 is effective on January 1, April 1, July 1 or October 1. The municipality or county
23 shall deliver a certified copy of that ordinance to the secretary of revenue at least 120
24 days before its effective date.

1 **(3)** A municipality or county that imposes a tax under s. 77.994 may repeal that
2 ordinance. A repeal is effective on December 31. The municipality or county shall
3 deliver a certified copy of the repeal ordinance to the secretary of revenue at least 60
4 days before its effective date.

5 **(4)** Sections 77.72 (1), (2) (a) and (3) (a), 77.73, 77.74, 77.75, 77.76 (1), (2) and
6 (4), 77.77 (1) and (2), 77.785 (1) and 77.79 as they apply to the taxes under subch. III
7 apply to the tax under this subchapter.

8 **(5)** From the appropriation under s. 20.835 (4) (gd) the department shall
9 distribute 98.5% of the taxes under this subchapter reported for each municipality
10 or county that has imposed the tax, minus the municipality's or county's portion of
11 the retailers' discounts, to the municipality or county and shall indicate the taxes
12 reported by each taxpayer, no later than the end of the 3rd month following the end
13 of the calendar quarter in which such amounts were reported. In this subsection, the
14 "municipality's or county's portion of the retailers' discount" is the amount
15 determined by multiplying the total retailers' discount by a fraction the numerator
16 of which is the gross sales and use taxes payable under this subchapter and the
17 denominator of which is the sum of the gross state sales and use taxes and the sales
18 taxes and use taxes payable under this subchapter. The taxes under this subchapter
19 distributed shall be increased or decreased to reflect subsequent refunds, audit
20 adjustments and all other adjustments of the taxes under this subchapter previously
21 distributed. Interest paid on refunds of sales and use taxes under this subchapter
22 shall be paid from the appropriation under s. 20.835 (4) (gd) at the rate paid by this
23 state under s. 77.60 (1) (a). Any municipality or county receiving a report under this
24 subsection is subject to the duties of confidentiality to which the department of
25 revenue is subject under s. 77.61 (5).

1 **SECTION 2410t.** Subchapter XI of chapter 77 [precedes 77.995] of the statutes
2 is created to read:

3 **CHAPTER 77**

4 SUBCHAPTER XI

5 STATE RENTAL VEHICLE FEE

6 **77.995 Imposition.** There is imposed a fee at the rate of 2% of the gross
7 receipts on the rental, but not for rental and not for rental as a service or repair
8 replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of station
9 wagons, as defined in s. 340.01 (61); of motor trucks, as defined in s. 340.01 (34); of
10 road tractors, as defined in s. 340.01 (53); of truck tractors, as defined in s. 340.01
11 (73); of semitrailers, as defined in s. 340.01 (57); of trailers, as defined in s. 340.01
12 (71); of motor buses, as defined in s. 340.01 (31); of mobile homes, as defined in s.
13 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers,
14 as defined in s. 340.01 (6m) by establishments primarily engaged in short-term
15 rental of vehicles without drivers, for a period of 30 days or less, unless the sale is
16 exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a).

17 **77.9951 Administration.** (1) The department of revenue shall administer
18 the fee under this subchapter and may take any action, conduct any proceeding and
19 impose interest and penalties.

20 (2) Sections 77.51 (4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and (14) (a) to (f),
21 (j) and (k), 77.52 (4), (6), (13), (14) and (18), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61
22 (2), (5), (8), (9) and (12) to (14) and 77.62, as they apply to the taxes under subch. III,
23 apply to the fee under this subchapter. The renter shall collect the fee under this
24 subchapter from the person to whom the vehicle is rented.

1 **(3)** Persons who are subject to the fee under this subchapter shall register with
2 the department of revenue. Any person who is required to register; including any
3 person authorized to act on behalf of a corporation, partnership or other person who
4 is required to register; who fails to do so is guilty of a misdemeanor.

5
6 **SECTION 2410ts.** Subchapter XII of chapter 77 [precedes 77.996] of the statutes
7 is created to read:

8 **CHAPTER 77**

9 **SUBCHAPTER XII**

10 **DRY CLEANING FEES**

11 **77.996 Definitions.** In this subchapter:

12 **(1)** "Department" means the department of revenue.

13 **(2)** "Dry cleaning facility" means a facility that dry cleans apparel or household
14 fabrics for the general public other than the following facilities:

15 (a) Coin-operated facilities.

16 (b) Facilities that are located on U.S. military installations.

17 (c) Industrial laundries.

18 (d) Commercial laundries.

19 (e) Linen supply facilities.

20 (f) Facilities that are located at a prison or other penal institution.

21 (g) Facilities that are located at a nonprofit hospital or at a nonprofit health
22 care institution.

23 (h) Facilities that are located on property that is owned by the U.S. government
24 or by this state.

1 **(3)** “Dry cleaning solvent” means a chlorine-based or hydrocarbon-based
2 formulation or product that is used as a primary cleaning agent in dry cleaning
3 facilities.

4 **77.9961 License fee. (1)** No person may operate a dry cleaning facility in this
5 state unless the person completes and submits to the department a form that the
6 department prescribes and pays to the department a fee for each dry cleaning facility
7 that the person operates. The fee is equal to 1.8% of the previous year’s gross receipts
8 from dry cleaning.

9 **(2)** Persons who owe a fee under this section shall pay it on or before January
10 15. The department shall issue a license to each person who pays the fee and submits
11 the form under this section. The license is valid through December 31 of the year
12 during which the fee is due. If a dry cleaning facility is sold, the seller may transfer
13 the license to the buyer. Each holder of a license under this section shall display it
14 prominently in the facility to which it applies.

15 **(3)** On or before December 15, the department shall mail to each dry cleaning
16 facility of which it is aware a form on which to apply for a license under this section.

17 **(4)** Any person who operates a dry cleaning facility and who does not hold a
18 license under this section shall pay to the department a penalty of \$5 for each day
19 that the person operates without a license.

20 **77.9962 Dry cleaning solvents fee.** There is imposed on each person who
21 sells a dry cleaning solvent to a dry cleaning facility a fee equal to \$5 per gallon of
22 perchloroethylene sold and 75 cents per gallon of a hydrocarbon-based solvent sold.
23 The fees for the previous 3 months are due on January 25, April 25, July 25 and
24 October 25.

1 **77.9963 Inventory fee.** There is imposed on each dry cleaning facility that
2 possesses dry cleaning solvents on the effective date of this section [revisor inserts
3 date], a fee equal to \$5 for each gallon of perchloroethylene possessed and 75 cents
4 for each gallon of a hydrocarbon-based solvent possessed. On or before the date 30
5 days after the effective date of this section [revisor inserts date], any person who
6 owes a fee under this section shall send that fee to the department.

7 **77.9964 Administration. (1)** The department shall administer the fees
8 under this subchapter.

9 **(2)** Except as provided in s. 77.9961 (4), sections 71.74 (1) to (3), (7) and (9),
10 71.75 (1), (2), (6), (7), (9) and (10), 71.77 (1) and (4) to (8), 71.78 (1) to (4) and (5) to
11 (8), 71.80 (1) (a) and (b), (4) to (6), (8) to (12), (14), (17) and (18), 71.82 (1) and (2) (a)
12 and (b), 71.83 (1) (a) 1. and 2. and (b) 1., 2. and 6., (2) (a) 1. to 3. and (b) 1. to 3. and
13 (3), 71.87, 71.88, 71.89, 71.90, 71.91 (1) (a), (2) and (4) to (6) and 71.93 as they apply
14 to the taxes under ch. 71 apply to the fees under this subchapter.

15 **(3)** The department shall deposit all of the revenue that it collects under this
16 subchapter in the fund under s. 25.48.

17 **77.9965 Sunset.** This subchapter does not apply after June 30, 2032.

18 **SECTION 2410tw.** Subchapter XIII of chapter 77 [precedes 77.997] of the
19 statutes is created to read:

20 **CHAPTER 77**

21 **SUBCHAPTER XIII**

22 **TAX ON ADULT ENTERTAINMENT**

23 **77.997 Definition.** In this subchapter, “adult entertainment products and
24 services” means products and services, not including magazines and motion pictures

1 but including admission to a strip club, that are harmful to children, as defined in
2 s. 948.11 (1) (b).

3 **77.9971 Imposition.** There is imposed a tax, at the rate of 5% of the gross
4 receipts, as defined in s. 77.51 (4), on the sale at retail of adult entertainment
5 products and services.

6 **77.9972 Administration. (1)** The department of revenue shall administer
7 the tax under this subchapter.

8 **(2)** Sections 77.52 (4), (12) to (14) and (19), 77.58 (1) to (5) and (7), 77.59, 77.60,
9 77.61 (3), (5), (8), (9) and (12) to (14) and 77.62, as they apply to the taxes under subch.
10 III, apply to the tax under this subchapter.

11 **SECTION 1876.** 78.005 (6m) of the statutes is created to read:

12 78.005 **(6m)** "File" means mail or deliver a document that the department
13 prescribes to the department or, if the department prescribes another method of
14 submitting or another destination, use that other method or submit to that other
15 destination.

16 **SECTION 1877.** 78.005 (13r) of the statutes is created to read:

17 78.005 **(13r)** "Sign" means write one's signature or, if the department
18 prescribes another method of authenticating, use that other method.

19 **SECTION 2412m.** 78.01 (1) of the statutes is amended to read:

20 78.01 **(1)** IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate
21 determined under s. ss. 78.015 and 78.017 is imposed on all motor vehicle fuel
22 received by a supplier for sale in this state, for sale for export to this state or for export
23 to this state except as otherwise provided in this chapter. The motor vehicle fuel tax
24 is to be computed and paid as provided in this chapter. Except as otherwise provided
25 in this chapter, a person who receives motor vehicle fuel under s. 78.07 shall collect

1 from the purchaser of the motor vehicle fuel that is received, and the purchaser shall
2 pay to the person who receives the motor vehicle fuel under s. 78.07, the tax imposed
3 by this section on each sale of motor vehicle fuel at the time of the sale, irrespective
4 of whether the sale is for cash or on credit. In each subsequent sale or distribution
5 of motor vehicle fuel on which the tax has been collected as provided in this
6 subsection, the tax collected shall be added to the selling price so that the tax is paid
7 ultimately by the user of the motor vehicle fuel.

8 **SECTION 2413m.** 78.01 (2) (e) of the statutes is repealed.

9 **SECTION 1878.** 78.01 (2m) (f) of the statutes is amended to read:

10 78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, in
11 an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or
12 (2g) or in a recreational motorboat or if no claim for a refund for the tax on the diesel
13 fuel may be made under s. 78.75 (1m) (a) 3.

14 **SECTION 2414n.** 78.01 (2m) (f) of the statutes, as affected by 1997 Wisconsin
15 Act (this act), is repealed and recreated to read:

16 78.01 (2m) (f) It is dyed diesel fuel and is sold for off-highway use other than
17 use in a snowmobile, an all-terrain vehicle that is not registered for private use
18 under s. 23.33 (2) (d) or (2g) or in a recreational motorboat or if no claim for a refund
19 for the tax on the diesel fuel may be made under s. 78.75 (1m) (a) 3.

20 **SECTION 2414p.** 78.015 (1) of the statutes is amended to read:

21 78.015 (1) Before April 1 the department shall recompute and publish the rate
22 for the tax imposed under s. 78.01 (1). The new rate per gallon shall be calculated
23 by multiplying the rate in effect at the time of the calculation by ~~an amount~~ a rate
24 adjustment factor that is obtained by multiplying the amount under sub. (2) by the
25 amount under sub. (3) and multiplying that result by the amount under sub. (3m).

1 **SECTION 2414r.** 78.015 (3m) of the statutes is created to read:

2 78.015 **(3m)** Divide the number of vehicle miles traveled in this state, as
3 calculated by the department of transportation, during the year prior to the year
4 during which the calculation is made by the number of vehicle miles traveled in this
5 state, as calculated by the department of transportation, during the year 2 years
6 prior to the year during which the calculation is made.

7 **SECTION 2414s.** 78.017 of the statutes is created to read:

8 **78.017 Adjustment in 1997.** On September 1, 1997, the rate of the tax
9 imposed under s. 78.01 (1) is increased by one cent.

10 **SECTION 1879.** 78.09 (2) of the statutes is amended to read:

11 78.09 **(2)** To procure a license, a supplier who holds a valid certificate issued
12 under s. 73.03 (50) shall file with the department an application ~~prescribed and~~
13 ~~furnished by the department and verified~~ signed by the owner of the business if the
14 owner is an individual, partnership or unincorporated association or by the
15 president and secretary if the owner is a corporation.

16 **SECTION 1880.** 78.09 (5) of the statutes is amended to read:

17 78.09 **(5)** To procure an export license, an exporter who holds a valid certificate
18 issued under s. 73.03 (50) shall file with the department an application ~~prescribed~~
19 ~~and furnished by the department and verified~~ signed by the owner of the business
20 if the owner is an individual, partnership or unincorporated association or by the
21 president and secretary if the owner is a corporation.

22 **SECTION 1881.** 78.12 (2) (intro.) of the statutes is renumbered 78.12 (2) and
23 amended to read:

24 78.12 **(2)** **REPORTS OF LICENSEES.** Each licensee shall, not later than the last day
25 of each month, file ~~with the department, or, if the department so requires, file~~

1 electronically with any state agency that the department specifies, on forms
2 prescribed and furnished by the department, a report that indicates for the month
3 before the month during which the report is due the following:

4 **SECTION 1882.** 78.12 (2) (a) to (c) of the statutes are repealed.

5 **SECTION 2418g.** 78.12 (4) (a) 4. of the statutes is amended to read:

6 78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate under
7 s. 78.015 as increased under s. 78.017.

8 **SECTION 2418r.** 78.12 (4) (b) 2. of the statutes is amended to read:

9 78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate under
10 s. 78.015 as increased under s. 78.017.

11 **SECTION 1883.** 78.12 (5) (a) of the statutes is amended to read:

12 78.12 (5) (a) Licensed suppliers shall pay taxes on motor vehicle fuel no later
13 than the 15th day of the month for motor vehicle fuel sold during the previous month.
14 At the option of a wholesaler distributor, a licensed supplier shall allow the
15 wholesaler distributor to delay paying the tax to the licensed supplier until the date
16 that the tax is due to this state. A wholesaler distributor who makes delayed
17 payments shall make the payments by electronic funds transfer. If a wholesaler
18 distributor fails to make timely payments, the licensed supplier may terminate the
19 right of the wholesaler distributor to make delayed payments. Each licensed
20 supplier shall notify the department of each wholesaler distributor who makes
21 delayed payments of the tax. The department may require any wholesaler
22 distributor who makes delayed payments of the tax to ~~file with~~ furnish the
23 department a surety bond payable to this state in an amount not to exceed 3 times
24 the highest estimated monthly tax owed by the wholesaler distributor. Whenever the
25 wholesaler distributor pays the licensed supplier, the licensed supplier shall credit

1 the wholesaler distributor's account for the amount of tax reduction that results from
2 the calculation under s. 78.12 (4) (a) 2.

3 **SECTION 1884.** 78.12 (5) (b) of the statutes is repealed and recreated to read:

4 78.12 (5) (b) Licensees shall mail or deliver tax revenue to the department or,
5 if the department prescribes another method of submitting or another destination,
6 use that other method or submit to that other destination.

7 **SECTION 1885.** 78.20 (1m) of the statutes is amended to read:

8 78.20 (1m) Any person who operates a service station, store, garage or other
9 place of business within this state for the retail sale of gasoline therefrom who has
10 paid the tax required by this subchapter on the gasoline received into that person's
11 storage at such place of business shall be reimbursed and repaid 0.5% of such tax to
12 cover shrinkage and evaporation losses upon making and filing a claim with the
13 department on forms prescribed and furnished by it.

14 **SECTION 1886.** 78.20 (4) of the statutes is amended to read:

15 78.20 (4) On the filing of a claim under sub. (3), accompanied by the invoice or
16 a list of purchases, the department shall determine the amount of refund due. The
17 department may make such investigation of the correctness of the facts stated in
18 such claim as it deems necessary. When the department has approved such claim
19 it shall ~~pay~~ reimburse the claimant ~~the reimbursement herein provided~~ under this
20 section out of the moneys collected under this chapter to be used for carrying out this
21 section. No claim for refund shall be denied or the payment thereof withheld for
22 failure of the invoice or list of purchases to show the amount of the Wisconsin motor
23 vehicle fuel tax on the gasoline as a separate item if the amount of such tax is
24 determinable from the information stated on the invoice or list of purchases.

25 **SECTION 1887.** 78.22 (1) of the statutes is amended to read:

1 78.22 (1) FLOOR TAX IMPOSED. On the date any motor vehicle fuel tax rate change
2 becomes effective under s. 78.01, a floor tax is hereby imposed upon every person who
3 is in possession of any motor vehicle fuel held for sale or resale and on which the
4 motor vehicle fuel tax already has been imposed. The person shall determine the
5 volume of motor vehicle fuel and shall file ~~with the department~~ by the 15th day of
6 the month in which the new tax rate becomes effective a return, together with any
7 tax due on it, determined in accordance with sub. (2).

8 **SECTION 1888.** 78.22 (3) (a) of the statutes is renumbered 78.22 (3).

9 **SECTION 1889.** 78.22 (3) (b) of the statutes is repealed.

10 **SECTION 1890.** 78.22 (4) of the statutes is amended to read:

11 78.22 (4) LATE FILING FEE. Any person who fails to file a motor vehicle fuel floor
12 tax return when due shall pay a late filing fee of \$10. A return ~~shall be considered~~
13 that is mailed is filed in time if it is mailed in a properly addressed envelope with 1st
14 class postage duly prepaid and the envelope is officially postmarked on the date due
15 and the return is actually received by the department or at the destination that the
16 department prescribes within 5 days of the due date. A return that is not mailed is
17 timely if it is received on or before the due date by the department or at the
18 destination that the department prescribes.

19 **SECTION 1891.** 78.39 (4m) of the statutes is created to read:

20 78.39 (4m) "File" means mail or deliver a document that the department
21 prescribes to the department or, if the department prescribes another method of
22 submitting or another destination, use that other method or submit to that other
23 destination.

24 **SECTION 1892.** 78.40 (1) of the statutes is amended to read:

1 78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate
2 determined under s. ~~ss.~~ 78.405 and 78.407 is imposed on the use of alternate fuels.
3 The tax, with respect to all alternate fuel delivered by an alternate fuel dealer into
4 supply tanks of motor vehicles in this state, attaches at the time of delivery and shall
5 be collected by the dealer from the alternate fuels user and shall be paid to the
6 department. The tax, with respect to alternate fuels acquired by any alternate fuels
7 user other than by delivery by an alternate fuel dealer into a fuel supply tank of a
8 motor vehicle, or of a snowmobile, an all-terrain vehicle that is not registered for
9 private use under s. 23.33 (2) (d) or (2g) or a recreational motorboat, attaches at the
10 time of the use of the fuel and shall be paid to the department by the user. The
11 department may permit any supplier of alternate fuels to report and pay to the
12 department the tax on alternate fuels delivered into the storage facility of an
13 alternate fuels user or retailer which will be consumed for alternate fuels tax
14 purposes or sold at retail.

15 **SECTION 2428m.** 78.407 of the statutes is created to read:

16 **78.407 Adjustment in 1997.** On September 1, 1997, the rate of the tax
17 imposed under s. 78.40 (1) is increased by one cent.

18 **SECTION 1893.** 78.49 (1) (a) of the statutes is amended to read:

19 78.49 (1) (a) For the purpose of determining the amount of liability to the state
20 for the tax under this subchapter, except as provided in par. (b), each alternate fuels
21 licensee shall, not later than the last day of each month, file a monthly report for the
22 next preceding month ~~with the department on forms furnished and prescribed by it.~~
23 Such report shall contain a declaration by the licensee that the statements contained
24 therein are accurate and are a true return of the amount of the alternate fuels tax
25 due and shall be ~~subscribed~~ signed by the licensee or the licensee's duly authorized

1 agent. ~~The report shall show, with reference to each location at which an alternate~~
2 ~~fuel is delivered or placed by such licensee into a fuel supply tank of any motor~~
3 ~~vehicle, the information that the department reasonably requires for the proper~~
4 ~~administration and enforcement of the tax under this subchapter. The department~~
5 ~~shall give due consideration to the varying types of operations and transactions in~~
6 ~~specifying the information required.~~

7 **SECTION 1894.** 78.55 (2g) of the statutes is created to read:

8 78.55 (2g) "Department" means the department of revenue.

9 **SECTION 1895.** 78.55 (2r) of the statutes is created to read:

10 78.55 (2r) "File" means mail or deliver a document that the department
11 prescribes to the department or, if the department prescribes another method of
12 submitting or another destination, use that other method or submit to that other
13 destination.

14 **SECTION 1896.** 78.55 (6) of the statutes is created to read:

15 78.55 (6) "Sign" means write one's signature or, if the department prescribes
16 another method of authenticating, use that other method.

17 **SECTION 2432m.** 78.555 of the statutes is amended to read:

18 **78.555 Tax imposed; rate; collected.** An excise tax of 6 6.5 cents per gallon
19 is imposed on all general aviation fuel sold, used or distributed in this state except
20 as otherwise provided in this chapter. The general aviation fuel tax is to be computed
21 and paid as provided in this chapter. Except as otherwise provided in this chapter,
22 the general aviation fuel licensee, shall collect from the purchaser and the purchaser
23 shall pay to the licensee the tax imposed by this section on each sale of general
24 aviation fuel by the licensee at the time of the sale, irrespective of whether the sale
25 is for cash or on credit. In each subsequent sale or distribution of general aviation

1 fuel on which the tax has been collected as provided in this subsection, the tax
2 collected shall be added to the selling price so that the tax is paid ultimately by the
3 user of the general aviation fuel.

4 **SECTION 1897.** 78.58 (1) (a) of the statutes is amended to read:

5 78.58 (1) (a) For the purpose of determining the amount of the licensee's
6 liability to the state for the tax imposed by this subchapter, except as provided in par.
7 (b), each general aviation fuel licensee shall, not later than the 20th day of each
8 month, file a monthly report for the next preceding month ~~with the department on~~
9 ~~forms furnished and prescribed by it. The report shall contain a declaration by the~~
10 ~~licensee that the statements contained therein are accurate and are a true return of~~
11 ~~the amount of general aviation fuel tax due and shall be subscribed by the. The~~
12 ~~licensee or the licensee's duly authorized agent. The report shall show, with~~
13 ~~reference to each location at which general aviation fuel is delivered or placed by the~~
14 ~~licensee into a fuel supply tank of any aircraft, such information as the department~~
15 ~~may reasonably require for the proper administration and enforcement of the~~
16 ~~general aviation fuel tax. The department shall give due consideration to the varying~~
17 ~~types of operations and transactions in specifying the information required shall sign~~
18 ~~the report.~~

19 **SECTION 2434g.** 78.58 (3) of the statutes is amended to read:

20 78.58 (3) COMPUTATION OF TAX. Each general aviation fuel licensee at the time
21 of making the monthly or quarterly report shall compute and pay to the public
22 depository if one has been designated under s. 78.585, but otherwise directly to the
23 department, the full amount of the general aviation fuel tax for the next preceding
24 month or quarter, which shall be computed as follows: the number of gallons of
25 general aviation fuel placed into the fuel supply tanks of an aircraft or into bulk

1 storage facilities by the general aviation fuel licensee, multiplied by 0.06 0.065 and
2 the resulting figure expressed in dollars.

3 **SECTION 2434r.** 78.58 (3) of the statutes, as affected by 1997 Wisconsin Act
4 (this act), is repealed and recreated to read:

5 78.58 (3) COMPUTATION OF TAX. Each general aviation fuel licensee at the time
6 of making the monthly or quarterly report shall compute and pay the full amount of
7 the general aviation fuel tax for the next preceding month or quarter, which shall be
8 computed as follows: the number of gallons of general aviation fuel placed into the
9 fuel supply tanks of an aircraft or into bulk storage facilities by the general aviation
10 fuel licensee, multiplied by 0.065 and the resulting figure expressed in dollars.

11 **SECTION 1898.** 78.585 of the statutes is repealed.

12 **SECTION 1899.** 78.59 (2) of the statutes is amended to read:

13 78.59 (2) FINAL REPORT. Every general aviation fuel licensee shall, upon such
14 cessation, sale or transfer of the business or upon the cancellation or revocation of
15 a license, make a report as required in s. 78.58 and pay all general aviation fuel taxes
16 and penalties due the state. ~~Such payment shall be to the public depository if one~~
17 ~~has been designated under s. 78.585, but otherwise to the department.~~

18 **SECTION 1900.** 78.66 (4) of the statutes is created to read:

19 78.66 (4) The department may require any person who keeps records in
20 machine-readable form for federal fuel tax purposes to keep those records in the
21 same form for purposes of the taxes under this chapter.

22 **SECTION 2438m.** 78.73 (1) (dm) of the statutes is amended to read:

23 78.73 (1) (dm) ~~Presents an exemption certificate under s. 78.01 (2) (e) or 78.40~~
24 ~~(2) (d), or obtains~~ Obtains motor vehicle fuel tax-free under s. 78.01 (2) (f), and uses

1 the fuel obtained tax-free on the basis of the certificate in a manner other than the
2 manner for which the certificate was issued fuel was purchased;

3 **SECTION 1901.** 78.75 (1m) (a) 1. of the statutes is amended to read:

4 78.75 (1m) (a) 1. Except as provided under subds. 2. and 2m., a person who uses
5 motor vehicle fuel or an alternate fuel upon which has been paid the tax required
6 under this chapter, for the purpose of operating a taxicab for the transportation of
7 passengers, for the purpose of operating a motorboat exempt from registration as a
8 motor vehicle under s. 341.05 (20) on privately owned land or for any purpose other
9 than operating a motor vehicle upon the public highways, shall be reimbursed and
10 repaid the amount of the tax paid upon making and filing a claim ~~with the~~
11 ~~department~~ if the claim is for the tax on 100 gallons or more.

12 **SECTION 1902.** 78.75 (1m) (a) 2m. of the statutes is amended to read:

13 78.75 (1m) (a) 2m. A person who uses motor vehicle fuel or an alternate fuel
14 upon which has been paid the tax required under this chapter for the purpose of
15 operating an all-terrain vehicle, as defined under s. 340.01 (2g), may not be
16 reimbursed or repaid the amount of tax paid unless the all-terrain vehicle is
17 registered for private use under s. 23.33 (2) (d) or (2g).

18 **SECTION 1903.** 78.75 (1m) (a) 3. of the statutes is amended to read:

19 78.75 (1m) (a) 3. Claims under subd. 1. shall be made and filed upon forms
20 prescribed and furnished by the department. The forms shall indicate that refunds
21 are not available for motor vehicle fuel or alternate fuels used for motorboats, except
22 motorboats exempt from registration as motor vehicles under s. 341.05 (20) and
23 recreational motorboats, or motor vehicle fuel or alternate fuels used for
24 snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels
25 tax payments are used for snowmobile trails and areas. The forms shall indicate that

1 refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain
2 vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2)
3 (d) or (2g) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or
4 alternate fuels tax payments are used for all-terrain vehicle trails and areas. The
5 forms shall also indicate that refunds are not available for the tax on less than 100
6 gallons. The department shall distribute forms in sufficient quantities to each
7 county clerk.

8 **SECTION 1904.** 78.75 (1m) (a) 3. of the statutes, as affected by 1997 Wisconsin
9 Act (this act), is repealed and recreated to read:

10 78.75 (1m) (a) 3. Claims under subd. 1. shall be made and filed. The forms shall
11 indicate that refunds are not available for motor vehicle fuel or alternate fuels used
12 for motorboats, except motorboats exempt from registration as motor vehicles under
13 s. 341.05 (20) and recreational motorboats, or motor vehicle fuel or alternate fuels
14 used for snowmobiles and that the estimated snowmobile motor vehicle fuel or
15 alternate fuels tax payments are used for snowmobile trails and areas. The forms
16 shall indicate that refunds are not available for motor vehicle fuel or alternate fuels
17 used for all-terrain vehicles unless the all-terrain vehicle is registered for private
18 use under s. 23.33 (2) (d) or (2g) and shall indicate that estimated all-terrain vehicle
19 motor vehicle fuel or alternate fuels tax payments are used for all-terrain vehicle
20 trails and areas. The forms shall also indicate that refunds are not available for the
21 tax on less than 100 gallons. The department shall distribute forms in sufficient
22 quantities to each county clerk.

23 **SECTION 1905.** 78.75 (1m) (c) of the statutes is amended to read:

24 78.75 (1m) (c) The seller, upon request, shall furnish each purchaser with an
25 invoice prepared at the time of delivery, and the purchaser shall send that invoice or

1 a list of purchases to the department when making a claim for refund. The invoice
2 shall contain the following information: date of sale; name and address of seller;
3 name of purchaser, which name must be the name of the claimant; number of gallons
4 purchased; the type of fuel; the purchase price; and the amount of Wisconsin motor
5 vehicle fuel or alternate fuels tax paid as a separate item. If the purchaser sends
6 invoices to the department, the purchaser shall send a separate invoice for each sale
7 and delivery, and the invoice shall be legibly written and shall comply with the
8 foregoing requirements. If the purchaser sends a list of purchases to the department,
9 the purchaser shall retain for 4 years the invoices that are evidence of those
10 purchases and allow the department to inspect them. The claim shall state whether
11 or not the applicant owns an automobile or truck or any other motor-driven
12 machinery or appliance which consumes motor vehicle fuel or an alternate fuel; the
13 total number of gallons of motor vehicle fuel or alternate fuel purchased; the number
14 of gallons of such motor vehicle fuel or alternate fuel purchased on which refund is
15 claimed; a detailed statement of the consumption of such motor vehicle fuel or
16 alternate fuel on which a refund is claimed, describing the machinery, equipment or
17 appliance in which consumed, giving the serial or manufacturer's number of the
18 motor and the approximate number of gallons consumed in each; or if such fuel were
19 not consumed in any such machinery, equipment or appliance, then a description of
20 the purposes for which the fuel was consumed with the approximate number of
21 gallons consumed for each purpose; a statement whether or not deduction has been
22 made for motor vehicle fuel or alternate fuels consumed in applicant's automobile or
23 truck; and such other information as the department deems necessary.

24 **SECTION 1906.** 78.75 (1m) (e) of the statutes is amended to read:

1 78.75 (1m) (e) On the filing of a claim under par. (a), accompanied by the invoice
2 or list of purchases, the department shall determine the amount of refund due. The
3 department may make such investigation of the correctness of the facts stated in
4 such claim as it deems necessary and may require a claimant to submit records to
5 substantiate the claim. When the department has approved such claim, it shall pay
6 reimburse the claimant ~~the reimbursement herein provided~~ out of the moneys
7 collected under this chapter to be used for carrying out this section. No refund shall
8 be claimed by or allowed to any person on account of any motor vehicle fuel or
9 alternate fuel carried from this state in the ordinary fuel tank of a motor vehicle.

10 **SECTION 1907.** 78.78 (3) of the statutes is amended to read:

11 78.78 (3) Any transporter who fails to file timely a report required under this
12 section shall pay to the department a late filing fee of \$10. A report that is mailed
13 is timely if it is mailed in a properly addressed envelope with 1st class postage, if the
14 envelope is postmarked on or before the due date and if the report is received by the
15 department or at the destination that the department prescribes within 5 days after
16 the due date. A report that is not mailed is timely if it is received on or before the
17 due date by the department or at the destination that the department prescribes.

18 **SECTION 1908.** 79.03 (3) (b) 3. of the statutes is amended to read:

19 79.03 (3) (b) 3. "Full valuation" means the full value of all taxable property for
20 the preceding year as equalized for state tax purposes, except that for municipalities
21 the value of real estate assessed under s. 70.995 is excluded. Value increments under
22 s. 66.46 are included for municipalities but excluded for counties. Environmental
23 remediation value increments under s. 66.462 are included for municipalities and
24 counties that create the environmental remediation tax incremental district and are
25 excluded for units of government that do not create the district. If property that had

1 been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's
2 value is assessed under s. 70.10, 30% of that property's full value is included in "full
3 valuation" for purposes of the shared revenue payments in the year after the
4 assessment under s. 70.10, 65% of that property's full value is included in "full
5 valuation" for purposes of the shared revenue payments in the year 2 years after the
6 assessment under s. 70.10 and 100% of that property's full value is included in "full
7 valuation" for purposes of subsequent shared revenue payments.

8 **SECTION 1909.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

9 79.03 **(3)** (b) 4. a. "Local general purpose taxes" means the portion of tax
10 increments collected for payment to a municipality under s. 66.46 which is
11 attributable to that municipality's own levy, the portion of environmental
12 remediation tax increments collected for payment to a municipality or county under
13 s. 66.462 that is attributable to that municipality's or county's own levy, general
14 property taxes, excluding taxes for a county handicapped children's education board,
15 collected to finance the general purpose government unit, property taxes collected
16 for sewage and sanitary districts, mobile home fees, the proceeds of county sales and
17 use taxes and municipal and county vehicle registration fees under s. 341.35 (1).

18 **SECTION 1910.** 79.10 (1) (f) of the statutes is repealed.

19 **SECTION 2452b.** 79.10 (1m) of the statutes is renumbered 79.10 (1m) (a) and
20 amended to read:

21 79.10 **(1m)** (a) Each municipality shall furnish notify the department of
22 revenue ~~with of~~ the total amount of credits claimed by taxpayers under sub. (9) (bm)
23 to be paid under sub. (9) (bm) and the total number of parcels of taxable real property
24 and personal property accounts in the municipality that are eligible for the credit
25 under sub. (5).

1 **SECTION 2454c.** 79.10 (5) (a) of the statutes is renumbered 79.10 (5) and
2 amended to read:

3 **79.10 (5) LOTTERY CREDIT.** Each municipality shall receive, from the
4 appropriation under s. 20.835 (3) (q), an amount determined by multiplying the
5 school tax rate by the estimated fair market value, not exceeding the value
6 determined under sub. (11), of every parcel of taxable real property ~~on which a~~
7 ~~principal dwelling is located~~ and every personal property account in the municipality
8 and for which a claim for the credit under sub. (9) (bm) is made by the owner of the
9 ~~principal dwelling.~~

10 **SECTION 2455c.** 79.10 (7m) (b) 1. a. of the statutes is amended to read:

11 **79.10 (7m) (b) 1. a.** The amount determined under sub. (5) with respect to
12 ~~claims filed~~ the number of parcels of taxable real property and personal property
13 accounts for which the town, village or city has furnished notice under sub. (1m) by
14 March 1 shall be distributed from the appropriation under s. 20.835 (3) (q) by the
15 department of administration on the 4th Monday in March.

16 **SECTION 1911.** 79.10 (7r) of the statutes is repealed.

17 **SECTION 2457m.** 79.10 (9) (bm) 1. of the statutes is renumbered 79.10 (9) (bm)
18 and amended to read:

19 **79.10 (9) (bm) Lottery credit.** Except as provided in ss. 79.175 and 79.18, every
20 owner of a ~~principal dwelling on~~ taxable personal property or a parcel of taxable real
21 property is entitled to receive a lottery credit in an amount determined by
22 multiplying the estimated fair market value of the personal property or of the parcel
23 of property, not exceeding the value determined under sub. (11), by the school tax
24 rate. ~~The owner shall receive the credit if he or she claims the credit in the manner~~
25 ~~provided under sub. (10) (a).~~

1 **SECTION 1912.** 79.10 (9) (c) of the statutes is amended to read:

2 79.10 **(9)** (c) *Credits shown on tax bill.* The lottery credit under par. (bm) shall
3 reduce the property taxes otherwise payable for those taxpayers who are eligible to
4 receive that credit and who furnish the information required under sub. (10) (a), and
5 the credit under par. (b) shall reduce the property taxes otherwise payable.

6 **SECTION 2459g.** 79.10 (10) (title) and (a) to (d) of the statutes are repealed.

7 **SECTION 2459r.** 79.10 (10) (e) of the statutes is renumbered 79.10 (1m) (b) and
8 amended to read:

9 79.10 **(1m)** (b) Counties and any city authorized to act under s. 74.87
10 municipalities shall submit to the department of revenue all data related to the
11 lottery credit and requested by the department of revenue.

12 **SECTION 2459w.** 79.10 (11) (a) of the statutes is amended to read:

13 79.10 **(11)** (a) ~~For property taxes levied in 1991, the lottery credit estimated fair~~
14 ~~market value is \$8,200. For property taxes levied in 1992, the lottery credit~~
15 ~~estimated fair market value is \$9,150. For property taxes levied in 1993 1997 and~~
16 ~~thereafter, the estimated fair market value shall be determined under par. (b).~~

17 **SECTION 1913.** 79.10 (11) (b) of the statutes is amended to read:

18 79.10 **(11)** (b) Before October 16, the department of administration shall
19 determine the total funds available for distribution under the lottery credit in the
20 following year and shall inform the joint committee on finance of that total. Total
21 funds available for distribution shall be all existing and projected lottery proceeds
22 and interest for the fiscal year of the distribution, less the amount estimated to be
23 expended under ss. 20.455 (2) (r), 20.566 (2) (r) and 20.835 (2) (q) and ~~(3) (r)~~ and less
24 the required reserve under s. 20.003 (5). The joint committee on finance may revise
25 the total amount to be distributed if it does so at a meeting that takes place before

1 November 1. If the joint committee on finance does not schedule a meeting to take
2 place before November 1, the total determined by the department of administration
3 shall be the total amount estimated to be distributed under the lottery credit in the
4 following year.

5 **SECTION 1914.** 79.11 (2) of the statutes is amended to read:

6 79.11 (2) ~~Except as provided in s. 79.10 (10) (d), the~~ The payment of the
7 difference between the total tax which is due on any property less the amount of the
8 tax credits applicable to such property authorized by this subchapter shall be
9 considered payment in full of the property taxes due thereon in that year.

10 **SECTION 2465j.** 83.015 (2) (b) of the statutes is amended to read:

11 83.015 (2) (b) In any county with a highway commissioner appointed under s.
12 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body
13 determining the broad outlines and principles governing administration and the
14 county highway commissioner shall have the administrative powers and duties
15 prescribed for the county highway committee under par. (a), sub. (3) (a) and ss.
16 27.065 (4) (b) and (13), 32.05 (1) (a), 81.38 (1), (3) and (4), 83.01 (6), 83.013, 83.018,
17 83.025 (1) and (3), 83.026, 83.035, 83.04, 83.05 (1), 83.07 to 83.09, 83.12, 83.14 (6),
18 83.17, 83.18, 83.42 (3) and (4), 84.01 (5), 84.06 (3), 84.07 (1) and (2), 84.09 (1), (3) (a)
19 to (c) and (4), 84.10 (1), 86.04 (1) and (2), 86.07 (2), 86.19 (3), 86.312 (2) (a), 86.34 (1),
20 114.33 (5), 349.07 (2), 349.11 (4) and (10) and 349.15 (2). No statutory power, duty
21 or function specified elsewhere for the county highway commissioner may be deemed
22 impliedly repealed for the sole reason that reference to it has been omitted in this
23 paragraph.

24 **SECTION 2465L.** 84.01 (28) of the statutes is amended to read:

1 84.01 (28) TRANSPORTATION ADMINISTRATIVE FACILITIES. The department may
2 acquire, construct, develop, enlarge or improve administrative or operating facilities
3 for its use under s. 13.48 (10) or 84.01 (30).

4 **SECTION 2465m.** 84.01 (30) of the statutes is created to read:

5 84.01 (30) BUILD-OPERATE-LEASE OR TRANSFER AGREEMENTS. The department
6 may enter into build-operate-lease or transfer agreements with private entities for
7 the construction of transportation projects, including any projects to be financed
8 under s. 84.59 for transportation administrative facilities under s. 84.01 (28) and, for
9 projects that are not purchased by the state upon their completion, for the
10 maintenance and operation of such projects. A project under this subsection may be
11 constructed on state-owned land. An agreement under this subsection may not be
12 entered into unless the department determines that the agreement advances the
13 public interest, and the private entity has prior experience in design, construction,
14 site development and environmental impact analysis and, for a project that is not
15 expected to be purchased by the state upon its completion, has the capability of
16 maintaining and operating the facility upon completion of the project. The following
17 provisions shall be contained in any build-operate-lease or transfer agreement
18 under this subsection:

19 (a) A provision specifying that title is held by the private entity until title is
20 transferred to the department pursuant to a lease with option to purchase at fair
21 market value or purchase at fair market value of the constructed project upon its
22 completion.

23 (b) If the agreement contains a lease that provides for payments to be made by
24 the state from moneys that have not been appropriated at the time that the

1 agreement is entered into, a provision containing the statement required under s.
2 16.75 (3).

3 (c) A provision specifying that the project shall be constructed in accordance
4 with requirements and specifications approved by the department of administration
5 or, if the project is not a transportation administrative facility, approved by the
6 department of transportation.

7 (d) A provision permitting inspection by agents of the department of
8 transportation until title transfers as provided under par. (a) or by agents of the
9 department of administration during construction.

10 (e) If applicable, a provision specifying that any operation and maintenance
11 under the agreement by the private entity shall be conducted in accordance with
12 requirements and specifications approved by the department.

13 (f) A provision establishing a mechanism for the resolution of disputes.

14 **SECTION 1915.** 84.013 (3) (ab) of the statutes is created to read:

15 84.013 (3) (ab) STH 11 extending approximately 7.6 miles from west of
16 Burlington to STH 36/83 east of Burlington, designated as the Burlington bypass, in
17 Walworth and Racine counties.

18 **SECTION 1916.** 84.013 (3) (ac) of the statutes is created to read:

19 84.013 (3) (ac) USH 12 extending approximately 11.6 miles from the junction
20 of USH 12 and I 90/94 to approximately 0.75 miles south of Ski Hi Road in Sauk
21 County.

22 **SECTION 1917.** 84.013 (3) (ae) of the statutes is created to read:

23 84.013 (3) (ae) USH 53 extending approximately 6.2 miles between I 90 and
24 USH 14/61 near 7th Street in La Crosse, La Crosse County.

25 **SECTION 1918.** 84.013 (3) (ag) of the statutes is created to read:

1 84.013 (3) (ag) STH 57 extending approximately 17.3 miles from the junction
2 of STH 57 with CTH "A" to STH 42 in Kewaunee and Door counties.

3 **SECTION 1919.** 84.013 (3) (ai) of the statutes is created to read:

4 84.013 (3) (ai) USH 141 extending approximately 15.4 miles between Lemere
5 Road and 6th Road in Oconto and Marinette counties.

6 **SECTION 1920.** 84.013 (3) (ak) of the statutes is created to read:

7 84.013 (3) (ak) USH 151 extending approximately 18 miles between the
8 junction of USH 151 and CTH "HH" south of Dickeyville to west of Belmont in Grant
9 and Lafayette counties.

10 **SECTION 2471d.** 84.03 (2) of the statutes is created to read:

11 84.03 (2) APPROPRIATION ADJUSTMENTS. (a) In the 1997-98 fiscal year and in
12 each fiscal year thereafter, the department shall submit to the joint committee on
13 finance for review and approval a plan identifying how the department proposes to
14 adjust its appropriations for the applicable fiscal year to reflect the actual levels of
15 federal aid for this state for that fiscal year under the federal Intermodal Surface
16 Transportation Efficiency Act of 1991, as amended, or a substantially similar
17 subsequent federal legislative act establishing levels of federal aid for this state. The
18 plan shall be submitted not later than December 1, or 30 days after the applicable
19 federal legislation for that fiscal year has been enacted, whichever is later.

20 (b) The appropriation adjustments in a plan submitted under par. (a) may not
21 be implemented as proposed without the approval of the joint committee on finance.

22 **SECTION 2471g.** 84.076 (5) of the statutes is renumbered 84.076 (5) (intro.) and
23 amended to read:

24 84.076 (5) SUNSET. (intro.) This section does not apply after the later of the
25 following:

1 (a) September 30, 1997.

2 **SECTION 2471m.** 84.076 (5) (b) of the statutes is created to read:

3 84.076 (5) (b) The date on which federal law does not require, as a condition
4 of using federal funds, that this state establish goals for the participation of
5 disadvantaged businesses or the employment of disadvantaged individuals in
6 projects using federal funds.

7 **SECTION 1921.** 84.09 (5) of the statutes is amended to read:

8 84.09 (5) Subject to the approval of the governor, the department may sell at
9 public or private sale property of whatever nature owned by the state and under the
10 jurisdiction of the department when the department determines that the property
11 is no longer necessary for the state's use for highway purposes and, if real property,
12 the real property is not the subject of a petition under s. 16.375 (2). The department
13 shall present to the governor a full and complete report of the property to be sold, the
14 reason for the sale, and the minimum price for which the same should be sold,
15 together with an application for the governor's approval of the sale. The governor
16 shall thereupon make such investigation as he or she may deem necessary and
17 approve or disapprove the application. Upon such approval and receipt of the full
18 purchase price, the department shall by appropriate deed or other instrument
19 transfer the property to the purchaser. The approval of the governor is not required
20 for public or private sale of property having a fair market value at the time of sale
21 of not more than \$3,000 ~~or~~ for the transfer of surplus state real property to the
22 department of administration under s. 16.375 or for the transfer of surplus state
23 personal property to the department of tourism under sub. (5s). The funds derived
24 from sales under this subsection shall be deposited in the transportation fund, and

1 the expense incurred by the department in connection with the sale shall be paid
2 from such fund.

3 **SECTION 1922.** 84.09 (5s) of the statutes is created to read:

4 84.09 (5s) In lieu of the sale or conveyance of personal property under sub. (5),
5 the department of transportation may, upon the request of the department of
6 tourism, transfer to the department of tourism, at no cost, personal property that is
7 owned by the state and under the jurisdiction of the department of transportation
8 and that the department of transportation has determined is no longer necessary for
9 the state's use for highway purposes.

10 **SECTION 2473e.** 84.10 of the statutes is renumbered 84.10 (1) and amended to
11 read:

12 84.10 (1) The amounts allocated under s. 20.395 (3) (cq) and (eq) for the
13 purposes described in this ~~section~~ subsection shall be expended by the department
14 for the maintenance and operation of bridges not on the state trunk highway system
15 which were constructed, reconstructed, or purchased under s. 84.11 before August
16 9, 1989, and under s. 84.12 and free bridges located in connecting highways in 4th
17 class cities, and towns, which have a length, not including approaches, of 300 feet or
18 more, or a swing or lift span. Except as provided in a jurisdictional transfer
19 agreement under s. 84.16, all matters relating to the maintenance and operation of
20 such bridges shall be under the control of the department. Maintenance and
21 operation shall not include the roadway lighting system and shall not include snow
22 and ice removal and control for bridges located on connecting highways. The
23 department may arrange with any county highway committee or with any city,
24 village or town for the operation or maintenance or both of any such bridge; and any

1 county highway committee, city, village or town may enter into such arrangement.

2 This subsection does not apply to sub. (2).

3 **SECTION 2473g.** 84.10 (2) of the statutes is created to read:

4 84.10 (2) The joint committee on finance may transfer moneys to s. 20.395 (3)
5 (cq) from any other segregated revenue appropriations of the department for state
6 operations from the transportation fund, upon request of the department, for the
7 purpose of supplementing moneys allocated under s. 20.395 (3) (cq) for the
8 rehabilitation of a local bridge for which improvement is a state responsibility and
9 which has been posted with a weight limitation as provided in s. 349.16 (2).

10 **SECTION 2474m.** 84.28 (1) of the statutes is amended to read:

11 84.28 (1) Moneys from the appropriation under s. 20.370 (1) ~~(mr)~~ (7) (mc) may
12 be expended for the renovation, marking and maintenance of a town or county
13 highway located within the boundaries of any state park, state forest or other
14 property under the jurisdiction of the department of natural resources. Moneys from
15 the appropriation under s. 20.370 ~~(1) (mr)~~ (7) (mc) may be expended for the
16 renovation, marking and maintenance of a town or county highway located in the
17 lower Wisconsin state riverway as defined in s. 30.40 (15). Outside the lower
18 Wisconsin state riverway as defined in s. 30.40 (15), or outside the boundaries of
19 these parks, forests or property, moneys from the appropriation under s. 20.370 ~~(1)~~
20 ~~(mr)~~ (7) (mc) may be expended for the renovation, marking and maintenance of roads
21 which the department of natural resources certifies are utilized by a substantial
22 number of visitors to state parks, state forests or other property under the
23 jurisdiction of the department of natural resources. The department of natural
24 resources shall authorize expenditures under this subsection. The department of

1 natural resources shall rank projects eligible for assistance under a priority system
2 and funding may be restricted to those projects with highest priority.

3 **SECTION 2474p.** 84.30 (3) (j) of the statutes is created to read:

4 84.30 (3) (j) 1. Signs erected by the Crime Stoppers, the nationwide
5 organization affiliated with local police departments, on or before the effective date
6 of this subdivision [revisor inserts date], without regard to whether the
7 department has issued a license for the sign. The department may not remove a sign
8 authorized under this paragraph unless the sign does not conform to federal
9 requirements. The requirements under s. 86.19 do not apply to signs described in
10 this subdivision.

11 2. Notwithstanding subd. 1., whenever a sign authorized under this paragraph
12 requires replacement due to damage or deterioration, the department shall require
13 the sign to be licensed under sub. (10) and to meet all of the requirements of this
14 section and s. 86.19.

15 **SECTION 1923.** 84.59 (6) of the statutes is amended to read:

16 84.59 (6) Revenue obligations may be contracted by the building commission
17 when it reasonably appears to the building commission that all obligations incurred
18 under this section can be fully paid from moneys received or anticipated and pledged
19 to be received on a timely basis. Revenue obligations issued under this section shall
20 not exceed ~~\$1,123,638,100~~ \$1,327,858,100 in principal amount, excluding
21 obligations issued to refund outstanding revenue obligations. Not more than
22 ~~\$1,041,341,000~~ \$1,237,779,900 of the ~~\$1,083,638,100~~ \$1,327,858,100 may be used
23 for transportation facilities under s. 84.01 (28) and major highway projects under ss.
24 84.06 and 84.09.

1 **SECTION 2475g.** 84.61 (1) of the statutes is renumbered 84.61 and amended to
2 read:

3 **84.61 Milwaukee Brewers stadium project; East-West Freeway.** There
4 is established in the transportation fund a reserve account consisting of \$15,000,000
5 for the purpose of funding state highway rehabilitation associated with the
6 construction of a new stadium to be used by the Milwaukee Brewers, a professional
7 baseball team located in Milwaukee County, or construction activities relating to
8 highway resurfacing or bridge repair on the East-West Freeway from downtown
9 Milwaukee to Waukesha. The department may supplement, from the reserve
10 account, the appropriation under s. 20.395 (3) (cq), for either of the projects. The
11 reserve account shall be reduced by the amount of any supplemental appropriation
12 made under this subsection section.

13 **SECTION 2475m.** 84.61 (2), (3) and (4) of the statutes are repealed.

14 **SECTION 1924.** 85.026 of the statutes is created to read:

15 **85.026 Transportation enhancement activities program. (1)**

16 DEFINITIONS. In this section:

17 (a) "Political subdivision" means any city, village, town or county.

18 (b) "Transportation enhancement activities" has the meaning given in 23 USC
19 101 (a).

20 **(2) PROGRAM.** The department may administer a program to award grants of
21 assistance to any political subdivision or state agency, as defined in s. 20.001 (1), for
22 transportation enhancement activities consistent with federal regulations
23 promulgated under 23 USC 133 (b) (8). The grants shall be awarded from the
24 appropriations under s. 20.395 (2) (nv) and (nx).

25 **SECTION 2476m.** 85.05 of the statutes is created to read:

1 **85.05 Evaluation of proposed major highway projects.** The department
2 by rule shall establish a procedure for numerically evaluating projects considered for
3 enumeration under s. 84.013 (3) as a major highway project. The evaluation
4 procedure may include any criteria that the department considers relevant. The
5 rules shall establish a minimum score that a project shall meet or exceed when
6 evaluated under the procedure established under this section before the department
7 may recommend the project to the transportation projects commission for
8 consideration under s. 13.489.

9 **SECTION 1925.** 85.06 (2) (b) of the statutes is amended to read:

10 85.06 (2) (b) Contract with Amtrak or an applicable railroad, railroads or other
11 persons to provide rail passenger service or support services, equipment, station
12 improvements, passenger platforms, equipment maintenance shops, parking areas
13 or other support facilities for rail passenger service. The contract may provide for
14 the sale or lease of any equipment or facilities acquired by the department under par.
15 (g). Notwithstanding s. 16.75 (1) and (2m), the department may contract under this
16 paragraph without competitive bidding or competitive sealed proposals.

17 **SECTION 1926.** 85.06 (2) (e) of the statutes is amended to read:

18 85.06 (2) (e) ~~Subject to sub. (3),~~ Conduct or contract for marketing studies and
19 promotional activities to increase rail passenger service ridership in this state, to
20 identify potential riders and to educate the public about the availability and
21 advantages of rail passenger service.

22 **SECTION 1927.** 85.06 (2) (g) of the statutes is created to read:

23 85.06 (2) (g) Acquire equipment or facilities for the purpose of providing rail
24 passenger service or support services for rail passenger service.

25 **SECTION 1928.** 85.06 (2) (h) of the statutes is created to read:

1 85.06 (2) (h) Enter into agreements with other states to assist or promote rail
2 passenger service.

3 **SECTION 1929.** 85.06 (3) of the statutes is repealed.

4 **SECTION 2481g.** 85.061 (3) of the statutes is renumbered 85.061 (3) (a) (intro.)
5 and amended to read:

6 85.061 (3) PROGRAM. (a) (intro.) The department shall administer a rail
7 passenger route development program. From the appropriation under s. 20.866 (2)
8 (up), the department may fund ~~capital~~ any of the following:

9 1. Capital costs related to Amtrak service extension routes or other rail service
10 routes between the cities of Milwaukee and Madison and between the cities of
11 Milwaukee and Green Bay. Any route between the cities of Milwaukee and Green
12 Bay funded under the program shall provide service to population centers along the
13 route in a manner that makes the route most economically feasible.

14 (b) The department may not use any proceeds from the bond issue authorized
15 under s. 20.866 (2) (up) ~~for a route under this subsection unless the joint committee~~
16 on finance approves the use of the proceeds and, with respect to a route under par.
17 (a) 1. or 2., the department submits evidence to the joint committee on finance that
18 Amtrak or the applicable railroad has agreed to provide rail passenger service on
19 that route ~~and the joint committee on finance approves the use of the proceeds.~~ The
20 department may contract with Amtrak, railroads or other persons to perform the
21 activities under ~~this subsection~~ the program.

22 **SECTION 2481h.** 85.061 (3) (a) 2. and 3. of the statutes are created to read:

23 85.061 (3) (a) 2. Railroad track or rail passenger station improvements related
24 to an Amtrak service extension route between the city of Milwaukee and Waukesha
25 County, or the establishment of commuter rail service between these jurisdictions.

1 3. Rail passenger station improvements related to an existing rail passenger
2 service.

3 **SECTION 2481j.** 85.08 (4m) (e) 1. of the statutes is amended to read:

4 85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may
5 negotiate and enter into a loan agreement with the eligible applicant for purposes
6 of rehabilitating a rail line or to finance an economic development and transportation
7 efficiency project, including a project designed to promote safety or the viability of
8 a statewide system of freight rail service, to assist intermodal freight movement or
9 to provide industry access to a rail line. The loan agreement shall require the
10 payment of interest at the rate of return earned by the state investment fund for the
11 most recent calendar quarter that ended at least 15 days before the loan was made.

12 A loan made under this paragraph shall finance a project that confers a public benefit
13 or enhances economic development in this state. Loans made under this paragraph
14 shall be paid from the appropriation under s. 20.395 (2) (bu), (bw) or (bx).
15

16 **SECTION 2481L.** 85.15 of the statutes is renumbered 85.15 (1) and amended to
17 read:

18 85.15 (1) The department may improve, use, maintain or lease any property
19 acquired for highway, airport or any other transportation purpose until the property
20 is actually needed for any such purpose and may permit use of the property for
21 purposes and upon such terms and conditions as the department deems in the public
22 interest. The department shall establish request-for-proposal procedures for the
23 lease of any property under this subsection that has an annual lease obligation in
24 excess of \$50,000.

25 **SECTION 2481m.** 85.15 (2) of the statutes is created to read:

1 85.15 (2) The department shall credit to the appropriation account under s.
2 20.395 (4) (ew) the amount, if any, by which moneys received in any year from the
3 sale or lease of property acquired by the department exceeds \$2,750,000. The
4 department shall use 50% of any proceeds credited to this appropriation account
5 from the sale or lease of any property to supplement the costs of management and
6 operations of the district office of the department that initiated the sale or lease of
7 that property.

8 **SECTION 2481p.** 85.20 (4m) (a) (intro.) of the statutes is amended to read:

9 85.20 (4m) (a) (intro.) An amount shall be allocated to each eligible applicant
10 for any calendar year before 1998 to ensure that the sum of state and federal aids for
11 the projected operating expenses of each eligible applicant's urban mass transit
12 system is equal to a uniform percentage, established by the department, of the
13 projected operating expenses of the mass transit system. The department shall
14 make allocations as follows:

15 **SECTION 2481pae.** 85.20 (4m) (a) of the statutes, as affected by 1997 Wisconsin
16 Act (this act), is repealed.

17 **SECTION 2481pb.** 85.20 (4m) (a) 1. b. of the statutes is amended to read:

18 85.20 (4m) (a) 1. b. For the purpose of making allocations under subd. 1. a., the
19 amounts for aids are \$43,131,700 in calendar year 1996 and \$44,425,700 in calendar
20 year 1997 ~~and thereafter~~. These amounts, to the extent practicable, shall be used to
21 determine the uniform percentage in the particular calendar year.

22 **SECTION 2481pc.** 85.20 (4m) (a) 2. b. of the statutes is amended to read:

23 85.20 (4m) (a) 2. b. For the purpose of making allocations under subd. 2. a., the
24 amounts for aids are \$10,891,700 in calendar year 1996 and \$11,218,500 in calendar

1 year 1997 ~~and thereafter~~. These amounts, to the extent practicable, shall be used to
2 determine the uniform percentage in the particular calendar year.

3 **SECTION 2481pd.** 85.20 (4m) (a) 3. b. of the statutes is amended to read:

4 85.20 (4m) (a) 3. b. For the purpose of making allocations under subd. 3. a., the
5 amounts for aids are \$2,185,400 in calendar year 1996 and \$2,251,000 in calendar
6 year 1997 ~~and thereafter~~. These amounts, to the extent practicable, shall be used to
7 determine the uniform percentage in the particular calendar year.

8 **SECTION 2481pe.** 85.20 (4m) (a) 4. b. of the statutes is amended to read:

9 85.20 (4m) (a) 4. b. For the purpose of making allocations under subd. 4. a., the
10 amounts for aids are \$13,582,400 in calendar year 1996 and \$13,989,900 in calendar
11 year 1997 ~~and thereafter~~. These amounts, to the extent practicable, shall be used to
12 determine the uniform percentage in the particular calendar year.

13 **SECTION 2481pf.** 85.20 (4m) (a) 5. b. of the statutes is amended to read:

14 85.20 (4m) (a) 5. b. For the purpose of making allocations under subd. 5. a., the
15 amounts for aids are \$4,258,800 in calendar year 1996 and \$4,386,600 in calendar
16 year 1997 ~~and thereafter~~. These amounts, to the extent practicable, shall be used to
17 determine the uniform percentage in the particular calendar year.

18 **SECTION 2481ph.** 85.20 (4m) (ag) of the statutes is created to read:

19 85.20 (4m) (ag) An amount shall be allocated to each eligible applicant for
20 calendar year 1998 and for each calendar year thereafter as follows:

21 1. From the appropriation under s. 20.395 (1) (hq), an amount equal to 45% of
22 the projected operating expenses for each eligible applicant in an urban area served
23 by an urban mass transit system with annual operating expenses in excess of
24 \$20,000,000.

1 2. From the appropriation under s. 20.395 (1) (hr), an amount equal to 47.5%
2 of the projected operating expenses for each eligible applicant served by an urban
3 mass transit system operating within an urbanized area having a population as
4 shown in the 1990 federal decennial census of at least 50,000 or receiving federal
5 mass transit aid for such area, and not specified in subd. 1.

6 3. From the appropriation under s. 20.395 (1) (hs), an amount equal to 50% of
7 the projected operating expense for each eligible applicant served by an urban mass
8 transit system operating within an area having a population as shown in the 1990
9 federal decennial census of less than 50,000 or receiving federal mass transit aid for
10 such area.

11 **SECTION 2481pi.** 85.20 (4m) (ej) of the statutes is created to read:

12 85.20 (4m) (ej) If the percentages specified in par. (ag) result in allocations
13 exceeding the following amounts, the department shall reduce the allocations on a
14 proportional basis:

15 1. For allocations under par. (ag) 1., \$58,233,900 in calendar year 1998 and
16 \$60,272,000 in calendar year 1999 and thereafter.

17 2. For allocations under par. (ag) 2., \$19,262,900 in calendar year 1998 and
18 \$19,937,100 in calendar year 1999 and thereafter.

19 3. For allocations under par. (ag) 3., \$6,095,300 in calendar year 1998 and
20 \$6,308,600 in calendar year 1999 and thereafter.

21 **SECTION 2481pj.** 85.20 (4m) (em) (intro.) of the statutes is amended to read:

22 85.20 (4m) (em) (intro.) The sum of the state aid allocations made to each
23 applicant under par. (a) or (ag) may not exceed any of the following:

24 **SECTION 2481pk.** 85.20 (4m) (em) (intro.) of the statutes, as affected by 1997
25 Wisconsin Act (this act), is amended to read:

1 85.20 (4m) (em) (intro.) The sum of the state aid allocations made to each
2 applicant under par. (a) or (ag) may not exceed any of the following:

3 **SECTION 2481pm.** 85.20 (4m) (em) 1. of the statutes is amended to read:

4 85.20 (4m) (em) 1. An amount equal to the same percentage of the audited
5 operating expenses for the project year of the applicant's urban mass transit system
6 that is specified for allocations to the applicant under par. (a) 1. to 5. This subdivision
7 does not apply to allocations made under par. (ag).

8 **SECTION 2481pn.** 85.20 (4m) (em) 1. of the statutes, as affected by 1997
9 Wisconsin Act (this act), is repealed.

10 **SECTION 2481pp.** 85.20 (4m) (em) 1m. of the statutes is created to read:

11 85.20 (4m) (em) 1m. An amount equal to 45% of the audited operating expenses
12 for the project year of an applicant's urban mass transit system for allocations made
13 to an applicant under par. (ag) 1., 47.5% of the audited operating expenses for the
14 project year of an applicant's urban mass transit system for allocations made to an
15 applicant under par. (ag) 2. or 50% of the audited operating expenses for the project
16 year of an applicant's urban mass transit system for allocations made to an applicant
17 under par. (ag) 3. This subdivision does not apply to allocations made under par. (a).

18 **SECTION 2481pr.** 85.20 (4m) (em) 1m. of the statutes, as affected by 1997
19 Wisconsin Act (this act), is amended to read:

20 85.20 (4m) (em) 1m. An amount equal to 45% of the audited operating expenses
21 for the project year of an applicant's urban mass transit system for allocations made
22 to an applicant under par. (ag) 1., 47.5% of the audited operating expenses for the
23 project year of an applicant's urban mass transit system for allocations made to an
24 applicant under par. (ag) 2. or 50% of the audited operating expenses for the project

1 year of an applicant's urban mass transit system for allocations made to an applicant
2 under par. (ag) 3. ~~This subdivision does not apply to allocations made under par. (a).~~

3 **SECTION 2481ps.** 85.20 (4s) of the statutes is amended to read:

4 85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
5 between the department and eligible applicants under this section shall provide that
6 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the
7 state's fiscal year shall be provided from the following fiscal year's appropriation
8 under s. 20.395 (1) (dq), (dr), (ds), (dt) or (du) and that the payment of the state aid
9 allocation under sub. (4m) (ag) for the last quarter of the state's fiscal year shall be
10 provided from the following fiscal year's appropriation under s. 20.395 (1) (hq), (hr)
11 or (hs).

12 **SECTION 2481pt.** 85.20 (4s) of the statutes, as affected by 1997 Wisconsin Act
13 (this act), is amended to read:

14 85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
15 between the department and eligible applicants under this section shall provide that
16 the payment of the state aid allocation under sub. (4m) (a) ~~for the last quarter of the~~
17 ~~state's fiscal year shall be provided from the following fiscal year's appropriation~~
18 ~~under s. 20.395 (1) (dq), (dr), (ds), (dt) or (du) and that the payment of the state aid~~
19 ~~allocation under sub. (4m) (ag) for the last quarter of the state's fiscal year shall be~~
20 provided from the following fiscal year's appropriation under s. 20.395 (1) (hq), (hr)
21 or (hs).

22 **SECTION 2481pv.** 85.20 (7) (a) (intro.) of the statutes is amended to read:

23 85.20 (7) (a) (intro.) The department shall establish cost-efficiency standards
24 for the urban mass transit system specified in sub. (4m) (a) 1. to 5 and (ag) 1. to 3.
25 The contracts executed between the department and eligible applicants under this

1 section for any period beginning on or after January 1, 1997, shall provide that the
2 department may do any of the following if costs are incurred by the eligible
3 applicant's urban mass transit system which are inconsistent with the standards
4 established under this subsection:

5 **SECTION 2481pw.** 85.20 (7) (a) (intro.) of the statutes, as affected by 1997
6 Wisconsin Act (this act), is amended to read:

7 85.20 (7) (a) (intro.) The department shall establish cost-efficiency standards
8 for the urban mass transit system specified in sub. (4m) (a) 1. to 5 and (ag) 1. to 3.
9 The contracts executed between the department and eligible applicants under this
10 section for any period beginning on or after January 1, 1997, shall provide that the
11 department may do any of the following if costs are incurred by the eligible
12 applicant's urban mass transit system which are inconsistent with the standards
13 established under this subsection:

14 **SECTION 2481px.** 85.20 (7) (a) 2. of the statutes is amended to read:

15 85.20 (7) (a) 2. Reduce the amount of state aid allocation under sub. (4m) (a)
16 or (ag).

17 **SECTION 2481py.** 85.20 (7) (a) 2. of the statutes, as affected by 1997 Wisconsin
18 Act (this act), is amended to read:

19 85.20 (7) (a) 2. Reduce the amount of state aid allocation under sub. (4m) (a)
20 ~~or~~ (ag).

21 **SECTION 1930.** 85.51 of the statutes is created to read:

22 **85.51 State traffic patrol services; special events fee. (1)** Except as
23 provided in sub. (2), the department may charge the event sponsor, as defined by rule,
24 a fee, in an amount calculated under a uniform method established by rule, for
25 security and traffic enforcement services provided by the state traffic patrol at any

1 public event for which an admission fee is charged for spectators if the event is
2 organized by a private organization. The department may not impose a fee for such
3 services except as provided in this section. All moneys received under this subsection
4 shall be deposited in the general fund and credited to the appropriation account
5 under s. 20.395 (5) (dg).

6 (2) Subsection (1) does not apply to farm progress days subject to s. 85.515.

7 **SECTION 2484m.** 85.515 of the statutes is created to read:

8 **85.515 Farm progress days.** (1) Except for the costs associated with the
9 installation and maintenance of any highway signs specifically identifying farm
10 progress days, the department is prohibited from charging any sponsor of farm
11 progress days for any costs incurred by the department associated with farm
12 progress days.

13 (2) The department shall promulgate rules specifying eligibility as a sponsor
14 under sub. (1) and determining the conditions that shall be satisfied to qualify as
15 farm progress days under sub. (1).

16 **SECTION 1931.** 85.52 of the statutes is created to read:

17 **85.52 Transportation infrastructure loan program.** (1) DEFINITIONS. In
18 this section:

19 (ac) "Capital project" has the meaning given in 49 USC 5302.

20 (ag) "Eligible applicant" means a county, city, village, town or combination
21 thereof, Amtrak, as defined in s. 85.061 (1), a railroad, as defined in s. 85.01 (5), a
22 private nonprofit organization that is an eligible applicant under s. 85.22 (2) (am),
23 or a transit commission created under s. 59.58 (2) or 66.943.

24 (am) "Fund" means the transportation infrastructure loan fund established
25 under s. 25.405.

1 (bm) "Other assistance" has the meaning given in P.L. 104-59, section 350 (L)
2 (3).

3 (c) "Revenue obligation" has the meaning given in s. 18.52 (5).

4 **(2) ACCEPTANCE OF FEDERAL CAPITALIZATION GRANTS.** The department may enter
5 into an agreement with the U.S. department of transportation to receive a
6 capitalization grant under P.L. 104-59, section 350. The agreement may contain any
7 provision required by P.L. 104-59, section 350, and any regulation, guideline or
8 policy adopted under that section.

9 **(3) ADMINISTRATION.** (a) The department shall administer a transportation
10 infrastructure loan program to make loans, and to provide other assistance, to
11 eligible applicants for highway projects or transit capital projects. The department
12 of transportation may not make a loan or provide other assistance under the program
13 unless the secretary of administration approves of the loan or other assistance and
14 determines that the amounts in the fund, together with anticipated receipts, will be
15 sufficient to fully pay principal and interest costs incurred on the revenue obligations
16 issued under sub. (5). Loans or other assistance under the program for highway
17 projects shall be credited to the highway account. Loans or other assistance under
18 the program for transit capital projects shall be credited to the transit account.

19 (bm) Any loan made under the program shall comply with P.L. 104-59, section
20 350, and any regulation, guideline or policy adopted under that section. The
21 department may not provide other assistance under the program to an eligible
22 applicant unless such assistance complies with P.L. 104-59, section 350, and any
23 regulation, guideline or policy adopted under that section.

24 (cm) The joint committee on finance may transfer moneys, at the request of the
25 department, in amounts not to exceed the amounts necessary to meet the

1 requirements under P.L. 104-59, section 350, from the transportation fund to the
2 transportation infrastructure loan fund. The department shall submit to the joint
3 committee on finance for its review and approval proposed reductions among the
4 transportation fund appropriations to the department equal to the amount
5 transferred under this paragraph. The joint committee on finance may approve,
6 disapprove or modify the proposed reductions. Upon approval of the proposed
7 reductions, as may be modified by the committee, an amount equivalent to each
8 approved reduction is lapsed from the appropriation account for each reduced
9 appropriation to the transportation fund.

10 (dm) Except as provided in this section, the department may not encumber or
11 expend any funds on highway projects or transit capital projects for which a loan or
12 other assistance is provided under this section.

13 (4) RULES. (a) The department of transportation and the department of
14 administration shall promulgate rules necessary to implement the transportation
15 infrastructure loan program. The rules shall specify the terms and conditions of
16 loans or other assistance provided under the program and shall establish criteria for
17 determining which eligible applicants and which projects are eligible to receive loans
18 or other assistance under the program. The criteria shall include all of the following:

19 1. The impact of funding a project under the program on accelerating the
20 completion of a major highway project under s. 84.013.

21 2. The statewide and local economic impact of the projects.

22 3. The level of commitment by the eligible applicant to the project.

23 4. The type and quality of intermodal transportation facilities affected by the
24 project.

1 (b) The department of transportation and the department of administration
2 may charge and collect fees, established jointly by rules, from eligible applicants to
3 recover the costs of administering the program.

4 **(4m)** INVESTMENT MANAGEMENT. The department of administration may:

5 1. Subject to par. (b), direct the investment board under s. 25.17 (2) (e) to make
6 any investment of the fund, or in the collection of the principal and interest of all
7 moneys loaned or invested from such fund.

8 2. Subject to par. (b), purchase or acquire, commit on a standby basis to
9 purchase or acquire, sell, discount, assign, negotiate, or otherwise dispose of, or
10 pledge, hypothecate or otherwise create a security interest in, loans as the
11 department of administration may determine, or portions or portfolios of
12 participations in loans, made or purchased under this section. The disposition may
13 be at the price and under the terms that the department of administration
14 determines to be reasonable and may be at public or private sale.

15 (b) The department of administration shall take an action under par. (a) only
16 if all of the following conditions occur:

17 1. The action provides a financial benefit to the transportation infrastructure
18 fund.

19 2. The action does not contradict or weaken the purposes of the transportation
20 infrastructure loan fund.

21 3. The building commission approves the action before the department of
22 administration acts.

23 **(5)** REVENUE OBLIGATIONS. (a) The transportation infrastructure loan program
24 is a revenue-producing enterprise or program as defined in s. 18.52 (6).

1 (b) Deposits, appropriations or transfers to the fund for the purposes specified
2 in s. 20.395 (2) (pq) may be funded with the proceeds of revenue obligations issued
3 subject to and in accordance with subch. II of ch. 18. Revenue obligations issued
4 under this section shall not exceed \$100 in principal amount, excluding obligations
5 issued to refund outstanding revenue obligations.

6 (c) The department of administration may, under s. 18.56 (5) and (9) (j), deposit
7 in a separate and distinct fund in the state treasury or in an account maintained by
8 a trustee outside the state treasury, any portion of the revenues derived under s.
9 25.405 (2). The revenues deposited with a trustee outside the state treasury are the
10 trustee's revenues in accordance with the agreement between this state and the
11 trustee or in accordance with the resolution pledging the revenues to the repayment
12 of revenue obligations issued under this subsection.

13 (d) The building commission may pledge any portion of revenues received or
14 to be received in the fund established in par. (c) or the transportation infrastructure
15 loan fund to secure revenue obligations issued under this subsection.

16 (e) The department of administration has all other powers necessary and
17 convenient to distribute the pledged revenues and to distribute the proceeds of the
18 revenue obligations in accordance with subch. II of ch. 18.

19 (f) The department of administration may enter into agreements with the
20 federal government, political subdivisions of this state, individuals or private
21 entities to insure or in any other manner provide additional security for the revenue
22 obligations issued under this subsection.

23 (g) Revenue obligations may be contracted by the building commission when
24 it reasonably appears to the building commission that all obligations incurred under

1 this subsection can be fully paid on a timely basis from moneys received or
2 anticipated to be received by the fund.

3 (h) Unless otherwise expressly provided in resolutions authorizing the
4 issuance of revenue obligations or in other agreements with the holders of revenue
5 obligations, each issue of revenue obligations under this subsection shall be on a
6 parity with every other revenue obligation issued under this subsection and in
7 accordance with subch. II of ch. 18.

8 **SECTION 2485m.** 85.54 of the statutes is created to read:

9 **85.54 Major highway development finance plan.** Biennially, beginning
10 on October 1, 1998, the secretary of transportation and the secretary of
11 administration jointly shall submit a biennial major highway development finance
12 plan to the state building commission and the joint committee on finance and to the
13 chief clerk of each house of the legislature for distribution to the appropriate
14 legislative standing committees under s. 13.172 (3). The plan shall contain estimates
15 over the next 5 biennia of transportation fund revenues, funding for the major
16 highway development program summarized by funding source, proceeds from the
17 sale of transportation revenue obligation bonds, vehicle registration fees pledged
18 against the repayment of revenue obligation bonds, debt service payments paid from
19 transportation fund revenues for transportation revenue obligation bonds and
20 general obligation bonds, total transportation fund revenues, and the assumptions
21 used to arrive at those estimates. The plan shall include information on the impact
22 of the level of bonding authorization included in the plan relative to a guideline that
23 total transportation debt service expenditures should not exceed 10% of total
24 transportation fund revenues, and to a guideline that transportation revenue

1 obligation bond proceeds should be used to fund not more than 55% of the major
2 highway development program.

3 **SECTION 1932.** 85.60 of the statutes is created to read:

4 **85.60 Aid to professional baseball park districts.** The department may
5 make aid payments from the appropriation under s. 20.395 (1) (gr) to a local
6 professional baseball park district created under subch. III of ch. 229 for this state's
7 share of costs for the development, construction, reconstruction or improvement of
8 bridges, highways, parking lots, garages, transportation facilities or other
9 functionally related or auxiliary facilities or structures associated with the
10 construction of a new stadium to be used as a home field by a major league
11 professional baseball team in the district.

12 **SECTION 2486ag.** 85.60 of the statutes, as created by 1997 Wisconsin Act ...
13 (this act), is repealed.

14 **SECTION 2486am.** 86.19 (7) of the statutes is created to read:

15 86.19 (7) The department shall accept from interested persons a petition for
16 the replacement of any sign that is lawfully erected within the right-of-way of a
17 state trunk highway and that, because of damage or deterioration, is in need of
18 replacement. The department by rule shall establish the contents required of a
19 petition submitted under this subsection, the criteria the department will use to
20 consider such a petition and specifications for the construction and erection of signs
21 replaced under this subsection. Whenever the department approves a petition under
22 this subsection, the petitioners may choose to have the sign replaced by the
23 department or by any person authorized by the department to construct or erect such
24 signs, and shall pay the department or the private company for the sign and its
25 erection. The department shall erect a replacement for the sign that is the subject

1 of a petition approved under this subsection upon receipt of payment for the sign and
2 its erection.

3 **SECTION 2486b.** 86.30 (2) (a) 3. d. and e. of the statutes are repealed.

4 **SECTION 2486bg.** 86.30 (2) (a) 3. f. of the statutes is amended to read:

5 86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,432.

6 **SECTION 2486bj.** 86.30 (2) (a) 3. g. of the statutes is created to read:

7 86.30 (2) (a) 3. g. In calendar year 1998 and thereafter, \$1,604.

8 **SECTION 2486g.** 86.30 (2) (e) of the statutes is amended to read:

9 86.30 (2) (e) *Aid payments.* General transportation aids under this section
10 shall be calculated and distributed on the basis of a calendar year. General
11 transportation aids shall be paid in ~~4~~ 12 equal instalments on the first Monday in
12 ~~January, April, July and October~~ of each month. If adjustments are necessary, the
13 department may adjust any of the scheduled aid payments in a calendar year. The
14 payments shall be made from the appropriation under s. 20.395 (1) (as) or (at) for the
15 fiscal year in which the payments are made.

16 **SECTION 2486gm.** 86.30 (9) of the statutes is amended to read:

17 86.30 (9) AIDS CALCULATIONS. (b) For the purpose of calculating and
18 distributing aids under sub. (2), the amounts for aids to counties are ~~\$66,588,900 in~~
19 ~~calendar year 1995, \$68,586,600 in calendar year 1996 and \$70,644,200 in calendar~~
20 ~~year 1997~~ \$79,121,500 in calendar year 1998 and thereafter. These amounts,
21 to the extent practicable, shall be used to determine the statewide county average
22 cost-sharing percentage in the particular calendar year.

23 (c) For the purpose of calculating and distributing aids under sub. (2), the
24 amounts for aids to municipalities are ~~\$209,496,900 in calendar year 1995,~~
25 ~~\$215,781,800 in calendar year 1996 and \$222,255,300 in calendar year 1997~~ and

1 \$248,925,900 in calendar year 1998 and thereafter. These amounts, to the extent
2 practicable, shall be used to determine the statewide municipal average
3 cost-sharing percentage in the particular calendar year.

4 **SECTION 2486i.** 86.312 of the statutes is created to read:

5 **86.312 Snow removal assistance program. (1)** In this section:

6 (a) “Eligible costs” include excessive costs associated with a snow removal
7 emergency for machinery and equipment, labor, materials and hauling, as
8 determined by the department.

9 (b) “Snow removal emergency” means an emergency requiring the removal of
10 snow from a public highway, street, alley or bridge not on the state trunk highway
11 system resulting from an extraordinary or unusually heavy snow storm.

12 **(2)** (a) The department shall administer a snow removal assistance program
13 to reimburse counties and municipalities for eligible costs associated with a snow
14 removal emergency. The county highway committee, or the governing body of the
15 municipality having jurisdiction over the maintenance of any public highway, street,
16 alley or bridge not on the state trunk highway system may adopt a petition for aid
17 under this section and file a certified copy of the petition with the department. To
18 be eligible for aid under this section, the petition shall be filed by May 15 for eligible
19 costs incurred during the previous winter season.

20 (b) A county or municipality having jurisdiction over the public highway, street,
21 alley or bridge affected by the snow removal emergency may apply for both state and
22 federal aid for such snow removal pending a determination of eligibility. If federal
23 aid is granted for such snow removal, the federal aid shall be in lieu of aid otherwise
24 available for the snow removal under this section.

1 **(3)** The department shall make payments of aid under this section from the
2 appropriation under s. 20.395 (1) (fr). If the eligible costs for aid under this section
3 exceed the funds available under s. 20.395 (1) (fr) on June 30 of any fiscal year, the
4 department shall prorate the payments of aid under this section.

5 **SECTION 2486j.** 86.315 (1) of the statutes is amended to read:

6 **86.315 (1)** From the appropriation under s. 20.395 (1) (fu), the department
7 shall annually, on March 10, pay to counties having county forests established under
8 ch. 28, for the improvement of public roads within the county forests which are open
9 and used for travel and which are not state or county trunk highways or town roads
10 and for which no aids are paid under s. 86.30, the amount of ~~\$300~~ \$336 per mile of
11 road designated in the comprehensive county forest land use plan as approved by the
12 county board and the department of natural resources. If the amount appropriated
13 under s. 20.395 (1) (fu) is insufficient to make the ~~\$300 per mile~~ payments required
14 under this subsection, the department shall prorate the amount appropriated in the
15 manner it ~~deems~~ considers desirable.

16 **SECTION 2486k.** 86.32 (2) (am) 5. and 6. of the statutes are repealed.

17 **SECTION 2486L.** 86.32 (2) (am) 7. of the statutes is amended to read:

18 **86.32 (2) (am) 7.** For ~~1995 and thereafter,~~ 1996 and 1997, \$10,468 per lane mile
19 for municipalities having a population over 500,000; \$9,696 per lane mile for
20 municipalities having a population of 150,001 to 500,000; \$8,641 per lane mile for
21 municipalities having a population of 35,001 to 150,000; \$7,612 per lane mile for
22 municipalities having a population of 10,000 to 35,000; and \$6,558 per lane mile for
23 municipalities having a population under 10,000.

24 **SECTION 2486Lm.** 86.32 (2) (am) 8. of the statutes is created to read:

1 86.32 (2) (am) 8. For 1998 and thereafter, \$11,724 per lane mile for
2 municipalities having a population over 500,000; \$10,860 per lane mile for
3 municipalities having a population of 150,001 to 500,000; \$9,678 per lane mile for
4 municipalities having a population of 35,001 to 150,000; \$8,525 per lane mile for
5 municipalities having a population of 10,000 to 35,000; and \$7,345 per lane mile for
6 municipalities having a population under 10,000.

7 **SECTION 2486m.** 86.32 (2) (b) 4. of the statutes is amended to read:

8 86.32 (2) (b) 4. Annual connecting highway aids shall be paid in ~~4~~ 12 equal
9 instalments on the first Monday in ~~July, October, January and April.~~ Unless fiscal
10 year adjustments are necessary, the ~~July and October instalments shall equal the~~
11 ~~January and April instalments of the previous fiscal year.~~ If fiscal year of each
12 month. If adjustments are necessary, the department shall ~~make these fiscal year~~
13 ~~adjustments in the July instalment.~~ If a fiscal year adjustment is made in the July
14 instalment, the next subsequent October instalment shall equal the average of the
15 most recent January, April and July instalments may adjust any of the scheduled aid
16 payments in a calendar year.

17 **SECTION 1933.** 88.145 of the statutes is amended to read:

18 **88.145 Limitation of damages and suits.** In any action against a drainage
19 district, drainage board, drainage board member, drainage board employe or an
20 owner of land within the district who undertakes work approved by the drainage
21 board, s. 893.80 is applicable and the limit on the amount recoverable by any person
22 under s. 893.80 (3) applies to the drainage board, the members and employes of the
23 drainage board, the drainage district and any owner of land within the district who
24 undertakes work approved by the drainage board. This section does not apply to
25 actions commenced under s. 19.37 ~~or~~, 19.97 or 281.99.

1 **SECTION 1934.** 88.40 (2) of the statutes is amended to read:

2 88.40 (2) From the time of ~~recording~~ recording the order confirming such
3 assessments for costs until they are paid, such assessments and the interest thereon
4 are a first lien upon the lands assessed and take priority over all other liens or
5 mortgages except liens for general taxes and liens under ss. 292.31 (8) (i), ~~292.41 (6)~~
6 ~~(d)~~ and 292.81, regardless of the priority in time of such other liens or mortgages.

7 **SECTION 2488g.** 92.04 (2) (b) of the statutes is amended to read:

8 92.04 (2) (b) (title) *Review ~~erosion-control~~ land and water resource management*
9 *plans.* The board shall review ~~soil-erosion-control~~ land and water resource
10 management plans prepared under s. 92.10 and make recommendations to the
11 department on approval or disapproval of those plans.

12 **SECTION 2488i.** 92.07 (2) of the statutes is amended to read:

13 92.07 (2) STANDARDS. Each land conservation committee may develop and
14 adopt standards and specifications for management practices to control erosion,
15 sedimentation and nonpoint source water pollution. The standards and
16 specifications for agricultural facilities and practices that are constructed or begun
17 on or after the effective date of this subsection [revisor inserts date], and, if
18 cost-sharing is available to the owner or operator under s. 92.14, 281.16 (5) or 281.65
19 or from any other source, for agricultural facilities and practices that are constructed
20 or begun before that date shall be consistent with the performance standards,
21 prohibitions, conservation practices and technical standards under s. 281.16 (3). The
22 land conservation committee shall use the rules promulgated under s. 281.16 (3) (e)
23 to determine whether cost-sharing is available.

24 **SECTION 2488s.** 92.10 (title), (1) and (2) of the statutes are amended to read:

1 **92.10** (title) ~~Erosion control~~ **Land and water resource management**
2 **planning program. (1) CREATION.** There is created an erosion control a land and
3 water resource management planning program. The department, board and land
4 conservation committees ~~in identified priority counties~~ jointly shall develop and
5 administer this program.

6 **(2) PURPOSES.** The purposes of the erosion control land and water resource
7 management planning program are to conserve long-term soil productivity, protect
8 the quality of related natural resources, enhance water quality and focus on severe
9 soil erosion problems ~~in identified priority counties~~.

10 **SECTION 2488t.** 92.10 (3) (a) of the statutes is amended to read:

11 92.10 (3) (a) *Identification.* The department shall identify priority soil erosion
12 control counties. ~~Identified priority counties are required to prepare soil erosion~~
13 ~~control plans.~~

14 **SECTION 2488u.** 92.10 (3) (c) of the statutes is repealed.

15 **SECTION 2489ad.** 92.10 (4) (a) of the statutes is amended to read:

16 92.10 (4) (a) *Data.* The department shall develop a systematic method of
17 collecting and organizing data related to soil erosion. ~~The department shall~~
18 ~~cooperate with the land information board under s. 16.967 in developing this~~
19 ~~methodology or any related activities related to land information collection.~~

20 **SECTION 2489c.** 92.10 (4) (c) of the statutes is amended to read:

21 92.10 (4) (c) *Plan assistance.* The department shall assist land conservation
22 committees ~~in identified priority counties~~ in preparing soil erosion control land and
23 water resource management plans. The department may allocate funds
24 appropriated under s. 20.115 (7) (c) to land conservation committees in identified

1 priority counties to cover up to 50% of the cost of preparing ~~soil erosion control~~ land
2 and water resource management plans.

3 **SECTION 2489d.** 92.10 (4) (d) of the statutes is amended to read:

4 92.10 (4) (d) *Plan review.* The department shall review and approve or
5 disapprove ~~soil erosion control~~ land and water resource management plans
6 submitted by the land conservation committees ~~in identified priority counties~~. The
7 department may require land conservation committees to indicate specific projects
8 to be funded under each plan and the related cost-sharing rates.

9 **SECTION 2489e.** 92.10 (5) (a) of the statutes is amended to read:

10 92.10 (5) (a) *Plan review.* The board shall review ~~soil erosion control~~ land and
11 water resource management plans submitted by the land conservation committees
12 and make recommendations to the department.

13 **SECTION 2489f.** 92.10 (6) (a) (intro.) of the statutes is amended to read:

14 92.10 (6) (a) *Plan preparation.* (intro.) A land conservation committee ~~in an~~
15 ~~identified priority county~~ shall prepare a ~~soil erosion control~~ land and water resource
16 management plan which does all of the following:

17 **SECTION 2489g.** 92.10 (6) (a) 6. and 7. of the statutes are created to read:

18 92.10 (6) (a) 6. Identifies causes, other than soil erosion, of nonpoint source
19 water pollution.

20 7. Describes all proposed county activities related to nonpoint source water
21 pollution.

22 **SECTION 2489h.** 92.10 (6) (b) of the statutes is amended to read:

23 92.10 (6) (b) *Notification.* A land conservation committee ~~in an identified~~
24 ~~priority county~~ shall notify landowners and land users of the results of any
25 determinations of concerning soil erosion rates and nonpoint source water pollution,

1 and provide an opportunity for landowners and land users to present information
2 relating to the accuracy of the determinations during preparation of the soil erosion
3 control land and water resource management plan.

4 **SECTION 2489j.** 92.10 (6) (c) of the statutes is amended to read:

5 92.10 (6) (c) *Hearings.* A land conservation committee ~~in an identified priority~~
6 ~~county~~ shall hold one or more public hearings on the soil erosion control land and
7 water resource management plan.

8 **SECTION 2489k.** 92.10 (6) (d) of the statutes is amended to read:

9 92.10 (6) (d) *Plan submission.* A land conservation committee ~~in an identified~~
10 ~~priority county~~ shall submit the soil erosion control land and water resource
11 management plan to the board and department.

12 **SECTION 2489L.** 92.10 (6) (e) of the statutes is repealed.

13 **SECTION 1935.** 92.103 of the statutes is repealed.

14 **SECTION 2490g.** 92.105 (1) of the statutes is amended to read:

15 92.105 (1) ESTABLISHMENT. A land conservation committee shall establish soil
16 and water conservation standards. The standards and specifications for agricultural
17 facilities and practices that are constructed or begun on or after the effective date of
18 this subsection [revisor inserts date], and, if cost-sharing is available to the
19 farmer under s. 92.14, 281.16 (5) or 281.65 or from any other source, for agricultural
20 facilities and practices that are constructed or begun before that date shall be
21 consistent with the performance standards, prohibitions, conservation practices and
22 technical standards under s. 281.16 (3). It shall submit these standards to the board
23 for review.

24 **SECTION 2490L.** 92.14 (2) (c) of the statutes is amended to read:

1 92.14 (2) (c) Providing financial and technical assistance for soil land and water
2 conservation activities.

3 **SECTION 2490m.** 92.14 (2) (d) of the statutes is amended to read:

4 92.14 (2) (d) Promoting cost-effective soil land and water conservation
5 activities.

6 **SECTION 2490n.** 92.14 (3) (intro.) of the statutes is amended to read:

7 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties meet
8 administrative and technical operating costs in their soil land and water
9 conservation activities, the department shall award grants from the appropriation
10 under s. 20.115 (7) (c) to any county land conservation committee which has a
11 workload allocation plan approved by the department under s. 92.08 (2), and which,
12 by county board action, has resolved to match any moneys granted under this
13 subsection with an equal amount of county moneys. The county shall use the grant
14 for county land conservation personnel to administer and implement activities
15 directly related to any of the following:

16 **SECTION 2490q.** 92.14 (4) (title) of the statutes is amended to read:

17 92.14 (4) (title) OTHER SOIL LAND AND WATER RESOURCE GRANTS.

18 **SECTION 2490r.** 92.14 (4) (a) of the statutes is amended to read:

19 92.14 (4) (a) Implementing soil land and water resource management projects
20 to manage animal waste and conserve soil approved in plans under s. 92.10 and
21 under s. 92.15, 1985 stats.

22 **SECTION 2490s.** 92.14 (4) (b) of the statutes is amended to read:

23 92.14 (4) (b) Implementing soil land and water resource management projects
24 undertaken to comply with the requirements under ss. 92.104 and 92.105 by persons
25 claiming a farmland preservation credit under subch. IX of ch. 71.

1 **SECTION 1936.** 92.14 (5) (title) and (a) of the statutes are amended to read:

2 92.14 **(5)** (title) ~~ANIMAL WASTE MANAGEMENT GRANTS IN A PRIORITY WATERSHED OR~~
3 ~~PRIORITY LAKE AREA.~~ (a) From the appropriation under s. 20.115 (7) (km), the
4 department may make a grant for the purpose specified in sub. (4) (c) if the facility
5 or system will be located in a priority watershed, as defined in s. 281.65 (2) (c), or a
6 priority lake area, as defined in s. 281.65 (2) (bs), and the conditions specified in sub.
7 (4) (c) are satisfied.

8 **SECTION 2491c.** 92.14 (6) (a) of the statutes is amended to read:

9 92.14 **(6)** (a) The department shall establish a priority list of funding needs for
10 soil land and water resource management activities under this section.

11 **SECTION 2491d.** 92.14 (6) (b) of the statutes is amended to read:

12 92.14 **(6)** (b) The department, in cooperation with the department of natural
13 resources, shall prepare an annual grant allocation plan identifying the amounts to
14 be spent annually for the categories of soil land and water resource management
15 projects to be funded under this section and the general purposes of those projects,
16 which it shall specify. The department shall submit that plan to the board.

17 **SECTION 2491dg.** 92.14 (6) (i) 2. of the statutes is amended to read:

18 92.14 **(6)** (i) 2. Conduct all land management and pollutant management
19 activities in substantial accordance with the performance standards, prohibitions,
20 conservation practices and technical standards under s. 281.16 and with plans
21 approved under this section, under s. 92.15, 1985 stats., and under ss. 92.08, 92.10,
22 92.14 and 281.65, or to repay the cost-sharing funds to the grant recipient.

23 **SECTION 2491dr.** 92.14 (6) (j) of the statutes is amended to read:

24 92.14 **(6)** (j) A grant awarded under this section may be used for technical
25 assistance, educational and training assistance, ordinance development and

1 administration, cost-sharing for management practices and capital improvements,
2 plan preparation under s. 92.10 (4)(e), easements or other activities determined by
3 the department to satisfy the requirements of this chapter.

4 **SECTION 2491e.** 92.14 (7) of the statutes is amended to read:

5 92.14 (7) MAINTENANCE OF EFFORT. The department may not make a grant to
6 a county under this section in any fiscal year unless that county enters into an
7 agreement with the department to maintain or increase its aggregate expenditures
8 from other sources for soil land and water conservation activities at or above the
9 average level of such expenditures in its 2 fiscal years preceding August 1, 1987.

10 **SECTION 2491L.** 92.15 of the statutes is created to read:

11 **92.15 Local regulation of livestock operations. (1)** In this section:

12 (a) "Livestock operation" means a feedlot or other facility or a pasture where
13 animals are fed, confined, maintained or stabled.

14 (b) "Local governmental unit" means a political subdivision of this state, a
15 special purpose district in this state, an instrumentality or corporation of such a
16 political subdivision or special purpose district, a combination or subunit of any of
17 the foregoing or an instrumentality of the state and any of the foregoing.

18 (2) Notwithstanding ss. 92.11 and 92.17, a local governmental unit may enact
19 regulations of livestock operations that are consistent with and do not exceed the
20 performance standards, prohibitions, conservation practices and technical
21 standards under s. 281.16 (3).

22 (3) (a) Notwithstanding ss. 92.11 and 92.17, a local governmental unit may
23 enact regulations of livestock operations that exceed the performance standards,
24 prohibitions, conservation practices and technical standards under s. 281.16 (3) only
25 if the local governmental unit demonstrates to the satisfaction of the department of

1 agriculture, trade and consumer protection or the department of natural resources
2 that the regulations are necessary to achieve water quality standards under s.
3 281.15.

4 (b) The department of agriculture, trade and consumer protection and the
5 department of natural resources shall, by rule, specify procedures for review and
6 approval of proposed local governmental unit regulations under par. (a).

7 (4) A local governmental unit may not apply a regulation under sub. (2) or (3)
8 to a livestock operation that exists on the effective date of this subsection [revisor
9 inserts date], unless the local governmental unit determines, using the rules
10 promulgated under s. 281.16 (3) (e), that cost-sharing is available to the owner or
11 operator of the livestock operation under s. 92.14, 281.16 (5) or 281.65 or from any
12 other source.

13 (5) Any livestock operation that exists on the effective date of this subsection
14 [revisor inserts date], and that is required to obtain a permit under s. 283.31 or
15 that receives a notice of discharge under ch. 283 may continue to operate as a
16 livestock operation at the same location notwithstanding s. 59.69 (10) (a) or 62.23 (7)
17 (h) or any zoning ordinance enacted under s. 59.69, 60.61, 60.62, 61.35 or 62.23 (7),
18 if the livestock operation is a lawful use or a legal nonconforming use under any
19 zoning ordinance enacted under s. 59.69, 60.61, 60.62, 61.35 or 62.23 (7) on the
20 effective date of this subsection [revisor inserts date].

21 **SECTION 1937.** 93.06 (12) of the statutes is created to read:

22 93.06 (12) FEDERAL DAIRY POLICY REFORM. Provide assistance to organizations
23 to seek the reform of federal milk marketing orders and other federally authorized
24 dairy pricing policies for the benefit of milk producers in this state.

1 **SECTION 2493b.** 93.06 (12) of the statutes, as created by 1997 Wisconsin Act
2 (this act), is repealed.

3 **SECTION 1938.** 93.07 (5) of the statutes is amended to read:

4 93.07 (5) ADVICE TO UNIVERSITY OF WISCONSIN SYSTEM. To give advice to the
5 ~~secretary of education~~ state superintendent of public instruction as to the courses in
6 agricultural economics to be given in the university of Wisconsin system.

7 **SECTION 1939.** 93.41 (3) of the statutes is created to read:

8 93.41 (3) The department shall impose annual fees upon rural electric
9 cooperatives organized under ch. 185. The amount of the fees shall total the amount
10 appropriated under s. 20.115 (3) (jm). The fees received under this subsection shall
11 be credited to the appropriation account under s. 20.115 (3) (jm).

12 **SECTION 1940.** 93.47 (2) of the statutes is amended to read:

13 93.47 (2) The department may award grants from the appropriation accounts
14 under s. 20.115 (4) (i) and (q) to individuals or organizations to fund demonstration
15 projects designed to encourage the use of sustainable agriculture. The department
16 shall promulgate rules to govern the sustainable agriculture grant program under
17 this section.

18 **SECTION 1941.** 93.47 (3) of the statutes is repealed.

19 **SECTION 1942.** 93.60 of the statutes is amended to read:

20 **93.60 Computer system equipment, staff and services transfers.** The
21 department may transfer to the appropriation account under s. 20.115 (8) (k) in each
22 fiscal year an amount from the appropriation accounts under s. 20.115 (1) (g), (gb),
23 (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g), (ha), (j), (k) and (m), (3) (g), (h), (i),
24 (j), (ja), (L) and (m), (7) (g), (ga), (gm), (k) and (m) and (8) (ga), (gm), (h), (ha), (i), (j),
25 (kp), (ks), (m) and (pz) ~~and (9) (m)~~. The total amount that the department transfers

1 in each fiscal year from these appropriation accounts to the appropriation account
2 under s. 20.115 (8) (k) may not exceed the amount specified in the schedule under s.
3 20.115 (8) (k) for each fiscal year. The amounts transferred from each appropriation
4 account shall be based on the actual costs incurred by the department for computer
5 system equipment, staff and services provided for the purpose of that appropriation
6 account.

7 **SECTION 1943.** 94.64 (3) (b) of the statutes is amended to read:

8 94.64 (3) (b) An applicant for a license under par. (a) shall submit an
9 application on a form provided by the department. The application shall include
10 information reasonably required by the department for licensing purposes. As part
11 of the application, the applicant shall identify ~~the~~ each business location or mobile
12 unit that the applicant uses to manufacture fertilizer in this state. The application
13 shall be accompanied by all applicable fees under ~~par. (e)~~ sub. (3r).

14 **SECTION 1944.** 94.64 (3) (c) of the statutes is repealed.

15 **SECTION 1945.** 94.64 (3r) of the statutes is created to read:

16 94.64 (3r) LICENSE FEES AND SURCHARGES. (a) A person applying for a license
17 under sub. (3) shall pay the following annual license fees:

18 1. For each business location and each mobile unit that the applicant uses to
19 manufacture fertilizer in this state, \$30.

20 2. If the applicant distributes, but does not manufacture, fertilizer in this state,
21 \$30.

22 (b) Beginning with the license year that begins on August 15, 2000, a person
23 applying for a license under sub. (3) shall pay the following agricultural chemical
24 cleanup surcharges, unless the department establishes lower surcharges under s.
25 94.73 (15):

1 1. For each business location and each mobile unit that the applicant uses to
2 manufacture fertilizer in this state, other than a business location or mobile unit that
3 is also licensed under s. 94.685 or 94.703, \$20.

4 2. If the applicant distributes, but does not manufacture, fertilizer in this state,
5 \$20.

6 (c) The department shall deposit the license fees collected under par. (a) in the
7 agrichemical management fund. The department shall deposit the surcharges
8 collected under par. (b) in the agricultural chemical cleanup fund.

9 **SECTION 1946.** 94.64 (4) to (6) of the statutes are repealed and recreated to read:

10 94.64 (4) TONNAGE FEES AND SURCHARGES. (a) *Requirement.* Except as provided
11 in par. (b), a person who is required to be licensed under sub. (3) and who sells or
12 distributes fertilizer in this state shall pay to the department the following fees and
13 surcharges on all fertilizer that the person sells or distributes in this state:

14 1. A basic fee of 25 cents per ton for fertilizer sold or distributed from July 1,
15 1997, to June 30, 1999, and 32 cents per ton for fertilizer sold or distributed after
16 June 30, 1999, with a minimum fee of \$25.

17 2. A research fee of 10 cents per ton, with a minimum fee of \$1.

18 3. An additional research fee of 10 cents per ton, with a minimum fee of \$1.

19 4. A groundwater fee of 10 cents per ton, with a minimum fee of \$1.

20 5. An agricultural chemical cleanup surcharge of 38 cents per ton on all
21 fertilizer that the person sells or distributes in this state after June 30, 1999, unless
22 the department establishes a lower surcharge under s. 94.73 (15).

23 (b) *Exemptions.* Paragraph (a) does not apply to any of the following:

24 1. Fertilizer sold or distributed to a manufacturer for use in the further
25 manufacture or processing of fertilizer.

1 2. Fertilizer sold or distributed to a person licensed under sub. (3) (a), for resale
2 by that person.

3 (c) *Use of fees and surcharges.* 1. The department shall deposit the fee under
4 par. (a) 1. in the agrichemical management fund.

5 2. The department shall credit the fee under par. (a) 2. to the appropriation
6 account under s. 20.115 (7) (h).

7 3. The department shall credit the fee under par. (a) 3. to the appropriation
8 account under s. 20.285 (1) (hm).

9 4. The department shall deposit the fee under par. (a) 4. in the environmental
10 fund for environmental management.

11 5. The department shall deposit the surcharge under par. (a) 5. in the
12 agricultural chemical cleanup fund.

13 **(5) TONNAGE REPORT AND FEE PAYMENT.** (a) *Requirement.* A person who is
14 required to pay fees or surcharges under sub. (4) shall do all of the following by
15 August 14 annually:

16 1. File with the department a report that states the number of tons of each
17 grade of fertilizer sold or distributed in this state during the 12 months ending on
18 June 30 of that year on which the person is required to pay those fees or surcharges.

19 2. Pay the fees and surcharges under sub. (4) on the tonnage reported under
20 subd. 1.

21 (b) *Extended deadline.* The department may extend the filing deadline under
22 par. (a) for up to 30 days for cause, in response to a request filed before August 14.

23 (c) *Late payment.* If a person fails to pay a fee or surcharge when due under
24 this section, the amount of the fee or surcharge is increased by \$10 or 10% of the

1 amount that the fee or surcharge would have been if paid when due, whichever is
2 greater.

3 (d) *Tonnage equivalents.* A tonnage report under par. (a) 1. shall report liquid
4 fertilizer tonnage in terms of dry fertilizer tonnage equivalents, as prescribed by the
5 department.

6 (e) *Audit.* The department may audit a tonnage report under par. (a) 1.,
7 including the records on which the tonnage report is based.

8 (6) RECORDS. A person who manufactures, sells or distributes fertilizer in this
9 state shall keep records showing the grades and quantities of fertilizer
10 manufactured, sold or distributed in this state. The person shall keep the records
11 relating to the 12 months covered by a report under par. (a) 1. for at least 24 months
12 following the date of filing the report. The person shall make the records available
13 to the department for inspection and copying upon request.

14 **SECTION 1947.** 94.64 (6m) and (6p) of the statutes are created to read:

15 94.64 (6m) RECORDS CONFIDENTIAL. The department may not disclose
16 information obtained under sub. (5) or (6) that reveals the grades or amounts of
17 fertilizer sold or distributed by any person. This subsection does not prohibit the
18 department from preparing and distributing aggregate information that does not
19 reveal the grades or amounts of fertilizer sold or distributed by individual sellers or
20 distributors.

21 (6p) SUMMARY LICENSE SUSPENSION. (a) The department may by written notice,
22 without prior hearing, summarily suspend the license of any person who fails to file
23 a report or pay a fee or surcharge as required under sub. (5).

1 (b) A summary license suspension under par. (a) takes effect on the date
2 specified in the notice, which may be no sooner than 10 days after the date on which
3 the notice is received by the recipient.

4 (c) A person whose license is suspended under par. (a) may request a meeting
5 concerning the suspension. The department shall hold an informal meeting with the
6 requester as soon as reasonably possible and not more than 10 days after the
7 requester makes the request in writing, unless the requester agrees to a later date.
8 If the matter is not resolved at the informal meeting, the requester may request a
9 formal contested case hearing under ch. 227. A request for a hearing does not stay
10 a summary suspension under par. (a).

11 (d) A person who is required to pay a fee or surcharge under sub. (5) remains
12 obligated to pay the fee or surcharge regardless of whether the person continues to
13 be licensed under this section.

14 **SECTION 1948.** 94.64 (8m) (a) of the statutes is amended to read:

15 94.64 (8m) (a) *Use of funds.* At the end of each fiscal year, the moneys collected
16 under sub. (4) ~~(am)~~ (a) 2. and s. 94.65 (6) (a) 3. shall be forwarded to the university
17 of Wisconsin system to be used for research on soil management, soil fertility, plant
18 nutrition problems and for research on surface water and groundwater problems
19 which may be related to fertilizer usage; for dissemination of the results of the
20 research; and for other designated activities tending to promote the correct usage of
21 fertilizer materials.

22 **SECTION 1949.** 94.65 (6) (a) 1. of the statutes is amended to read:

23 94.65 (6) (a) 1. Annually by March 31, file with the department a tonnage report
24 setting forth the number of tons of each soil or plant additive distributed during the
25 preceding year by that person or by any other person authorized under sub. (3) (a)

1 2. to distribute under the name of that person and pay to the department an
2 inspection a fee of ~~70~~ 25 cents per ton so distributed. The minimum total fee is \$25.

3 **SECTION 1950.** 94.65 (6) (a) 3. of the statutes is amended to read:

4 94.65 (6) (a) 3. Annually by March 31, pay to the department a research fee of
5 10 cents for each ton of soil or plant additive distributed as described in the tonnage
6 report filed under subd. 1. The minimum research fee is \$1 for 10 tons or less. The
7 department shall credit this fee to the appropriation account under s. 20.115 (7) (h).

8 **SECTION 1951.** 94.65 (6) (a) 4. of the statutes is amended to read:

9 94.65 (6) (a) 4. Annually by March 31, pay to the department a groundwater
10 fee of 10 cents for each ton of soil or plant additive distributed, as described in the
11 tonnage report filed under subd. 1. The minimum groundwater fee is \$1 for 10 tons
12 or less. All groundwater fees shall be credited to the environmental fund for
13 groundwater environmental management.

14 **SECTION 1952.** 94.65 (6) (c) of the statutes is created to read:

15 94.65 (6) (c) The department shall deposit fees collected under pars. (a) 1. and
16 (b) and subs. (2) (a) and (3) (b) in the agrichemical management fund.

17 **SECTION 1953.** 94.68 (1) (intro.) of the statutes is amended to read:

18 94.68 (1) (intro.) No person may manufacture, formulate, package, label or
19 otherwise produce pesticides for sale or distribution in this state, or sell or offer to
20 sell pesticides to purchasers in this state, whether or not the sales are made wholly
21 or partially in this state or another state, without a license from the department. A
22 license expires on December 31 annually and is not transferable. No license ~~may be~~
23 is required of persons engaged only in the following:

24 **SECTION 1954.** 94.68 (2) of the statutes is repealed and recreated to read:

1 94.68 (2) (a) An application for a license under sub. (1) shall be made on a form
2 prescribed by the department. An applicant shall submit all of the following with the
3 application:

4 1. All fees and surcharges required under s. 94.681.

5 2. A report identifying each pesticide that the applicant sells or distributes for
6 use in this state and the gross revenue that the applicant derived from the sale or
7 distribution of each pesticide during the preceding year, as defined in s. 94.681 (1)
8 (d).

9 (b) The department may not disclose sales revenue information obtained under
10 par. (a) 2.

11 **SECTION 1955.** 94.68 (3) of the statutes is repealed and recreated to read:

12 94.68 (3) At least 15 days before a person holding a license under this section
13 begins to sell or distribute for use in this state a pesticide product that was not
14 identified in the person's most recent annual license application, the person shall file
15 a supplementary report with the information required under sub. (2) (a) 2. and any
16 fees and surcharges required under s. 94.681. The department may not disclose sales
17 revenue information obtained under this subsection.

18 **SECTION 1956.** 94.68 (4) of the statutes is repealed.

19 **SECTION 1957.** 94.681 of the statutes is repealed and recreated to read:

20 **94.681 Pesticide manufacturers and labelers: fees and surcharges. (1)**

21 DEFINITIONS. In this section:

22 (a) "Household pesticide" means a pesticide that is any of the following:

23 1. A sanitizer.

24 2. A disinfectant.

25 3. A germicide.

1 4. An insect repellent that is applied to the human body or to clothing.

2 5. A pesticide that is used exclusively for the treatment of household pets.

3 6. A pesticide product that is labeled exclusively for household, lawn or garden
4 use if the product either is sold in ready-to-use form or is sold exclusively in
5 container sizes of less than one gallon.

6 7. A solid or liquid pesticide product that is used exclusively for the treatment
7 of swimming pools, spas or hot tubs.

8 (b) “Industrial pesticide” means a pesticide that is not a household pesticide
9 and that is one of the following:

10 1. Solely labeled for use on wood and contains pentachlorophenol, coal tar
11 creosote or inorganic arsenical wood preservatives.

12 2. Labeled for use in controlling algae, fungi, bacteria, other microscopic
13 organisms or mollusks in or on one or more of the following and for no other use
14 except for a use described in par. (a) 6. or 7.:

15 a. Textiles, paper, leather, plastic, vinyl or other synthetic materials, metal or
16 rubber.

17 b. Paints, varnishes, other coating products, lubricants or fuels.

18 c. Commercial, construction, manufacturing or industrial fluids, including
19 adhesives, additives and pigments.

20 d. Commercial, construction, manufacturing or industrial processes,
21 equipment, devices or containers, other than those used in the production or storage
22 of human food or animal feed.

23 e. Air washing, cooling or heat transfer systems.

24 f. Medical equipment.

25 g. Drinking water or wastewater systems.

1 (c) "Nonhousehold pesticide" means a pesticide that is not a household
2 pesticide or an industrial pesticide.

3 (d) "Preceding year" means the 12 months ending on September 30 of the year
4 immediately preceding the year for which a license is sought under s. 94.68.

5 (e) "Primary producer" means a person who manufactures an active ingredient
6 that is used to manufacture or produce a pesticide.

7 **(2) ANNUAL LICENSE FEE.** An applicant for a license under s. 94.68 shall pay an
8 annual license fee for each pesticide product that the applicant sells or distributes
9 for use in this state. Except as provided in sub. (5) or (6), the fee for each pesticide
10 product is as follows:

11 (a) For each household pesticide product:

12 1. If the applicant sold less than \$25,000 of the product during the preceding
13 year for use in this state, \$265, except that the fee is \$215 for the license years that
14 begin on January 1, 1999, and on January 1, 2000.

15 2. If the applicant sold at least \$25,000 but less than \$75,000 of the product
16 during the preceding year for use in this state, \$750, except that the fee is \$650 for
17 the license years that begin on January 1, 1999, and on January 1, 2000.

18 3. If the applicant sold at least \$75,000 of the product during the preceding year
19 for use in this state, \$1,500, except that the fee is \$1,200 for the license years that
20 begin on January 1, 1999, and on January 1, 2000.

21 (b) For each industrial pesticide product:

22 1. If the applicant sold less than \$25,000 of the product during the preceding
23 year for use in this state, \$315, except that the fee is \$265 for the license years that
24 begin on January 1, 1999, and on January 1, 2000.

1 2. If the applicant sold at least \$25,000 but less than \$75,000 of the product
2 during the preceding year for use in this state, \$860, except that the fee is \$760 for
3 the license years that begin on January 1, 1999, and on January 1, 2000.

4 3. If the applicant sold at least \$75,000 of that product during the preceding
5 year for use in this state, \$3,060, except that the fee is \$2,760 for the license years
6 that begin on January 1, 1999, and on January 1, 2000.

7 (c) For each nonhousehold pesticide product:

8 1. If the applicant sold less than \$25,000 of that product during the preceding
9 year for use in this state, \$320, except that the fee is \$270 for the license years that
10 begin on January 1, 1999, and on January 1, 2000.

11 2. If the applicant sold at least \$25,000 but less than \$75,000 of the product
12 during the preceding year for use in this state, \$890, except that the fee is \$790 for
13 the license years that begin on January 1, 1999, and on January 1, 2000.

14 3. If the applicant sold at least \$75,000 of the product during the preceding year
15 for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the product
16 during the preceding year for use in this state, except that for the license years that
17 begin on January 1, 1999, and on January 1, 2000, the fee shall be \$2,760 plus 0.2%
18 of the gross revenues from sales of the product during the preceding year for use in
19 this state.

20 **(3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE.** Except for the license years
21 that begin on January 1, 1999, and January 1, 2000, an applicant for a license under
22 s. 94.68 shall pay an agricultural chemical cleanup surcharge for each nonhousehold
23 pesticide product that the applicant sells or distributes for use in this state. Except
24 as provided in sub. (6) or under s. 94.73 (15), the amount of the surcharge is as
25 follows:

1 (a) If the applicant sold less than \$25,000 of the product during the preceding
2 year for use in this state, \$5.

3 (b) If the applicant sold at least \$25,000 but less than \$75,000 of that product
4 during the preceding year for use in this state, \$170.

5 (c) If the applicant sold at least \$75,000 of that product during the preceding
6 year for use in this state, an amount equal to 1.1% of gross revenues from sales of the
7 product during the preceding year for use in this state.

8 **(3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE.** An applicant for a license
9 under s. 94.68 shall pay an environmental cleanup surcharge for each pesticide
10 product that is not a household pesticide and is solely labeled for use on wood and
11 contains pentachlorophenol, coal tar creosote or inorganic arsenical wood
12 preservatives that the applicant sells or distributes in this state. Except as provided
13 in sub. (6), the amount of the surcharge is as follows:

14 (a) If the applicant sold less than \$25,000 of the product during the preceding
15 year for use in this state, \$5.

16 (b) If the applicant sold at least \$25,000 but less than \$75,000 of that product
17 during the preceding year for use in this state, \$170.

18 (c) If the applicant sold at least \$75,000 of that product during the preceding
19 year for use in this state, an amount equal to 1.1% of gross revenues from sales of the
20 product during the preceding year for use in this state.

21 **(4) PRIMARY PRODUCERS; WELL COMPENSATION FEE.** A primary producer applying
22 for a license under s. 94.68 shall pay a well compensation fee of \$150.

23 **(5) UNREPORTED PESTICIDE; INCREASED LICENSE FEE.** If a person applying for or
24 holding a license under s. 94.68 sells or distributes a pesticide product for use in this

1 state without having filed a report for the product under s. 94.68 (2) (a) 2. or (3), the
2 license fee for that product is twice the amount determined under sub. (2).

3 **(6) DISCONTINUED PESTICIDE; FINAL LICENSE FEE AND CLEANUP SURCHARGE.** (a) A
4 person holding a license under s. 94.68 who stops selling or distributing a pesticide
5 product for use in this state shall do all of the following:

6 1. Notify the department by December 31 of the year in which the person stops
7 selling or distributing the pesticide product for use in this state.

8 2. By March 31 of the year following the year in which the person stopped
9 selling or distributing the pesticide product for use in this state, file a report with the
10 department showing the gross revenue that the person derived from the sale of the
11 pesticide product for use in this state from October 1 of the year before the year in
12 which the person stopped selling or distributing the pesticide product to December
13 31 of the year in which the person stopped selling or distributing the pesticide
14 product.

15 3. By March 31 of the year following the year in which the person stopped
16 selling or distributing the pesticide product for use in this state, pay a final license
17 fee for the pesticide product, calculated under sub. (2) based on the sales of the
18 pesticide product during the period specified in subd. 2.

19 4. If the product is a nonhousehold pesticide, pay a final agricultural chemical
20 cleanup surcharge calculated under sub. (3) based on sales of the product during the
21 period specified in subd. 2.

22 5. If the product is a wood preservative to which sub. (3m) applies, pay a final
23 environmental cleanup surcharge calculated under sub. (3m) based on sales of the
24 product during the period specified in subd. 2.

25 (b) The department may not disclose information obtained under par. (a) 2.

1 **(7) USE OF FEES AND SURCHARGES.** (a) *License fees.* The department shall deposit
2 all license fees collected under subs. (2), (5) and (6) (a) 3. in the agrichemical
3 management fund except as follows:

4 1. The department shall deposit an amount equal to \$94 for each pesticide
5 product for which an applicant pays a license fee in the environmental fund for
6 environmental management.

7 2. The department shall deposit a hazardous household waste collection and
8 disposal fee of \$30 for each household pesticide product for which an applicant pays
9 a license fee in the environmental fund for environmental management.

10 (b) *Nonhousehold pesticides; cleanup surcharge.* The department shall deposit
11 the surcharges collected under subs. (3) and (6) (a) 4. in the agricultural chemical
12 cleanup fund.

13 (bm) *Wood preservatives; cleanups surcharge.* The department shall deposit
14 the surcharges collected under subs. (3m) and (6) (a) 5. in the environmental fund
15 for environmental management.

16 (c) *Well compensation fee.* The department shall deposit the well compensation
17 fees collected under sub. (4) in the environmental fund for environmental
18 management.

19 **(8) FEES AND SURCHARGES NONREFUNDABLE.** The department may not refund a
20 fee or surcharge under this section after the department issues a license under s.
21 94.68 to the person who paid the fee or surcharge, unless the fee or surcharge was
22 not properly charged or collected.

23 **SECTION 1958.** 94.685 (2) of the statutes is repealed and recreated to read:

24 94.685 **(2)** (a) A dealer or distributor applying for an annual license under sub.
25 (1) shall apply on a form provided by the department. The application shall include

1 the applicant's full name and the mailing address and street address of each business
2 location from which the applicant sells, or intends to sell, restricted-use pesticides.
3 The applicant shall submit the license fee and surcharge required under sub. (3) with
4 the application.

5 (b) No dealer or distributor may sell any restricted-use pesticide from a sales
6 location opened during a license year until that dealer or distributor pays the license
7 fee and surcharge required under sub. (3) for the new location.

8 **SECTION 1959.** 94.685 (3) of the statutes is repealed and recreated to read:

9 94.685 (3) (a) A dealer or distributor shall pay the following annual license fee
10 and surcharge for each location from which the dealer or distributor sells
11 restricted-use pesticides:

12 1. A license fee of \$60.

13 2. An agricultural chemical cleanup surcharge of \$40, unless the department
14 establishes a lower surcharge under s. 94.73 (15), except that the dealer or
15 distributor need not pay the surcharge for the license years that begin on January
16 1, 1999, and on January 1, 2000.

17 (b) 1. The department shall deposit the fee under par. (a) 1. in the agrichemical
18 management fund.

19 2. The department shall deposit the surcharge collected under par. (a) 2. in the
20 agricultural chemical cleanup fund.

21 **SECTION 1960.** 94.702 (3m) of the statutes is created to read:

22 94.702 (3m) The department shall deposit the fees collected under sub. (3) in
23 the agrichemical management fund.

24 **SECTION 1961.** 94.703 (3) (a) of the statutes is repealed and recreated to read:

1 94.703 (3) (a) A person applying for an annual license under this section shall
2 pay the following annual license fee and surcharge for each business location that
3 the person operates in this state, including each business location added during the
4 license year:

5 1. A license fee of \$70.

6 2. An agricultural chemical cleanup surcharge of \$55, unless the department
7 establishes a lower surcharge under s. 94.73 (15), except that the person need not pay
8 the surcharge for the license years that begin on January 1, 1999, and on January
9 1, 2000.

10 **SECTION 1962.** 94.703 (3) (c) of the statutes is renumbered 94.703 (3) (c) 1. and
11 amended to read:

12 94.703 (3) (c) 1. The department shall deposit the fees collected under this
13 ~~subsection~~ par. (a) 1. in the agrichemical management fund.

14 **SECTION 1963.** 94.703 (3) (c) 2. of the statutes is created to read:

15 94.703 (3) (c) 2. The department shall deposit surcharges collected under par.
16 (a) 2. in the agricultural chemical cleanup fund.

17 **SECTION 1964.** 94.704 (2) (intro.) of the statutes is amended to read:

18 94.704 (2) (intro.) An application for a license under this section shall be
19 submitted on a form provided by the department and shall be accompanied by the
20 license fee and surcharge required under sub. (3). A license application shall include
21 all of the following information, which shall be promptly updated by the licensee in
22 the event of any change during the license period:

23 **SECTION 1965.** 94.704 (3) (a) of the statutes is repealed and recreated to read:

24 94.704 (3) (a) Except as provided in par. (b), a person applying for an annual
25 license under this section shall pay the following license fee and surcharge:

1 1. A license fee of \$40, except that the license fee is \$30 for the license years that
2 begin on January 1, 1999, and on January 1, 2000.

3 2. An agricultural chemical cleanup surcharge of \$20, unless the department
4 establishes a lower surcharge under s. 94.73 (15), except that the person need not pay
5 the surcharge for the license years that begin on January 1, 1999, and on January
6 1, 2000.

7 **SECTION 1966.** 94.704 (3) (c) of the statutes is created to read:

8 94.704 (3) (c) 1. The department shall deposit license fees collected under par.
9 (a) 1. in the agrichemical management fund.

10 2. The department shall deposit the surcharges collected under par. (a) 2. in the
11 agricultural chemical cleanup fund.

12 **SECTION 1967.** 94.72 (6) (a) of the statutes is repealed and recreated to read:

13 94.72 (6) (a) *Fee amounts.* Except as otherwise provided in this subsection, a
14 person required to be licensed under sub. (5) shall pay the following annual
15 inspection fees on all commercial feeds distributed in this state:

16 1. For commercial feeds distributed in this state during the years that begin
17 on January 1, 1998, and on January 1, 1999, 15 cents per ton.

18 2. For commercial feeds distributed in this state on or after January 1, 2000,
19 25 cents per ton.

20 **SECTION 1968.** 94.72 (6) (am) of the statutes is created to read:

21 94.72 (6) (am) *Tonnage reports and fee payments.* 1. By the last day of February
22 annually, a person who is required to be licensed under sub. (5) shall file a tonnage
23 report with the department showing the number of net tons of commercial feed that
24 the person sold or distributed in this state during the preceding calendar year. By
25 the last day of February annually, the person shall also pay the fees under par. (a)

1 for commercial feed that the person sold or distributed in this state during the
2 preceding calendar year, based on the tonnage report.

3 2. At the request of the department, a person filing a tonnage report under
4 subd. 1. shall make the records upon which the tonnage report is based available to
5 the department for inspection, copying and audit.

6 3. The department may not disclose information obtained from a tonnage
7 report under subd. 1.

8 **SECTION 1969.** 94.73 (1) (g) of the statutes is amended to read:

9 94.73 (1) (g) "Nonhousehold pesticide" has the meaning given in s. ~~94.68 (3) (a)~~
10 ~~2., except that it does not include pentachlorophenol, inorganic arsenical wood~~
11 ~~preservatives and coal tar creosote~~ 94.681 (1) (c).

12 **SECTION 1970.** 94.73 (2) (c) of the statutes is amended to read:

13 94.73 (2) (c) The department may issue an order under par. (a) on a summary
14 basis without prior notice or a prior hearing if the department determines that a
15 summary order is necessary to prevent imminent harm to public health or safety or
16 to the environment. If the recipient of a summary order requests a hearing on that
17 order, the department shall hold a hearing within 10 days after it receives the
18 request unless the recipient agrees to a later hearing date. The department is not
19 required to stay enforcement of a summary order issued under this paragraph
20 pending the outcome of the hearing. If the responsible person prevails after a
21 hearing, the department shall reimburse the responsible person from the
22 appropriation under s. 20.115 (7) (e) or ~~(w)~~ (wm) for the corrective action costs
23 incurred as the result of the department's order.

24 **SECTION 2532m.** 94.73 (3) (a) of the statutes is amended to read:

1 94.73 (3) (a) The applicant submits an application that complies with sub. (5)
2 within 3 years after incurring the corrective action costs or after the effective date
3 of this paragraph [revisor inserts date], whichever is later.

4 **SECTION 1971.** 94.73 (3m) (r) of the statutes is amended to read:

5 94.73 (3m) (r) The cost of providing alternative sources of drinking water,
6 except that, subject to sub. (6) (b) to ~~(e)~~-(f), the department may reimburse a
7 responsible person who applies for reimbursement a total of not more than \$20,000
8 for the replacement of private wells if the department or the department of natural
9 resources orders the well replacement in response to a discharge.

10 **SECTION 1972.** 94.73 (4) (a) of the statutes is amended to read:

11 94.73 (4) (a) Except as provided in par. (d), no responsible person may receive
12 reimbursement for corrective action costs exceeding ~~\$20,000~~ \$7,500 unless the
13 responsible person submits to the department in writing, and the department
14 approves, a work plan for the corrective action before the corrective action is taken.

15 **SECTION 1973.** 94.73 (5) (e) of the statutes is amended to read:

16 94.73 (5) (e) No person may make a false statement or misrepresentation on
17 an application submitted under this section. A person who makes a false statement
18 or misrepresentation on an application related to a corrective action is ineligible for
19 reimbursement related to that corrective action and is ineligible for any
20 reimbursement related to any other corrective action taken or ordered within 5 years
21 after the date of the false statement or misrepresentation. If the responsible person
22 has received any reimbursement for which the responsible person is ineligible under
23 this paragraph, the responsible person shall refund the full amount of that
24 reimbursement to the department. The amounts refunded to the department under

1 this paragraph shall be deposited in the ~~agrichemical management~~ agricultural
2 chemical cleanup fund.

3 **SECTION 2537c.** 94.73 (6) (b) 2. of the statutes is amended to read:

4 94.73 (6) (b) 2. If the corrective action includes groundwater remediation
5 ordered by the department under sub. (2) or by the department of natural resources
6 under s. 292.11 (7) (c) or if the criteria in rules promulgated under par. (g) are
7 satisfied, 80% of the corrective action costs that exceed \$100,000 but that do not
8 exceed \$300,000 \$400,000.

9 **SECTION 2537e.** 94.73 (6) (c) of the statutes is amended to read:

10 94.73 (6) (c) Except as provided in par. (e) or (f), if the department has
11 previously reimbursed any responsible person for corrective action costs for the
12 discharge site for which reimbursement is sought, the department shall reimburse
13 the responsible person an amount equal to 50% of the corrective action costs that
14 exceed \$15,000 but that do not exceed \$100,000, except that if the corrective action
15 includes groundwater remediation ordered by the department under sub. (2) or by
16 the department of natural resources under s. 292.11 (7) (c) or if the criteria in rules
17 promulgated under par. (g) are satisfied, the department shall reimburse the
18 responsible person an amount equal to 50% of the corrective action costs that exceed
19 \$15,000 but that do not exceed \$300,000 \$400,000.

20 **SECTION 2538b.** 94.73 (6) (d) of the statutes is amended to read:

21 94.73 (6) (d) If Subject to par. (f), if the corrective action is related to a discharge
22 that occurred in the course of transporting an agricultural chemical, the
23 reimbursement under par. (b) is limited to 75% of the corrective action costs that
24 exceed \$7,500 for a person required to be licensed under ss. 94.64 to 94.71 or that
25 exceed \$3,000 for any other person but that do not exceed \$50,000.

1 **SECTION 2539b.** 94.73 (6) (e) of the statutes is amended to read:

2 94.73 (6) (e) ~~If Subject to par. (f), if~~ the corrective action is related to a discharge
3 that occurred in the course of transporting an agricultural chemical, the
4 reimbursement under par. (c) is limited to 50% of the corrective action costs that
5 exceed \$15,000 but that do not exceed \$50,000.

6 **SECTION 2539d.** 94.73 (6) (f) of the statutes is created to read:

7 94.73 (6) (f) The department may not provide reimbursement under this
8 section for corrective action costs that exceed \$400,000 for any discharge site. For
9 the purpose of this paragraph, a discharge that occurred in the course of transporting
10 an agricultural chemical is considered to have occurred at the site belonging to, or
11 operated by, the person transporting the agricultural chemical.

12 **SECTION 2539h.** 94.73 (6) (g) of the statutes is created to read:

13 94.73 (6) (g) The department may promulgate rules under which it may provide
14 reimbursement under pars. (b) and (c) for corrective action costs that exceed
15 \$100,000 at a site at which groundwater remediation is not ordered if the applicant
16 obtains the approval of the department before incurring the costs and if the
17 contamination is extensive or complex cleanup strategies are required. The rules
18 shall establish criteria for exceeding the \$100,000 limit, such as the size of the area
19 contaminated or the type of agricultural chemical that is involved.

20 **SECTION 1974.** 94.73 (7) of the statutes is repealed and recreated to read:

21 94.73 (7) PAYMENT. (a) The department may make payments to a responsible
22 person who is eligible for reimbursement under sub. (3) if the department has
23 authorized reimbursement to that person under sub. (6). The department shall
24 make payment from the appropriation accounts under s. 20.115 (7) (e) and (wm),
25 subject to the availability of funds in those appropriation accounts. If there are

1 insufficient funds to pay the full amounts authorized under sub. (6) to all eligible
2 responsible persons, the department shall distribute payments in the order in which
3 applications were received, unless the department specifies, by rule, a different order
4 of payment.

5 (b) The department may promulgate rules specifying the procedure by which,
6 and the order in which, it will distribute payments under par. (a). The department
7 may establish distribution priorities or formulas based on the severity of
8 contamination, the time elapsed since corrective action costs were incurred or other
9 factors that the department considers appropriate.

10 **SECTION 1975.** 94.73 (8) of the statutes is amended to read:

11 94.73 (8) SUBROGATION. The department is entitled to the right of subrogation
12 for the reimbursement of corrective action costs to the extent that a responsible
13 person who receives reimbursement of corrective action costs may recover the costs
14 from a 3rd party. The amounts collected by the department under this subsection
15 shall be deposited in the ~~agricultural management~~ agricultural chemical cleanup
16 fund.

17 **SECTION 1976.** 94.73 (13) of the statutes is amended to read:

18 94.73 (13) PENALTY. Any person who violates ~~an order issued by the department~~
19 under this section or an order issued or rule promulgated under this section shall
20 forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of
21 continued violation is a separate offense.

22 **SECTION 1977.** 94.73 (15) of the statutes is created to read:

23 94.73 (15) SURCHARGE ADJUSTMENTS. (a) The department may, by rule, reduce
24 any of the surcharges in ss. 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2.,
25 94.703 (3) (a) 2. and 94.704 (3) (a) 2. below the amounts specified in those provisions.

1 The department shall adjust surcharge amounts as necessary to maintain a balance
2 in the agricultural chemical cleanup fund at the end of each fiscal year of at least
3 \$2,000,000 but not more than \$5,000,000, but may not increase a surcharge amount
4 over the amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2.,
5 94.703 (3) (a) 2. or 94.704 (3) (a) 2.

6 (b) If the department proposes to promulgate a rule under par. (a) using the
7 procedures under s. 227.24, the department shall notify the cochairpersons of the
8 joint committee on finance before beginning those procedures. If the cochairpersons
9 of the committee do not notify the secretary that the committee has scheduled a
10 meeting for the purpose of reviewing the proposed rule, the department may begin
11 the procedures under s. 227.24. If, within 14 working days after the date of the
12 department's notification, the cochairpersons of the committee notify the secretary
13 that the committee has scheduled a meeting for the purpose of reviewing the
14 proposed rule, the department may not begin the procedures under s. 227.24 until
15 the committee approves the proposed rule.

16 **SECTION 2543s.** 95.60 of the statutes is created to read:

17 **95.60 Importing fish; fish farms. (1)** In this section:

18 (a) "Fish farm" means a facility at which a person hatches fish eggs or rears fish
19 for the purpose of introduction into the waters of the state, permitting fishing, use
20 as bait or human or animal consumption or for sale to another person to rear for one
21 of those purposes.

22 (b) "Waters of the state" has the meaning given in s. 281.01 (18).

23 **(2)** (a) No person may bring any fish or fish eggs into this state for the purpose
24 of introduction into the waters of the state, of use as bait or of rearing in a fish farm
25 without all of the following:

- 1 1. An annual permit issued by the department.
- 2 2. A health certificate for the fish or fish eggs that is issued by the department,
3 by another state or by a veterinarian licensed under ch. 453 or by another state.
- 4 (b) The department of natural resources is exempt from having an annual
5 permit issued under par. (a) 1.
- 6 **(3)** A person who operates a fish farm shall obtain a health certificate from the
7 department for any fish eggs present or any fish reared on the fish farm.
- 8 **(4)** The department may inspect fish and fish eggs subject to subs. (2) and (3)
9 to ensure the health of the fish and fish eggs. The inspection may include removal
10 of reasonable samples of the fish and fish eggs for biological examination.
- 11 **(5)** The department shall, by rule, specify the fees for permits and certificates
12 under this section.

13 **SECTION 1978.** 97.29 (3) (cm) 1. of the statutes is amended to read:

14 97.29 **(3)** (cm) 1. For a food processing plant that has an annual production of
15 \$25,000 or more but less than \$250,000 and that is engaged in processing potentially
16 hazardous food or in canning, the reinspection fee is \$80.

17 **SECTION 1979.** 97.29 (3) (cm) 3. of the statutes is amended to read:

18 97.29 **(3)** (cm) 3. For a food processing plant that has an annual production of
19 \$25,000 or more but less than \$250,000 and that is not engaged in processing
20 potentially hazardous food or in canning, the reinspection fee is \$50.

21 **SECTION 1980.** 97.29 (3) (cm) 5. of the statutes is created to read:

22 97.29 **(3)** (cm) 5. For a food processing plant that has an annual production of
23 less than \$25,000, the reinspection fee is \$40.

24 **SECTION 1981.** 97.30 (3m) (a) 3. of the statutes is amended to read:

1 97.30 (3m) (a) 3. ~~Beginning with the license year that ends on June 30, 1995,~~
2 an An annual weights and measures inspection fee of \$45, except that this fee does
3 not apply to a retail food establishment that is located in a municipality that has
4 established a municipal department of weights and measures under s. 98.04 (1) or
5 that recovers fees from the retail food establishment under s. 98.04 (2) for the
6 purpose of enforcement of the provisions of ch. 98.

7 **SECTION 1982.** 97.30 (3m) (b) 3. of the statutes is amended to read:

8 97.30 (3m) (b) 3. ~~Beginning with the license year that ends on June 30, 1995,~~
9 an An annual weights and measures inspection fee of \$100, except that this fee does
10 not apply to a retail food establishment that is located in a municipality that has
11 established a municipal department of weights and measures under s. 98.04 (1) or
12 that recovers fees from the retail food establishment under s. 98.04 (2) for the
13 purpose of enforcement of the provisions of ch. 98.

14 **SECTION 1983.** 97.30 (3m) (c) 3. of the statutes is amended to read:

15 97.30 (3m) (c) 3. ~~Beginning with the license year that ends on June 30, 1995,~~
16 an An annual weights and measures inspection fee of \$25, except that this fee does
17 not apply to a retail food establishment that is located in a municipality that has
18 established a municipal department of weights and measures under s. 98.04 (1) or
19 that recovers fees from the retail food establishment under s. 98.04 (2) for the
20 purpose of enforcement of the provisions of ch. 98.

21 **SECTION 2550m.** 98.04 (2) of the statutes is amended to read:

22 98.04 (2) Nothing in this section shall prevent the department, at its discretion,
23 from entering into contracts with municipalities in which it agrees to furnish the
24 services and perform the duties of weights and measures departments in such
25 municipalities. The authority and duties of the department in such municipalities

1 shall be the same as the department of weights and measures, and such
2 municipalities shall not be required to create such weights and measures
3 departments. Under such contracts the department shall charge municipalities fees
4 sufficient to cover the cost of services rendered. Municipalities may recover an
5 amount not to exceed the cost of these fees by assessing fees on the persons who
6 receive the services rendered.

7 **SECTION 1984.** 98.16 (2) (a) 1. of the statutes is amended to read:

8 98.16 (2) (a) 1. Except as provided in subd. 2., a person may not operate a
9 vehicle scale without a license from the department. A separate license is required
10 for each scale. A license is not transferable between persons or scales. A license
11 expires on ~~December~~ March 31 annually. The department shall provide a license
12 application form for persons applying for a license. The form may require
13 information reasonably required by the department for licensing purposes. A license
14 application shall be accompanied by applicable fees under pars. (b) and (c).

15 **SECTION 2552d.** 98.16 (2) (b) of the statutes is amended to read:

16 98.16 (2) (b) The Beginning on the effective date of this paragraph [revisor
17 inserts date], and ending on June 30, 1999, the fee for a license under par. (a) is \$30,
18 except that the department may establish a different fee by rule \$60.

19 **SECTION 2552f.** 98.16 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 98.16 (2) (b) The fee for a license under par. (a) is \$30, except that the
22 department may establish a different fee by rule.

23 **SECTION 1985.** 98.16 (2) (c) of the statutes is amended to read:

24 98.16 (2) (c) An applicant for a license under par. (a) shall pay a license fee
25 surcharge of ~~\$30~~ \$200 in addition to the license fee if the department determines that

1 within one year prior to submitting the license application the applicant operated a
2 vehicle scale without a license as required by par. (a). Payment of the license fee
3 surcharge does not relieve the applicant of any other civil or criminal liability for the
4 operation of a vehicle scale without a license but shall not constitute evidence of
5 violation of a law.

6 **SECTION 1986.** 98.18 (1) (title) of the statutes is amended to read:

7 98.18 (1) (title) LICENSE REQUIRED.

8 **SECTION 1987.** 98.18 (1) (a) 1. of the statutes is renumbered 98.18 (1) (a) and
9 amended to read:

10 98.18 (1) (a) ~~Except as provided in subd. 2., a person may not~~ par. (bm), no
11 person may engage in the business of installing, servicing, testing or calibrating
12 weights and measures without a license from the department. A license expires on
13 December 31 annually. ~~The department shall provide a license application for~~
14 ~~persons applying for a license.~~

15 **(1d)** (title) LICENSE APPLICATION. ~~The form may require information~~ An
16 applicant for a license issued under sub. (1) (a) shall apply on a form provided by the
17 department. The applicant shall provide on the form information that is reasonably
18 required by the department for licensing purposes. ~~A~~ issuing licenses under this
19 section. The license application shall be accompanied by the applicable fees under
20 pars. (b) and (c) subs. (1h) and (1p).

21 **SECTION 1988.** 98.18 (1) (a) 2. (intro.) of the statutes is renumbered 98.18 (1)
22 (bm) (intro.) and amended to read:

23 98.18 (1) (bm) (intro.) ~~Subdivision 1. Paragraph (a)~~ does not apply to any of the
24 following:

1 **SECTION 1989.** 98.18 (1) (a) 2. a. of the statutes is renumbered 98.18 (1) (bm)

2 1. and amended to read:

3 98.18 (1) (bm) 1. A person who installs, services, tests or calibrates weights and
4 measures only as an employe of a person who is required under ~~this paragraph~~ par.
5 (a) to hold a license to perform those services.

6 **SECTION 1990.** 98.18 (1) (a) 2. b. of the statutes is renumbered 98.18 (1) (bm)

7 2.

8 **SECTION 1991.** 98.18 (1) (b) of the statutes is repealed.

9 **SECTION 1992.** 98.18 (1) (c) of the statutes is renumbered 98.18 (1p) and
10 amended to read:

11 98.18 (1p) (title) SURCHARGE FOR OPERATING WITHOUT A LICENSE. An applicant
12 for a license under ~~par. sub. (1)~~ (a) shall pay a license fee surcharge of \$100 \$200 in
13 addition to the license fee if the department determines that within one year ~~prior~~
14 ~~to submitting the license before making the~~ application the applicant engaged in the
15 ~~business of installing, servicing, testing or calibrating weights and measures~~
16 ~~without a license as required by par. sub. (1) (a).~~ Payment of the license fee
17 this surcharge does not relieve the applicant of any other civil or criminal liability
18 that may result from the unlicensed activity but shall the applicant may incur
19 because of the violation of sub. (1) (a), but does not constitute evidence of violation
20 of a law.

21 **SECTION 1993.** 98.18 (1) (d) of the statutes is renumbered 98.18 (1t) and
22 amended to read:

23 98.18 (1t) (title) LICENSE CONTINGENT ON FEE PAYMENT. The department shall
24 may not issue or renew a license under ~~par. sub. (1)~~ (a) unless the applicant pays all
25 fees required under ~~pars. (b) and (c)~~ subs. (1h) and (1p) as set forth in a statement

1 issued by the department. The department shall refund a fee paid under protest if
2 the department determines that the fee was not required to be paid under this
3 section.

4 **SECTION 1994.** 98.18 (1h) of the statutes is created to read:

5 98.18 (1h) LICENSE FEES. Unless the department establishes different fees by
6 rule, the following annual license fees shall apply:

7 (a) If the applicant solely engages in installing, servicing, testing or calibrating
8 weights and measures that the applicant owns, the applicant for a license under sub.
9 (1) (a) shall pay a license fee in the amount of \$100.

10 (b) If the applicant installs, services, tests or calibrates weights or measures
11 for others, the applicant for a license under sub. (1) (a) shall pay all of the following:

12 1. A basic license fee of \$200.

13 2. A supplementary license fee of \$50 for each additional business location if
14 the applicant operates from more than one business location.

15 **SECTION 1995.** 98.18 (2) of the statutes is amended to read:

16 98.18 (2) RULES. The department may promulgate rules to establish license
17 fees under sub. ~~(1)(b)~~ (1h) and to regulate the installation, servicing, testing and
18 certification of weights and measures. The rules may include record-keeping and
19 reporting requirements.

20 **SECTION 1996.** 98.245 (4) (a) of the statutes is amended to read:

21 98.245 (4) (a) When liquefied petroleum gas is sold or delivered to a consumer
22 as a liquid and by liquid measurement the volume of liquid so sold and delivered shall
23 be corrected to a temperature of 60 degrees Fahrenheit through use of an approved
24 volume correction factor table, or through use of ~~an approved~~ a meter with that is
25 equipped with a sealed automatic compensating mechanism and that is in

1 compliance with sub. (7). All sale tickets shall show the delivered gallons, the
2 temperature at the time of delivery and the corrected gallonage, or shall state that
3 temperature correction was automatically made.

4 **SECTION 1997.** 98.245 (4) (b) of the statutes is amended to read:

5 98.245 (4) (b) When liquefied petroleum gas is sold or delivered to a consumer
6 in vapor form by vapor measurement, the volume of vapor so sold and delivered shall
7 be corrected to a temperature of 60 degrees Fahrenheit through the use of an
8 approved a meter that is equipped with a sealed automatic temperature
9 compensating mechanism. This paragraph shall apply to all meters installed for use
10 in the vapor measurement of liquefied petroleum gas in vapor form after May 24,
11 1978. This paragraph does not prohibit the continued use of meters previously
12 installed without a self-sealing automatic temperature compensating mechanism,
13 but no such meter may be continued in use after January 1, 1986, unless brought into
14 compliance with this paragraph. Subsection (7) does not apply to meters used to sell
15 or deliver liquefied petroleum gas that are subject to this paragraph.

16 **SECTION 1998.** 98.245 (6) (title) of the statutes is repealed and recreated to
17 read:

18 98.245 (6) (title) PUMPS AND METERS.

19 **SECTION 1999.** 98.245 (6) (a) (intro.) of the statutes is amended to read:

20 98.245 (6) (a) (intro.) No person may sell liquefied petroleum gas and deliver
21 it by a vehicle equipped with a pump and ~~metering device~~ meter unless the ~~pump and~~
22 ~~metering device~~ meter is equipped with a delivery ticket printer and is in compliance
23 with sub. (7). Except as provided in par. (b), the seller shall, at the time of delivery,
24 either provide a copy of the delivery ticket printed by the delivery ticket printer to

1 the purchaser or leave a copy at the place of delivery. The delivery ticket shall contain
2 all of the following information:

3 **SECTION 2568b.** 98.245 (7) of the statutes is created to read:

4 98.245 (7) METERS; REGISTRATION; TESTING; FEES. (a) *Registration of meters.* 1.
5 The department shall promulgate rules to require owners of meters that are used to
6 measure amounts of liquefied petroleum gas to register the meters with the
7 department.

8 2. The owner of a meter shall pay to the department a one-time fee of \$25 to
9 register a meter under subd. 1. The owner shall pay the fee within 60 days after the
10 effective date of the rules promulgated under subd. 1., or within 60 days after the
11 owner acquires a meter for which a registration fee has not been paid, whichever is
12 later.

13 3. If an owner of a meter fails to comply with subd. 2., the department may
14 assess the owner a fee of not more than \$250 for that meter. If the owner does not
15 pay the fee under this subdivision within 30 days after it is assessed, the department
16 shall increase the fee by \$10 for each day thereafter until the owner of the meter
17 complies with subd. 2.

18 (b) *Testing of meters.* 1. The owner of a meter required to be registered under
19 par. (a) shall have the meter tested annually by a meter servicing company that is
20 licensed by the department.

21 2. A meter servicing company shall file with the department a report, for each
22 meter, containing the results of the testing under subd. 1. within 30 days after
23 completing the testing.

1 3. If the department determines that a meter has not been tested within the
2 last year, the department shall notify the owner. The owner shall have 30 days after
3 being notified to have the meter tested.

4 4. If the owner fails to have the owner's meter tested as required under subd.
5 3., the department may assess the owner a fee of not more than \$100 for that meter.

6 5. If the meter servicing company fails to file a report in compliance with subd.
7 2. for a meter, the department may assess the meter servicing company a fee of up
8 to \$100 for each report.

9 **SECTION 2000.** 100.45 (1) (dm) of the statutes is created to read:

10 100.45 (1) (dm) "State agency" means any office, department, agency,
11 institution of higher education, association, society or other body in state
12 government created or authorized to be created by the constitution or any law which
13 is entitled to expend moneys appropriated by law, including the legislature and the
14 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
15 Center Sports and Entertainment Corporation, the University of Wisconsin
16 Hospitals and Clinics Authority and the Wisconsin Health and Educational
17 Facilities Authority.

18 **SECTION 2001.** 100.45 (4) (intro.) of the statutes is amended to read:

19 100.45 (4) SERVICING. (intro.) No person, including a state agency, as defined
20 ~~in s. 234.75 (10)~~, may perform motor vehicle repair that releases or may release
21 ozone-depleting refrigerant from a mobile air conditioner or trailer refrigeration
22 equipment or may install or service a mobile air conditioner or trailer refrigeration
23 equipment that contains ozone-depleting refrigerant unless all of the following
24 apply:

25 **SECTION 2002.** 101.14 (1) (c) of the statutes is amended to read:

1 101.14 (1) (c) The department is hereby empowered and directed to provide the
2 form of a course of study in fire prevention for use in the public schools, dealing with
3 the protection of lives and property against loss or damage as a result of preventable
4 fires, and transmit the same by the first day of August in each year to the ~~department~~
5 of education state superintendent of public instruction.

6 **SECTION 2003.** 101.14 (5) (a) of the statutes is amended to read:

7 101.14 (5) (a) Subject to par. (b), in addition to any fee charged by the
8 department by rule for plan review and approval for the construction of a new or
9 additional installation or change in operation of a previously approved installation
10 for the storage, handling or use of flammable or combustible liquids, the department
11 shall collect a groundwater fee of \$100 for each plan review submittal. The moneys
12 collected under this subsection shall be credited to the environmental fund for
13 groundwater environmental management.

14 **SECTION 2004.** 101.143 (1) (gm) of the statutes is amended to read:

15 101.143 (1) (gm) "Property damage" does not include those liabilities which
16 that are excluded from coverage in liability insurance policies for property damage,
17 other than liability for remedial action associated with petroleum product discharges
18 from petroleum product storage systems. "Property damage" does not include the
19 loss of fair market value resulting from contamination.

20 **SECTION 2005.** 101.143 (2) (e) of the statutes is amended to read:

21 101.143 (2) (e) The department shall promulgate rules, with an effective date
22 of no later than January 1, 1996, specifying the methods the department will use
23 under sub. (3) (ae), and (am) ~~and (as)~~ to identify the petroleum product storage
24 system or home oil tank system which discharged the petroleum product that caused
25 an area of contamination and to determine when a petroleum product discharge that

1 caused an area of contamination occurred. The department shall write the rule in
2 a way that permits a clear determination of what petroleum product contamination
3 is eligible for an award under sub. (4) after December 31, 1995.

4 **SECTION 2006.** 101.143 (2) (e) of the statutes, as affected by 1997 Wisconsin Act
5 (this act), is amended to read:

6 101.143 (2) (e) The department shall promulgate rules, with an effective date
7 of no later than January 1, 1996, specifying the methods the department will use
8 under sub. (3) (ae) ~~and, (ah), (am) and (ap)~~ to identify the petroleum product storage
9 system or home oil tank system which discharged the petroleum product that caused
10 an area of contamination and to determine when a petroleum product discharge that
11 caused an area of contamination occurred. The department shall write the rule in
12 a way that permits a clear determination of what petroleum product contamination
13 is eligible for an award under sub. (4) after December 31, 1995.

14 **SECTION 2007.** 101.143 (3) (a) (intro.) of the statutes is amended to read:

15 101.143 (3) (a) *Who may submit a claim.* (intro.) Subject to pars. (ae), ~~and~~ (am)
16 ~~and (as)~~, an owner or operator or a person owning a home oil tank system may submit
17 a claim to the department for an award under sub. (4) to reimburse the owner or
18 operator or the person for the eligible costs under sub. (4) (b) that the owner or
19 operator or the person incurs because of a petroleum products discharge from a
20 petroleum product storage system or home oil tank system if all of the following
21 apply:

22 **SECTION 2008.** 101.143 (3) (a) (intro.) of the statutes, as affected by 1997
23 Wisconsin Act (this act), is amended to read:

24 101.143 (3) (a) *Who may submit a claim.* (intro.) Subject to pars. (ae) ~~and, (ah),~~
25 (am) ~~and (ap)~~, an owner or operator or a person owning a home oil tank system may

1 submit a claim to the department for an award under sub. (4) to reimburse the owner
2 or operator or the person for the eligible costs under sub. (4) (b) that the owner or
3 operator or the person incurs because of a petroleum products discharge from a
4 petroleum product storage system or home oil tank system if all of the following
5 apply:

6 **SECTION 2009.** 101.143 (3) (ae) of the statutes is amended to read:

7 101.143 (3) (ae) (title) *New underground systems.* 1. An owner or operator or
8 a person owning a home oil tank system is not eligible for an award under this section
9 for costs incurred because of a petroleum product discharge from a an underground
10 petroleum product storage tank system or a home oil tank system that meets the
11 performance standards in 40 CFR 280.20 or in rules promulgated by the department
12 relating to underground petroleum product storage tank systems installed after
13 December 22, 1988, except as provided in subd. 2.

14 2. If a an underground petroleum product storage tank system or home oil tank
15 system that meets the performance standards in 40 CFR 280.20 or in rules
16 promulgated by the department relating to underground petroleum product storage
17 tank systems installed after December 22, 1988, is located on a site on which a
18 petroleum product discharge is confirmed before the date on which the underground
19 petroleum product storage tank system or home oil tank system is installed and the
20 department of natural resources does not issue a case closure letter with respect to
21 that discharge before the installation date, then the owner or operator or person
22 owning the home oil tank system remains eligible for an award for costs incurred
23 because of a petroleum product discharge, from that underground petroleum product
24 storage tank system or home oil tank system, which is confirmed, and with respect
25 to which activities under par. (c) or (g) are begun, before January 1, 1996, or before

1 the 91st day after the day on which the department of natural resources issues a case
2 closure letter with respect to the discharge that occurred before the installation of
3 the underground petroleum product storage tank system or home oil tank system,
4 whichever is earlier.

5 **SECTION 2010.** 101.143 (3) (ah) of the statutes is created to read:

6 101.143 (3) (ah) *New aboveground systems.* 1. An owner or operator is not
7 eligible for an award under this section for costs incurred because of a petroleum
8 product discharge from a petroleum product storage system that is not an
9 underground petroleum product storage tank system and that meets the
10 performance standards in rules promulgated by the department relating to
11 petroleum product storage systems that are not underground petroleum product
12 storage tank systems and that are installed after April 30, 1991, except as provided
13 in subd. 2.

14 2. If a petroleum product storage system that is not an underground petroleum
15 product storage tank system and that meets the performance standards in rules
16 promulgated by the department relating to petroleum product storage systems that
17 are not underground petroleum product storage tank systems and that are installed
18 after April 30, 1991, is located on a site on which a petroleum product discharge is
19 confirmed before the date on which the petroleum product storage system is installed
20 and the department of natural resources does not issue a case closure letter with
21 respect to that discharge before the installation date, then the owner or operator
22 remains eligible for an award for costs incurred because of a petroleum product
23 discharge, from that petroleum product storage system, which is confirmed, and with
24 respect to which activities under par. (c) or (g) are begun, before May 1, 2001, or
25 before the 91st day after the day on which the department of natural resources issues

1 a case closure letter with respect to the discharge that occurred before the
2 installation of the petroleum product storage system, whichever is earlier.

3 **SECTION 2011.** 101.143 (3) (am) of the statutes is amended to read:

4 101.143 (3) (am) (title) *Upgraded underground systems.* 1. An owner or
5 operator or a person owning a home oil tank system is not eligible for an award under
6 this section for costs incurred because of a petroleum product discharge from an
7 underground petroleum product storage tank system or a home oil tank system if the
8 discharge is confirmed, or activities under par. (c) or (g) are begun with respect to that
9 discharge, after the day on which the underground petroleum product storage tank
10 system or home oil tank system first meets the upgrading requirements in 40 CFR
11 280.21 (b) to (d) or in rules promulgated by the department relating to the upgrading
12 of existing underground petroleum product storage tank systems, except as provided
13 in subds. 2. to 4.

14 2. If a an underground petroleum product storage tank system or home oil tank
15 system first meets the upgrading requirements in 40 CFR 280.21 (b) to (d) or in rules
16 promulgated by the department relating to the upgrading of existing underground
17 petroleum product storage tank systems, after December 31, 1993, and the owner or
18 operator or person owning the home oil tank system applies for private pollution
19 liability insurance covering the underground petroleum product storage tank
20 system or home oil tank system within 30 days after the day on which the
21 underground petroleum product storage tank system or home oil tank system first
22 meets those upgrading requirements, then the owner or operator or person remains
23 eligible for an award for costs incurred because of a petroleum product discharge,
24 from that underground petroleum product storage tank system or home oil tank
25 system, which is confirmed, and with respect to which activities under par. (c) or (g)

1 are begun, before the 91st day after the day on which the underground petroleum
2 product storage tank system or home oil tank system first meets those upgrading
3 requirements.

4 3. If a an underground petroleum product storage tank system first met the
5 upgrading requirements in 40 CFR 280.21 (b) to (d) before May 1, 1991, then the
6 owner or operator remains eligible for an award for costs incurred because of a
7 petroleum product discharge, from that underground petroleum product storage
8 tank system, which is confirmed, and with respect to which activities under par. (c)
9 or (g) are begun, before January 1, 1996.

10 4. If a an underground petroleum product storage tank system or home oil tank
11 system first meets the upgrading requirements in 40 CFR 280.21 (b) to (d) or in rules
12 promulgated by the department relating to the upgrading of existing underground
13 petroleum product storage tank systems, after April 30, 1991, and is located on a site
14 on which a petroleum product discharge is confirmed before the date on which the
15 underground petroleum product storage tank system or home oil tank system first
16 meets those upgrading requirements and the department of natural resources does
17 not issue a case closure letter with respect to that discharge before that date, then
18 the owner or operator or person owning the home oil tank system remains eligible
19 for an award for costs incurred because of a petroleum product discharge, from that
20 underground petroleum product storage tank system or home oil tank system, which
21 is confirmed, and with respect to which activities under par. (c) or (g) are begun,
22 before January 1, 1996, or before the 91st day after the day on which the department
23 of natural resources issues a case closure letter with respect to the discharge that
24 occurred before the upgrading requirements were met, whichever is earlier.

25 **SECTION 2012.** 101.143 (3) (ap) of the statutes is created to read:

1 101.143 (3) (ap) *Upgraded aboveground systems.* 1. An owner or operator is
2 not eligible for an award under this section for costs incurred because of a petroleum
3 product discharge from a petroleum product storage system that is not an
4 underground petroleum product storage tank system if the discharge is confirmed,
5 or activities under par. (c) or (g) are begun with respect to that discharge, after the
6 day on which the petroleum product storage system first meets the upgrading
7 requirements in rules promulgated by the department relating to the upgrading of
8 existing petroleum product storage systems that are not underground petroleum
9 product storage tank systems, except as provided in subd. 2.

10 2. If a petroleum product storage system that meets the upgrading
11 requirements in rules promulgated by the department relating to the upgrading of
12 existing petroleum product storage systems that are not underground petroleum
13 product storage tank systems is located on a site on which a petroleum product
14 discharge is confirmed before the date on which the petroleum product storage
15 system first meets those upgrading requirements and the department of natural
16 resources does not issue a case closure letter with respect to that discharge before
17 that date, then the owner or operator remains eligible for an award for costs incurred
18 because of a petroleum product discharge, from that petroleum product storage
19 system, which is confirmed, and with respect to which activities under par. (c) or (g)
20 are begun, before May 1, 2001, or before the 91st day after the day on which the
21 department of natural resources issues a case closure letter with respect to the
22 discharge that occurred before the upgrading requirements were met, whichever is
23 earlier.

24 **SECTION 2013.** 101.143 (3) (as) of the statutes is repealed.

1 **SECTION 2595b.** 101.143 (4) (a) 5. of the statutes is repealed and recreated to
2 read:

3 101.143 (4) (a) 5. The department shall review claims related to home oil tank
4 discharges as soon as the claims are received. The department shall issue an award
5 for an eligible home oil tank discharge as soon as it completes the review of the claim.

6 **SECTION 2014.** 101.143 (4) (a) 8. of the statutes is created to read:

7 101.143 (4) (a) 8. If an owner or operator or person owning a home oil tank
8 system is conducting approved remedial action activities that were necessitated by
9 a petroleum product discharge from a petroleum product storage system or home oil
10 tank system and those remedial action activities have not remedied the discharge,
11 then the department may approve financial assistance under this section for
12 enhancements to the approved remedial action activities or different remedial action
13 activities that the department determines will remedy the discharge without
14 increasing the overall costs of remedying the discharge. The total amount of an
15 original award under this section plus additional financial assistance provided
16 under this subdivision is subject to the limits in pars. (d) to (e), (ei) and (em) on
17 amounts of awards.

18 **SECTION 2015.** 101.143 (4) (c) 8. of the statutes is created to read:

19 101.143 (4) (c) 8. Interest costs incurred by an applicant that exceed interest
20 at the prime rate, as determined under rules promulgated by the department.

21 **SECTION 2598e.** 101.143 (4) (c) 9. of the statutes is created to read:

22 101.143 (4) (c) 9. Loan origination fees incurred by an applicant that exceed 1%
23 of the principal amount of the loan.

24 **SECTION 2598f.** 101.143 (4) (c) 10. of the statutes is created to read:

25 101.143 (4) (c) 10. Loan renewal fees incurred by an applicant.

1 **SECTION 2016.** 101.143 (4) (ce) of the statutes is created to read:

2 101.143 (4) (ce) *Eligible cost; service providers.* The department may
3 promulgate rules under which the department selects service providers to provide
4 investigation or remedial action services in specified areas. The rules may provide
5 that the costs of a service for which the department has selected a service provider
6 in an area are not eligible costs under par. (b), or that eligible costs are limited to the
7 amount that the selected service provider would have charged, if an owner or
8 operator of a petroleum product storage system located in that area, or a person
9 owning a home oil tank system located in that area, uses a service provider other
10 than the service provider selected by the department to perform the services. If the
11 department selects service providers under this paragraph, it shall regularly update
12 the list of service providers that it selects.

13 **SECTION 2599g.** 101.143 (4) (d) 1. of the statutes is amended to read:

14 101.143 (4) (d) 1. The department shall issue an award under this paragraph
15 for a claim filed after July 31, 1987, for eligible costs, under par. (b), incurred on or
16 after August 1, 1987, and before ~~July 1, 1998~~ December 22, 2001, by the owner or
17 operator of an underground petroleum product storage tank system and for eligible
18 costs, under par. (b), incurred on or after ~~July 1, 1998~~ December 22, 2001, by the
19 owner or operator of an underground petroleum product storage tank system if the
20 petroleum product discharge on which the claim is based is confirmed and activities
21 under sub. (3) (c) or (g) are begun before ~~July 1, 1998~~ December 22, 2001.

22 **SECTION 2599r.** 101.143 (4) (dm) 1. of the statutes is amended to read:

23 101.143 (4) (dm) 1. The department shall issue an award under this paragraph
24 for a claim for eligible costs, under par. (b), incurred on or after August 1, 1987, and
25 before ~~July 1, 1998~~ December 22, 2001, by the owner or operator of a petroleum

1 product storage system that is not an underground petroleum product storage tank
2 system and for eligible costs, under par. (b), incurred on or after ~~July 1, 1998~~
3 December 22, 2001, by the owner or operator of a petroleum product storage system
4 that is not an underground petroleum product storage tank system if the petroleum
5 product discharge on which the claim is based is confirmed and activities under sub.
6 (3) (c) or (g) are begun before ~~July 1, 1998~~ December 22, 2001.

7 **SECTION 2017.** 101.143 (4) (dr) of the statutes is created to read:

8 101.143 (4) (dr) *Deductible in certain cases.* If a person is the owner or operator
9 of an underground petroleum product storage tank system and a petroleum product
10 storage system that is not an underground petroleum product storage tank system,
11 both of which have discharged resulting in one occurrence, and if the person is
12 eligible for an award under pars. (d) and (dm), the department shall calculate the
13 award using the deductible determined under par. (d) 2. if the predominant method
14 of petroleum product storage at the site, measured in gallons, is underground
15 petroleum product storage tank systems or using the deductible determined under
16 par. (dm) 2. if the predominant method of petroleum product storage at the site is not
17 underground petroleum product storage tank systems.

18 **SECTION 2600e.** 101.143 (4) (e) 1. b. and c. of the statutes are amended to read:

19 101.143 (4) (e) 1. b. Eligible costs, under par. (b), incurred on or after ~~July 1,~~
20 ~~1998~~ December 22, 2001, by the owner or operator of a petroleum product storage
21 system that is not an underground petroleum product storage system if those costs
22 are not reimbursable under par. (dm) 1.

23 c. Eligible costs, under par. (b), incurred on or after ~~July 1, 1998~~ December 22,
24 2001, by the owner or operator of an underground petroleum product storage tank
25 system if those costs are not reimbursable under par. (d) 1.

1 **SECTION 2018.** 101.143 (4) (g) 7. of the statutes is created to read:

2 101.143 (4) (g) 7. The petroleum product discharge was caused by a person who
3 provided services or products to the claimant or to a prior owner or operator of the
4 petroleum product storage system or home oil tank system.

5 **SECTION 2019.** 101.143 (4) (h) of the statutes is created to read:

6 101.143 (4) (h) *Reductions of awards.* 1. Notwithstanding pars. (d) 2. (intro.),
7 (dm) 2. (intro.), (e) 2. and (em) 2., if an owner or operator or person owning a home
8 oil tank system prepares and submits a claim that includes ineligible costs that are
9 identified under subd. 2., the department shall calculate the award by determining
10 the amount that the award would otherwise be under par. (d), (dm), (e) or (em) based
11 only on the eligible costs and then by reducing that amount by 50% of the amount
12 of the ineligible costs identified under subd. 2. that are included in the claim.

13 1m. If a consultant prepares a claim that is submitted by a claimant and that
14 includes ineligible costs that are identified under subd. 2., the consultant shall pay
15 to the department an amount equal to 50% of the ineligible costs identified under
16 subd. 2. that are included in the claim. A consultant may not charge the owner or
17 operator for any amount that the consultant is required to pay under this
18 subdivision. Payments made under this subdivision shall be deposited in the
19 petroleum inspection fund.

20 2. The department shall promulgate a rule identifying the ineligible costs to
21 which subds. 1. and 1m. apply.

22 **SECTION 2020.** 101.143 (5) (a) of the statutes is renumbered 101.143 (5) (am)
23 (intro.) and amended to read:

1 101.143 (5) (am) *Right of action.* (intro.) A right of action under this section
2 shall accrue to the state against an owner, operator or other person only if the one
3 of the following applies:

4 1. The owner, operator or other person submits a fraudulent claim or does not
5 meet the requirements under this section and if an award is issued under this section
6 to the owner, operator or other person for eligible costs under this section or if
7 payment is made to a lender under sub. (4e).

8 **SECTION 2021.** 101.143 (5) (a) of the statutes is created to read:

9 101.143 (5) (a) *Sale of remedial equipment or supplies.* If a person who received
10 an award under this section sells equipment or supplies that were eligible costs for
11 which the award was issued, the person shall pay the proceeds of the sale to the
12 department. The proceeds shall be paid into the petroleum inspection fund.

13 **SECTION 2022.** 101.143 (5) (am) 2. of the statutes is created to read:

14 101.143 (5) (am) 2. A person fails to make a payment required under par. (a).

15 **SECTION 2023.** 101.143 (5) (b) of the statutes is amended to read:

16 101.143 (5) (b) *Action to recover awards.* The attorney general shall take action
17 as is appropriate to recover awards moneys to which the state is entitled under par.
18 (a) (am). The department shall request that the attorney general take action if the
19 department discovers a fraudulent claim after an award is issued.

20 **SECTION 2024.** 101.143 (5) (c) of the statutes is amended to read:

21 101.143 (5) (c) *Disposition of funds.* ~~If an award is made from the petroleum~~
22 ~~inspection fund, the~~ The net proceeds of the a recovery under par. (b) shall be paid
23 into the petroleum inspection fund.

24 **SECTION 2025.** 101.177 (1) (d) of the statutes is created to read:

1 101.177 (1) (d) “State agency” means any office, department, agency,
2 institution of higher education, association, society or other body in state
3 government created or authorized to be created by the constitution or any law which
4 is entitled to expend moneys appropriated by law, including the legislature and the
5 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
6 Center Sports and Entertainment Corporation, the University of Wisconsin
7 Hospitals and Clinics Authority and the Wisconsin Health and Educational
8 Facilities Authority.

9 **SECTION 2026.** 101.177 (2) (intro.) of the statutes is amended to read:

10 101.177 (2) SERVICING. (intro.) No person, including a state agency, as defined
11 ~~in s. 234.75 (10)~~, may install or service a piece of refrigeration equipment that
12 contains ozone-depleting refrigerant unless the person certifies all of the following
13 to the department:

14 **SECTION 2027.** 101.177 (3) (a) (intro.) of the statutes is amended to read:

15 101.177 (3) (a) (intro.) After December 31, 1991, no person, including a state
16 agency as ~~defined in s. 234.75 (10)~~, may sell used ozone-depleting refrigerant
17 removed from refrigeration equipment for reuse unless the person certifies all of the
18 following to the department:

19 **SECTION 2028.** 102.87 (2) (e) of the statutes is amended to read:

20 102.87 (2) (e) The maximum forfeiture, penalty assessment, jail assessment,
21 crime laboratories and drug law enforcement assessment and any applicable
22 uninsured employer assessment for which the defendant is liable.

23 **SECTION 2029.** 102.87 (2) (g) of the statutes is amended to read:

24 102.87 (2) (g) Notice that if the defendant makes a deposit and fails to appear
25 in court at the time specified in the citation, the failure to appear will be considered

1 tender of a plea of no contest and submission to a forfeiture, penalty assessment, jail
2 assessment, crime laboratories and drug law enforcement assessment and any
3 applicable uninsured employer assessment plus costs not to exceed the amount of the
4 deposit. The notice shall also state that the court, instead of accepting the deposit
5 and plea, may decide to summon the defendant or may issue an arrest warrant for
6 the defendant upon failure to respond to a summons.

7 **SECTION 2030.** 102.87 (2) (h) of the statutes is amended to read:

8 102.87 (2) (h) Notice that if the defendant makes a deposit and signs the
9 stipulation, the stipulation will be treated as a plea of no contest and submission to
10 a forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
11 enforcement assessment and any applicable uninsured employer assessment plus
12 costs not to exceed the amount of the deposit. The notice shall also state that the
13 court, instead of accepting the deposit and stipulation, may decide to summon the
14 defendant or issue an arrest warrant for the defendant upon failure to respond to a
15 summons, and that the defendant may, at any time before or at the time of the court
16 appearance date, move the court for relief from the effect of the stipulation.

17 **SECTION 2031.** 102.87 (3) of the statutes is amended to read:

18 102.87 (3) A defendant issued a citation under this section may deposit the
19 amount of money that the issuing department deputy or officer directs by mailing or
20 delivering the deposit and a copy of the citation before the court appearance date to
21 the clerk of the circuit court in the county where the violation occurred, to the
22 department or to the sheriff's office or police headquarters of the officer who issued
23 the citation. The basic amount of the deposit shall be determined under a deposit
24 schedule established by the judicial conference. The judicial conference shall
25 annually review and revise the schedule. In addition to the basic amount determined

1 by the schedule the deposit shall include the penalty assessment, jail assessment,
2 crime laboratories and drug law enforcement assessment, any applicable uninsured
3 employer assessment and costs.

4 **SECTION 2032.** 102.87 (4) of the statutes is amended to read:

5 102.87 (4) A defendant may make a stipulation of no contest by submitting a
6 deposit and a stipulation in the manner provided by sub. (3) before the court
7 appearance date. The signed stipulation is a plea of no contest and submission to a
8 forfeiture plus the penalty assessment, jail assessment, crime laboratories and drug
9 law enforcement assessment, any applicable uninsured employers assessment and
10 costs not to exceed the amount of the deposit.

11 **SECTION 2033.** 102.87 (5) of the statutes is amended to read:

12 102.87 (5) Except as provided by sub. (6), a person receiving a deposit shall
13 prepare a receipt in triplicate showing the purpose for which the deposit is made,
14 stating that the defendant may inquire at the office of the clerk of the circuit court
15 regarding the disposition of the deposit, and notifying the defendant that if he or she
16 fails to appear in court at the time specified in the citation he or she shall be
17 considered to have tendered a plea of no contest and submitted to a forfeiture,
18 penalty assessment, jail assessment, crime laboratories and drug law enforcement
19 assessment and any applicable uninsured employer assessment plus costs not to
20 exceed the amount of the deposit and that the court may accept the plea. The original
21 of the receipt shall be delivered to the defendant in person or by mail. If the
22 defendant pays by check, the canceled check is the receipt.

23 **SECTION 2034.** 102.87 (6) of the statutes is amended to read:

24 102.87 (6) The person receiving a deposit and stipulation of no contest shall
25 prepare a receipt in triplicate showing the purpose for which the deposit is made,

1 stating that the defendant may inquire at the office of the clerk of the circuit court
2 regarding the disposition of the deposit, and notifying the defendant that if the
3 stipulation of no contest is accepted by the court the defendant will be considered to
4 have submitted to a forfeiture, penalty assessment, jail assessment, crime
5 laboratories and drug law enforcement assessment and applicable uninsured
6 employer assessment plus costs not to exceed the amount of the deposit. Delivery of
7 the receipt shall be made in the same manner as provided in sub. (5).

8 **SECTION 2035.** 102.87 (7) (b) of the statutes is amended to read:

9 102.87 (7) (b) If the defendant has made a deposit, the citation may serve as
10 the initial pleading and the defendant shall be considered to have tendered a plea
11 of no contest and submitted to a forfeiture, penalty assessment, jail assessment,
12 crime laboratories and drug law enforcement assessment and any applicable
13 uninsured employer assessment plus costs not to exceed the amount of the deposit.
14 The court may either accept the plea of no contest and enter judgment accordingly,
15 or reject the plea and issue a summons. If the defendant fails to appear in response
16 to the summons, the court shall issue an arrest warrant. If the court accepts the plea
17 of no contest, the defendant may, within 90 days after the date set for appearance,
18 move to withdraw the plea of no contest, open the judgment and enter a plea of not
19 guilty if the defendant shows to the satisfaction of the court that failure to appear
20 was due to mistake, inadvertence, surprise or excusable neglect. If a defendant is
21 relieved from the plea of no contest, the court may order a written complaint or
22 petition to be filed. If on reopening the defendant is found not guilty, the court shall
23 delete the record of conviction and shall order the defendant's deposit returned.

24 **SECTION 2036.** 102.87 (7) (c) of the statutes is amended to read:

1 102.87 (7) (c) If the defendant has made a deposit and stipulation of no contest,
2 the citation serves as the initial pleading and the defendant shall be considered to
3 have tendered a plea of no contest and submitted to a forfeiture, penalty assessment,
4 jail assessment, crime laboratories and drug law enforcement assessment and any
5 applicable uninsured employer assessment plus costs not to exceed the amount of the
6 deposit. The court may either accept the plea of no contest and enter judgment
7 accordingly, or reject the plea and issue a summons or an arrest warrant. After
8 signing a stipulation of no contest, the defendant may, at any time before or at the
9 time of the court appearance date, move the court for relief from the effect of the
10 stipulation. The court may act on the motion, with or without notice, for cause shown
11 by affidavit and upon just terms, and relieve the defendant from the stipulation and
12 the effects of the stipulation.

13 **SECTION 2037.** 102.87 (9) of the statutes is amended to read:

14 102.87 (9) A department deputy or an officer who collects a forfeiture, penalty
15 assessment, jail assessment, crime laboratories and drug law enforcement
16 assessment, applicable insured employer assessment and costs under this section
17 shall pay the money to the county treasurer within 20 days after its receipt. If the
18 department deputy or officer fails to make timely payment, the county treasurer may
19 collect the payment from the department deputy or officer by an action in the
20 treasurer's name of office and upon the official bond of the department deputy or
21 officer, with interest at the rate of 12% per year from the time when it should have
22 been paid.

23 **SECTION 2038.** 103.05 of the statutes is created to read:

24 **103.05 Hiring reporting system; state directory of new hires.** (1) The
25 department shall establish and operate a hiring reporting system that includes a

1 state directory of new hires. All requirements under the reporting system shall be
2 consistent with federal laws and regulations that relate to the reporting of newly
3 hired employees for support collection purposes, as part of the state location service
4 under s. 49.22 (2), or any other purposes specified in 42 USC 653a (h).

5 (2) (a) Except as provided in par. (b), every employer that employs individuals
6 in the state shall provide to the department information about each newly hired
7 employe.

8 (b) Paragraph (a) does not apply to an employer that employs individuals in this
9 state and in at least one other state, if the employer has designated, to the secretary
10 of the federal department of health and human services, a state other than this state
11 for the purpose of providing the information required under par. (a). An employer
12 under this paragraph shall notify the department of its designation of another state
13 to the secretary of the federal department of health and human services.

14 (3) The department shall specify all of the following:

15 (a) The information that employers must provide under sub. (2) (a).

16 (b) A number of different ways in which employers may report the information
17 required under sub. (2) (a), including paper and electronic means.

18 (c) A timetable for the actions and procedures required under the reporting
19 system, including the reporting required under sub. (2) (a).

20 (4) No person may use or disclose information obtained under this section
21 except in the administration of the program under s. 49.22 or a program specified in
22 42 USC 653a (h).

23 (5) (a) Except as provided in par. (b), and subject to par. (c), an employer that
24 violates any provision of this section, or any rule promulgated under this section,

1 may be required to forfeit up to \$25 for each employe concerning whom a violation
2 has occurred.

3 (b) Subject to par. (c), an employer may be required to forfeit up to \$500 for a
4 failure to supply the information under sub. (2) (a) about an employe, or for supplying
5 false or incomplete information under sub. (2) (a) about an employe, as a result of a
6 conspiracy between the employer and the employe to not supply the information or
7 to supply false or incomplete information.

8 (c) The department shall provide an employer with notice of any violation for
9 which a penalty may be imposed under par. (a) or (b), and with an opportunity to
10 correct the violation, before imposing any penalty under par. (a) or (b).

11 (d) The department shall deposit all moneys received under this subsection in
12 the appropriation account under s. 20.445 (1) (gd).

13 **(6)** If the department determines that the hiring reporting system established
14 under this section will be operational on or before January 1, 1998, the department
15 shall publish a notice in the Wisconsin Administrative Register before that date that
16 states that the system shall begin operating on January 1, 1998.

17 **SECTION 2638g.** 103.50 (8) of the statutes is amended to read:

18 103.50 (8) ENFORCEMENT AND PROSECUTION. The department of transportation
19 shall require adherence to subs. (2), (2m) and (6). ~~The~~ To this end, the department
20 of transportation may demand and examine, and it shall be the duty of every
21 contractor, subcontractor and agent thereof to keep and furnish to the department
22 of transportation, copies of payrolls and other records and information relating to the
23 wages paid to persons performing the work described in sub. (2m) for work to which
24 this section applies. Upon request of the department of transportation or upon
25 complaint of alleged violation, the district attorney of the county in which the work

1 is located shall make such investigation as necessary and prosecute violations in a
2 court of competent jurisdiction. Section 111.322 (2m) applies to discharge and other
3 discriminatory acts arising in connection with any proceeding under this section.

4 **SECTION 2039.** 104.01 (7) of the statutes is amended to read:

5 104.01 (7) "Student learner" means a student who is receiving instruction in
6 an accredited school and who is employed on a part-time basis, pursuant to a bona
7 fide school training program. A "bona fide school training program" means a
8 program authorized and approved by the department of ~~education~~ public instruction
9 or the technical college system board, or other recognized educational body, and
10 provided for part-time employment training which may be scheduled for a part of
11 the workday or workweek, supplemented by and integrated with, a definitely
12 organized plan of instruction and where proper scholastic credit is given by the
13 accredited school.

14 **SECTION 2040.** 106.11 (2) (b) of the statutes is amended to read:

15 106.11 (2) (b) In carrying out its responsibilities under this section, the
16 department shall coordinate services authorized under 29 USC 1533 and provided
17 by the department of ~~education~~ public instruction and the technical college system
18 board to provide programs to help eligible youth participants, at least 75% of whom
19 shall be economically disadvantaged individuals. At least 50% of the federal moneys
20 received under 29 USC 1602 (b) (1) shall be used for programs under this subsection.

21 **SECTION 2668m.** 106.115 (2) (em) of the statutes is created to read:

22 106.115 (2) (em) Review and recommend for approval by the state
23 superintendent of public instruction a school-to-work program for children at risk,
24 as defined in s. 118.153 (1) (a), provided by a nonprofit organization under s. 118.153
25 (3m).

1 **SECTION 2671d.** 106.12 of the statutes is amended to read:

2 **106.12** (title) **Division of ~~workforce excellence~~ connecting education**
3 **and work**. Based on the recommendations of the governor's council on workforce
4 excellence, the division of ~~workforce excellence~~ connecting education and work shall
5 plan, coordinate, administer and implement the department's workforce excellence
6 initiatives, programs, policies and funding, the youth apprenticeship and
7 school-to-work programs under s. 106.13 and such other employment and education
8 programs as the governor may by executive order assign to the division.
9 Notwithstanding any limitations placed on the use of state employment and
10 education funds under this section or s. 106.13, 106.14, 106.15, 106.20 or 106.21 or
11 under an executive order assigning an employment and education program to the
12 division, the secretary may issue a general or special order waiving any of those
13 limitations on finding that the waiver will promote the coordination of employment
14 and education services.

15 **SECTION 2041.** 106.13 (2m) of the statutes is amended to read:

16 **106.13 (2m)** After reviewing the recommendations of the governor's council on
17 workforce excellence under s. 106.115 (2) (e), the department shall approve
18 occupations and maintain a list of approved occupations for the youth apprenticeship
19 program and shall approve statewide skill standards for the school-to-work
20 program. From the appropriation under s. 20.445 (1) (ev), the department shall
21 ~~contract for the development of~~ develop curricula for youth apprenticeship programs
22 for occupations approved under this subsection.

23 **SECTION 2042.** 106.13 (4) (b) of the statutes is amended to read:

24 **106.13 (4) (b)** From the appropriation under s. 20.445 (1) (em), the department
25 may award grants a grant to a public agencies ~~and~~ agency or a nonprofit

1 ~~organizations that are~~ organization, or to an employer that is responsible for the
2 on-the-job training and supervision of a youth apprentice. A public agency or
3 non-profit organization that receives a grant under this subsection shall use the
4 funds awarded under the grant to award training grants to employers ~~who~~ that
5 provide on-the-job training and supervision for youth apprentices. ~~A Subject to par.~~
6 (c), a training grant provided under this subsection may not exceed 50% of the youth
7 apprentice's hourly wage or \$4 per hour, whichever is less. An employer may receive
8 training grant funds for not more than 500 hours of work per youth apprentice in any
9 school year, as defined in s. 115.001 (13) be awarded to an employer for each youth
10 apprentice who receives at least 180 hours of paid on-the-job training from the
11 employer during a school year, as defined in s. 115.001 (13). The amount of a training
12 grant may not exceed \$500 per youth apprentice per school year. A training grant
13 may not be awarded for any specific youth apprentice for more than 2 school years.

14 **SECTION 2676d.** 106.13 (4) (c) of the statutes is created to read:

15 106.13 (4) (c) Notwithstanding par. (b), the department may award a training
16 grant under this subsection to an employer that provides less than 180 hours of paid
17 on-the-job training for a youth apprentice during a school year, as defined in s.
18 115.001 (13), if the department determines that it would be beneficial for the youth
19 apprentice to receive on-the-job training from more than one employer.

20 **SECTION 2043.** 106.14 (1) of the statutes, as affected by 1995 Wisconsin Act 27,
21 section 3770m, is amended to read:

22 106.14 (1) The department may award grants to nonprofit corporations and
23 public agencies for the provision of career counseling centers throughout the state.
24 From the appropriation under s. 20.445 (1) (gd), the department shall allocate
25 \$300,000 in each fiscal year for the payment of those grants.

1 **SECTION 2044.** 106.14 (1) of the statutes, as affected by 1997 Wisconsin Act ...
2 (this act), is repealed and recreated to read:

3 106.14 (1) The department may award grants to nonprofit corporations and
4 public agencies for the provision of career counseling centers throughout the state.

5 **SECTION 2680m.** 106.215 (7) (c) of the statutes is created to read:

6 106.215 (7) (c) *Conservation fund appropriation.* Notwithstanding par. (a),
7 moneys appropriated under s. 20.445 (6) (u) that are not derived from the forestation
8 state tax under s. 70.58 may be utilized for any project approved by the board
9 regardless of whether the project consists in whole or in part of conservation
10 activities.

11 **SECTION 2045.** 106.215 (10) (d) of the statutes is amended to read:

12 106.215 (10) (d) *Unemployment compensation.* A corps enrollee member or
13 assistant crew leader is not eligible for unemployment compensation benefits by
14 virtue of his or her employment in the Wisconsin conservation corps program. To the
15 extent permitted by federal law, the Wisconsin conservation corps program shall be
16 considered a work-relief and working-training program for the purpose of
17 determining eligibility for benefits under s. 108.02 (15) (g) 1.

18 **SECTION 2046.** 106.215 (10) (g) 1. of the statutes is amended to read:

19 106.215 (10) (g) 1. A person who is employed as a corps enrollee for a 6-month
20 to one-year period of continuous employment, as determined by standards adopted
21 by the board, and who receives a satisfactory employment evaluation upon
22 termination of employment is entitled to an incentive payment of \$500 prorated in
23 the same proportion as the number of hours of employment completed by that person
24 bears to 2,080 hours or an education voucher that is worth at least double the
25 monetary value of the prorated incentive payment, but not more than ~~\$2,400~~ \$2,600

1 prorated in the same proportion as the number of hours of employment completed
2 by that person bears to 2,080 hours. No corps enrollee may receive more than 2
3 incentive payments or 4 education vouchers.

4 **SECTION 2047.** 107.31 (5) (a) 1. of the statutes is amended to read:

5 107.31 (5) (a) 1. Four percent of all moneys distributed under s. 70.395 (1), 1995
6 stats., and under s. 70.395 (1e) beginning on May 22, 1980; and

7 **SECTION 2048.** 108.02 (15) (gm) of the statutes is created to read:

8 108.02 (15) (gm) "Employment" as applied to work for the Wisconsin
9 conservation corps board, does not include service as a corps member or assistant
10 crew leader.

11 **SECTION 2049.** 108.20 (2m) of the statutes is amended to read:

12 108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (ge) and (gf)
13 which are received by the administrative account as interest and penalties under
14 this chapter, the department shall pay the benefits chargeable to the administrative
15 account under s. 108.07 (5) and the interest payable to employers under s. 108.17
16 (3m) and may pay interest due on advances to the unemployment reserve fund from
17 the federal unemployment account under title XII of the social security act, 42 USC
18 1321 to 1324, may make payments to satisfy a federal audit exception concerning a
19 payment from the fund or any federal aid disallowance involving the unemployment
20 compensation program, ~~or~~ may make payments to the fund if such action is necessary
21 to obtain a lower interest rate or deferral of interest payments on advances from the
22 federal unemployment account under title XII of the social security act or may
23 provide career counseling center grants under s. 106.14, except that any interest
24 earned pending disbursement of federal employment security grants under s. 20.445
25 (1) (n) shall be credited to the general fund. Any moneys reverting to the

1 administrative account from the appropriations under s. 20.445 (1) (ge) and (gf) shall
2 be utilized as provided in this subsection.

3 **SECTION 2050.** 108.20 (2m) of the statutes, as affected by 1997 Wisconsin Act
4 (this act), is repealed and recreated to read:

5 108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (ge) and (gf)
6 which are received by the administrative account as interest and penalties under
7 this chapter, the department shall pay the benefits chargeable to the administrative
8 account under s. 108.07 (5) and the interest payable to employers under s. 108.17
9 (3m) and may pay interest due on advances to the unemployment reserve fund from
10 the federal unemployment account under title XII of the social security act, 42 USC
11 1321 to 1324, may make payments to satisfy a federal audit exception concerning a
12 payment from the fund or any federal aid disallowance involving the unemployment
13 compensation program, or may make payments to the fund if such action is necessary
14 to obtain a lower interest rate or deferral of interest payments on advances from the
15 federal unemployment account under title XII of the social security act, except that
16 any interest earned pending disbursement of federal employment security grants
17 under s. 20.445 (1) (n) shall be credited to the general fund. Any moneys reverting
18 to the administrative account from the appropriations under s. 20.445 (1) (ge) and
19 (gf) shall be utilized as provided in this subsection.

20 **SECTION 2689t.** 109.09 (1) of the statutes is amended to read:

21 109.09 (1) The department shall investigate and attempt equitably to adjust
22 controversies between employers and employees as to alleged wage claims. The
23 department may receive and investigate any wage claim which is filed with the
24 department, or received by the department under s. 109.10 (4), no later than 2 years
25 after the date the wages are due. The department may, after receiving a wage claim,

1 investigate any wages due from the employer against whom the claim is filed to any
2 employe during the period commencing 2 years before the date the claim is filed. The
3 department shall enforce this chapter and ss. 66.293, 103.02, 103.49, 103.50, 103.82
4 and 104.12. In pursuance of this duty, the department may sue the employer on
5 behalf of the employe to collect any wage claim or wage deficiency and ss. 109.03 (6)
6 and 109.11 (2) and (3) shall apply to such actions. Except for actions under s. 109.10,
7 the department may refer such an action to the district attorney of the county in
8 which the violation occurs for prosecution and collection and the district attorney
9 shall commence an action in the circuit court having appropriate jurisdiction. Any
10 number of wage claims or wage deficiencies against the same employer may be joined
11 in a single proceeding, but the court may order separate trials or hearings. In actions
12 that are referred to a district attorney under this subsection, any taxable costs
13 recovered by the district attorney shall be paid into the general fund of the county
14 in which the violation occurs and used by that county to meet its financial
15 responsibility under s. 978.13 (2) for the operation of the office of the district attorney
16 who prosecuted the action.

17 **SECTION 2051.** 109.09 (2) of the statutes is amended to read:

18 109.09 (2) The department, under its authority under sub. (1) to maintain
19 actions for the benefit of employes, or an employe who brings an action under s.
20 109.03 (5) shall have a lien upon all property of the employer, real or personal, located
21 in this state for the full amount of any wage claim or wage deficiency. A lien under
22 this subsection takes effect when the department or employe files a verified petition
23 claiming the lien with the clerk of the circuit court of the county in which the services
24 or some part of the services were performed pays the fee specified in s. 814.61 (5) to
25 that clerk of circuit court and serves a copy of that petition on the employer by

1 personal service in the same manner as a summons is served under s. 801.11 or by
2 certified mail with a return receipt requested. The department or employe must file
3 the petition within 2 years after the date that the wages were due. The petition shall
4 specify the nature of the claim and the amount claimed, describe the property upon
5 which the claim is made and state that the petitioner claims a lien on that property.
6 The lien shall take precedence over all other debts, judgments, decrees, liens or
7 mortgages against the employer, except a lien under s. 292.31 (8) (i), ~~292.41 (6) (d)~~
8 or 292.81, and may be enforced in the manner provided in ss. 779.09 to 779.12, 779.20
9 and 779.21, insofar as such provisions are applicable. The lien ceases to exist if the
10 department or the employe does not bring an action to enforce the lien within the
11 period prescribed in s. 893.44 for the underlying wage claim.

12 **SECTION 2052.** 110.065 of the statutes is amended to read:

13 **110.065 Traffic academy.** The secretary may establish and operate an
14 academy for the training of state, county and local traffic patrol officers and other
15 related personnel and make rules and regulations for the conduct thereof. The
16 secretary shall establish and periodically revise a reasonable scale of tuition charges.
17 The tuition for personnel other than employes of the department shall be paid by
18 their respective departments or governing bodies and shall be deposited in the
19 ~~transportation fund~~ appropriation account under s. 20.395 (5) (dh). The secretary
20 shall consult appropriate state, county and local authorities concerning the
21 establishment and operation of the academy and the determination of tuition
22 charges. State agencies shall cooperate with the secretary in providing information
23 and instructional services for the academy.

24 **SECTION 2693m.** 111.91 (2) (kg) of the statutes is created to read:

1 111.91 (2) (kg) The procedures relating to code of ethics violations under s.
2 230.125.

3 **SECTION 2693mm.** 111.91 (2) (Lm) of the statutes is created to read:

4 111.91 (2) (Lm) Any reduction in fringe benefits provided by a county having
5 a population of 500,000 or more to assistant district attorneys, who are granted
6 creditable service under s. 40.02 (17) (gm), to compensate for the reduction in the
7 state's reimbursement of the employer's cost for fringe benefits under s. 978.12 (6)
8 (b).

9 **SECTION 2693p.** 111.91 (2) (n) of the statutes is created to read:

10 111.91 (2) (n) The provision to employes of the health insurance coverage
11 required under s. 632.895 (11) and (12).

12 **SECTION 2053.** Chapter 115 (title) of the statutes is amended to read:

13 **CHAPTER 115**
14 **DEPARTMENT OF EDUCATION STATE**
15 **SUPERINTENDENT; GENERAL**
16 **CLASSIFICATIONS AND DEFINITIONS;**
17 **HANDICAPPED CHILDREN**

18 **SECTION 2054.** 115.001 (1) of the statutes is amended to read:

19 115.001 (1) CHARTER SCHOOL. "Charter school" means a school under contract
20 with a school board under s. 118.40 or with one of the entities under s. 118.40 (2r) (b),
21 or a school established and operated by one of the entities under s. 118.40 (2r) (b).

22 **SECTION 2695g.** 115.001 (2) of the statutes is amended to read:

23 115.001 (2) DEPARTMENT. "Department" means the department of education
24 public instruction.

25 **SECTION 2695r.** 115.001 (3r) of the statutes is amended to read:

1 115.001 **(3r)** PRIVATE SCHOOL. “Private school” means an institution with a
2 private educational program that meets all of the criteria under s. 118.165 (1) or is
3 determined to be a private school by the ~~department~~ state superintendent under s.
4 118.167.

5 **SECTION 2055.** 115.001 (13m) of the statutes is repealed.

6 **SECTION 2056.** Subchapter II (title) of chapter 115 [precedes 115.28] of the
7 statutes is repealed and recreated to read:

8 **CHAPTER 115**

9 SUBCHAPTER II

10 STATE SUPERINTENDENT OF

11 PUBLIC INSTRUCTION

12 **SECTION 2697m.** 115.28 (intro.) of the statutes is amended to read:

13 **115.28 General duties.** (intro.) The ~~department~~ state superintendent shall:

14 **SECTION 2057.** 115.28 (3m) of the statutes is repealed and recreated to read:

15 **115.28 (3m)** SUPERVISION OF COOPERATIVE EDUCATIONAL SERVICE AGENCIES; RULES.

16 (a) Supervise and audit the receipts and expenditures of the cooperative educational
17 service agencies, conduct program review of the agencies, approve agency
18 evaluations, supervise boundary reorganization where necessary, advise the
19 administrators of the agencies and provide assistance in organizing the agencies
20 throughout the state.

21 (b) Promulgate rules establishing procedures for the reorganization of
22 cooperative educational service agencies and boundary appeals.

23 (c) Every 3rd year as scheduled by the department, report to the appropriate
24 standing committees of the legislature under s. 13.172 (3) on all cooperative

1 educational service agency programs and services. The report shall include
2 information on the efficiency and effectiveness of the programs and services.

3 **SECTION 2698m.** 115.28 (5) of the statutes is amended to read:

4 115.28 (5) APPEALS. Examine and determine all appeals which by law are made
5 to the ~~department~~ state superintendent and prescribe rules of practice in respect
6 thereto, not inconsistent with law.

7 **SECTION 2058.** 115.28 (7) (a) of the statutes is amended to read:

8 115.28 (7) (a) License all teachers for the public schools of the state, make rules
9 establishing standards of attainment and procedures for the examination and
10 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.192 and
11 118.195, prescribe by rule standards and procedures for the approval of teacher
12 preparatory programs leading to licensure, file in the secretary's state
13 superintendent's office all papers relating to state teachers' licenses and register
14 each such license.

15 **SECTION 2699g.** 115.28 (7) (b) of the statutes is amended to read:

16 115.28 (7) (b) Subject to the same rules and laws concerning qualifications of
17 applicants and granting and revocation of licenses or certificates under par. (a), the
18 ~~department~~ state superintendent shall grant certificates and licenses to teachers in
19 private schools, except that teaching experience requirements for such certificates
20 and licenses may be fulfilled by teaching experience in either public or private
21 schools. An applicant is not eligible for a license or certificate unless the ~~department~~
22 state superintendent finds that the private school in which the applicant taught
23 offered an adequate educational program during the period of the applicant's
24 teaching therein. Private schools are not obligated to employ only licensed or
25 certified teachers.

1 **SECTION 2699r.** 115.28 (7) (e) 2. of the statutes is amended to read:

2 115.28 (7) (e) 2. Promulgate rules establishing requirements for licensure as
3 an alternative education program teacher and for the approval of teacher education
4 programs leading to licensure as an alternative education program teacher. The
5 rules shall encompass the teaching of multiple subjects or grade levels or both, as
6 determined by the ~~department~~ state superintendent. The rules may require teacher
7 education programs to grant credit towards licensure as an alternative education
8 program teacher for relevant experience or demonstrated proficiency in relevant
9 skills and knowledge.

10 **SECTION 2059.** 115.28 (7m) of the statutes is amended to read:

11 115.28 (7m) CERTIFICATION OF SCHOOL NURSES. Certify school nurses, make
12 rules for the examination and certification of school nurses and file in the ~~secretary's~~
13 state superintendent's office all papers relating to school nurses certification and
14 register each such certification.

15 **SECTION 2701m.** 115.28 (9) of the statutes is amended to read:

16 115.28 (9) FEDERAL AIDS. Accept federal funds for any function over which the
17 ~~department~~ state superintendent has jurisdiction and act as the agent for the receipt
18 and disbursement of such funds.

19 **SECTION 2060.** 115.28 (20) (a) of the statutes is amended to read:

20 115.28 (20) (a) Advise the ~~secretary~~ state superintendent on funding criteria
21 and evaluation plans for grant programs for the school district operating under ch.
22 119.

23 **SECTION 2061.** 115.28 (20) (b) of the statutes is amended to read:

24 115.28 (20) (b) Advise the ~~secretary~~ state superintendent on the programs that
25 meet or do not meet the funding criteria.

1 **SECTION 2062.** 115.28 (20) (c) of the statutes is amended to read:

2 115.28 **(20)** (c) Assist the ~~secretary~~ state superintendent in monitoring the
3 progress of funded programs.

4 **SECTION 2063.** 115.28 (20) (d) of the statutes is amended to read:

5 115.28 **(20)** (d) Recommend to the ~~secretary~~ state superintendent needed
6 changes in statutes or rules relating to grant programs.

7 **SECTION 2064.** 115.28 (20) (e) of the statutes is amended to read:

8 115.28 **(20)** (e) Submit to the ~~secretary~~ state superintendent an annual report
9 detailing the council's activities, accomplishments and projected needs.

10 **SECTION 2707m.** 115.28 (21) of the statutes is amended to read:

11 115.28 **(21)** YOUTH INITIATIVES PROGRAM. Administer grants to local community
12 organizations for standardized assessment and programs for instruction in basic
13 skills and work experience under the youth initiatives program. The ~~department~~
14 state superintendent may require a school board to provide matching funds at any
15 percentage. The match may be in the form of money or in-kind services or both. The
16 ~~department~~ state superintendent shall establish, by rule, performance standards for
17 the youth initiatives program and shall monitor performances by grantees. This
18 subsection does not apply after June 30, 1996.

19 **SECTION 2708m.** 115.28 (30) (c) of the statutes is repealed.

20 **SECTION 2708p.** 115.28 (35) of the statutes is amended to read:

21 115.28 **(35)** GRANTS FOR COLLABORATIVE PROJECTS. From the appropriation under
22 s. 20.255 (2) (ef), award a \$300,000 grant to a rural school district, a suburban school
23 district and an urban school district, other than the school district operating under
24 ch. 119, for projects, conducted in collaboration with the county social services
25 department or the county human services department, that integrate social services

1 and school responsibilities as they relate to pupils and their parents. One-third of
2 the total grant amount shall be paid in each of 3 consecutive school years. The
3 department state superintendent shall give preference in awarding grants to
4 projects that provide for the delivery of services in a single location. No grant may
5 be awarded under this subsection after June 30, 1996.

6 **SECTION 2065.** 115.28 (38) of the statutes is repealed.

7 **SECTION 2709m.** 115.28 (39) of the statutes is created to read:

8 115.28 (39) ALCOHOL AND OTHER DRUG ABUSE REPORT. By July 1, 1998, and
9 biennially by July 1 thereafter, evaluate the effectiveness of the programs under ss.
10 115.36, 115.361 and 115.362 and submit a report to the legislature under s. 13.172
11 (2). To satisfy this reporting requirement as it pertains to s. 115.361, the department
12 may incorporate into the report under this subsection the report required under s.
13 115.361 (7) (c).

14 **SECTION 2709r.** 115.28 (40) of the statutes is created to read:

15 115.28 (40) MILWAUKEE PUBLIC MUSEUM. Annually distribute the amount
16 appropriated under s. 20.255 (3) (ef) to the Milwaukee Public Museum to develop
17 curricula and exhibits relating to African American history if the Milwaukee Public
18 Museum provides an equal amount of money for that purpose.

19 **SECTION 2066.** 115.29 (intro.) of the statutes is amended to read:

20 **115.29 General powers.** (intro.) The ~~secretary~~ state superintendent may:

21 **SECTION 2067.** 115.29 (1) of the statutes is amended to read:

22 115.29 (1) DESIGNATE REPRESENTATIVE. Designate the deputy ~~secretary~~ state
23 superintendent or another employe of the department as the ~~secretary's~~ state
24 superintendent's representative on any body on which the ~~secretary~~ state

1 superintendent is required to serve, except the board of regents of the university of
2 Wisconsin system.

3 **SECTION 2068.** 115.29 (2) of the statutes is amended to read:

4 115.29 (2) EDUCATIONAL MEETINGS. Attend such educational meetings and make
5 such investigations as the ~~secretary~~ state superintendent deems important and as
6 will acquaint the ~~secretary~~ state superintendent with the different systems of public
7 schools in the United States.

8 **SECTION 2069.** 115.29 (4) of the statutes is amended to read:

9 115.29 (4) HIGH SCHOOL GRADUATION EQUIVALENCY. Grant declarations of
10 equivalency of high school graduation to persons, if in the ~~secretary's~~ state
11 superintendent's judgment they have presented satisfactory evidence of having
12 completed a recognized high school course of study or its equivalent. The ~~secretary~~
13 state superintendent may establish the standards by which high school graduation
14 equivalency is determined. Such standards may consist of evidence of high school
15 courses completed in high schools recognized by the proper authorities as accredited,
16 results of examinations given by or at the request of the ~~secretary~~ state
17 superintendent, successful completion of correspondence study courses given by
18 acceptable correspondence study schools, a general educational development
19 certificate of high school equivalency issued by an agency of the U.S. government,
20 course credits received in schools meeting the approval of the ~~secretary~~ state
21 superintendent or other standards established by the ~~secretary~~ state
22 superintendent.

23 **SECTION 2713m.** 115.30 (4) (intro.) of the statutes is amended to read:

24 115.30 (4) (intro.) In the biennial report under s. 15.04 (1) (d), the ~~department~~
25 state superintendent also shall report:

1 **SECTION 2070.** 115.30 (4) (a) of the statutes is amended to read:

2 115.30 (4) (a) The condition of all schools under the department's state
3 superintendent's supervision.

4 **SECTION 2714m.** 115.30 (4) (b) of the statutes is amended to read:

5 115.30 (4) (b) An abstract of the public school reports made to the department
6 state superintendent.

7 **SECTION 2071.** 115.30 (4) (c) of the statutes is amended to read:

8 115.30 (4) (c) The ~~secretary's~~ state superintendent's visits to educational
9 institutions.

10 **SECTION 2072.** 115.30 (4) (f) of the statutes is amended to read:

11 115.30 (4) (f) A summary of the receipts and disbursements of all schools under
12 the department's state superintendent's jurisdiction.

13 **SECTION 2716m.** 115.30 (4) (g) of the statutes is amended to read:

14 115.30 (4) (g) Such other matters as the ~~department~~ state superintendent
15 deems appropriate.

16 **SECTION 2717b.** 115.31 (2) of the statutes is amended to read:

17 115.31 (2) Except as provided under sub. (2g), after written notice of the
18 charges and of an opportunity for defense, any license granted by the ~~department~~
19 state superintendent may be revoked by the ~~department~~ state superintendent for
20 incompetency or immoral conduct on the part of the licensee.

21 **SECTION 2717d.** 115.31 (2g) of the statutes is amended to read:

22 115.31 (2g) Notwithstanding subch. II of ch. 111, the ~~department~~ state
23 superintendent shall revoke a license granted by the ~~department~~ state
24 superintendent, without a hearing, if the licensee is convicted of any Class A, B, C

1 or D felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a violation that
2 occurs on or after September 12, 1991.

3 **SECTION 2717e.** 115.31 (2r) of the statutes is amended to read:

4 115.31 **(2r)** (a) Except as provided under par. (b), the ~~department~~ state
5 superintendent may not reinstate a license revoked under sub. (2g) for 6 years
6 following the date of the conviction, and may reinstate a license revoked under sub.
7 (2g) only if the licensee establishes by clear and convincing evidence that he or she
8 is entitled to reinstatement.

9 (b) The ~~department~~ state superintendent shall reinstate a license revoked
10 under sub. (2g), prior to the expiration of the 6-year period following the conviction,
11 if he or she receives from the court in which the conviction occurred a certificate
12 stating that the conviction has been reversed, set aside or vacated.

13 **SECTION 2717h.** 115.31 (3) (a) (intro.) of the statutes is amended to read:

14 115.31 **(3)** (a) (intro.) Report to the ~~department~~ state superintendent the name
15 of any person employed by the educational agency and licensed by the ~~department~~
16 state superintendent if any of the following occurs:

17 **SECTION 2717L.** 115.31 (3) (b) of the statutes is amended to read:

18 115.31 **(3)** (b) Report to the ~~department~~ state superintendent the name of any
19 person employed by the educational agency who is not licensed by the ~~department~~
20 state superintendent if the person is convicted of a crime described under par. (a) 1.
21 or of 4th degree sexual assault under s. 940.225 (3m).

22 **SECTION 2717p.** 115.31 (3) (c) of the statutes is amended to read:

23 115.31 **(3)** (c) Send a copy of any report that is made to the ~~department~~ state
24 superintendent under par. (a) or (b) to the person who is the subject of the report.

25 **SECTION 2717r.** 115.31 (4) of the statutes is amended to read:

1 115.31 (4) If an administrator requests a person who is employed by an
2 educational agency and licensed by the ~~department~~ state superintendent to resign,
3 and the administrator has a reasonable suspicion that the person engaged in
4 immoral conduct, the administrator shall inform the person of the duty to report to
5 the ~~department~~ state superintendent under sub. (3) (a) 4.

6 **SECTION 2717u.** 115.31 (5) (b) of the statutes is amended to read:

7 115.31 (5) (b) Any administrator who in good faith reports or fails to report
8 information under sub. (3), and any other person who reports information under sub.
9 (3) to the ~~department~~ state superintendent, is immune from civil liability for such
10 acts or omissions.

11 **SECTION 2717y.** 115.31 (6) (a) of the statutes is amended to read:

12 115.31 (6) (a) Upon receiving a report under sub. (3) (a) 2. or (b) indicating that
13 a person was convicted of a crime, the ~~department~~ state superintendent shall verify
14 the conviction.

15 **SECTION 2717ym.** 115.31 (6) (b) of the statutes is amended to read:

16 115.31 (6) (b) Upon receiving a report under sub. (3) relating to a person
17 licensed by the ~~department~~ state superintendent, the ~~department~~ state
18 superintendent shall investigate to determine whether to initiate revocation
19 proceedings. During the investigation, the ~~department~~ state superintendent shall
20 keep confidential all information pertaining to the investigation except the fact that
21 an investigation is being conducted and the date of the revocation hearing.

22 **SECTION 2720m.** 115.31 (8) of the statutes is amended to read:

23 115.31 (8) The ~~department~~ state superintendent shall promulgate rules to
24 implement and administer this section.

25 **SECTION 2721c.** 115.33 (2) of the statutes is amended to read:

1 115.33 (2) (a) The ~~department~~ state superintendent may request the
2 department of commerce to inspect a public school if any of the following occurs:

3 1. Any elector in the school district complains in writing to the ~~department~~
4 state superintendent that the school is inadequate or is otherwise unfit for school
5 purposes.

6 2. The school board of the school district in which the school is located requests
7 the ~~department~~ state superintendent to do so. The school board may also request an
8 opinion as to whether the school is adequate for a proposed use.

9 3. The ~~department~~ state superintendent determines there is significant
10 evidence that the school is not in compliance.

11 (b) The department of commerce shall inspect the school within 30 days after
12 receiving a request from the ~~department~~ state superintendent under par. (a).

13 **SECTION 2721g.** 115.33 (3) (a) of the statutes is amended to read:

14 115.33 (3) (a) If the ~~department~~ state superintendent determines that a school
15 is not in compliance, and the department of commerce, based on its inspection of the
16 school, concurs in the determination, the ~~department~~ state superintendent may
17 order the school board to repair, improve, remodel or close the school by a stated date.
18 An order issued under this paragraph constitutes a preliminary finding of
19 noncompliance with the standard under s. 121.02 (1) (i).

20 **SECTION 2721L.** 115.33 (3) (b) 1. of the statutes is amended to read:

21 115.33 (3) (b) 1. If the ~~department~~ state superintendent determines that a
22 school is not in compliance and is not worth repairing, and the department of
23 commerce, based on its inspection of the school, concurs in the determination, the
24 ~~department~~ state superintendent may order the school board to develop a plan that
25 describes how the school board will achieve compliance with the standard under s.

1 121.02 (1) (i). The plan shall specify the time within which compliance with the
2 standard under s. 121.02 (1) (i) shall be achieved. The department state
3 superintendent shall hold a public hearing on the plan in the school district and may,
4 as a result of the hearing, recommend changes to the plan. The department state
5 superintendent may withhold up to 25% of the school district's state aid if the school
6 district fails to achieve compliance with the standard under s. 121.02 (1) (i) within
7 the period specified in the plan.

8 **SECTION 2721p.** 115.34 (2) of the statutes is amended to read:

9 115.34 (2) The department state superintendent shall make payments to
10 school districts and to private schools for school lunches served to children in the
11 prior year as determined by the department state superintendent from the
12 appropriation under s. 20.255 (2) (cn). Payments to school districts and to private
13 schools shall equal the state's matching obligation under 42 USC 1751 et seq.
14 Payments in the current year shall be determined by prorating the state's matching
15 obligation based on the number of school lunches served to children in the prior year.
16 In this subsection, "private school" means any school defined in s. 115.001 (3r) which
17 complies with the requirements of 42 USC 2000d.

18 **SECTION 2721t.** 115.341 (1) (intro.) of the statutes is amended to read:

19 115.341 (1) (intro.) A school board or governing body of a private school may
20 apply to the department state superintendent for a grant to assist in establishing a
21 school breakfast program. Beginning in the 1994-95 school year, the department
22 state superintendent shall award grants from the appropriation under s. 20.255 (2)
23 (cm). The department state superintendent may award a grant of up to \$10,000 to
24 a school board or governing body of a private school under this section only if all of
25 the following apply:

1 **SECTION 2721x.** 115.341 (4) of the statutes is amended to read:

2 115.341 (4) The department state superintendent shall promulgate rules to
3 implement and administer this section.

4 **SECTION 2073.** 115.345 (1) of the statutes is amended to read:

5 115.345 (1) Any school district approved by the department state
6 superintendent may establish a system to provide the opportunity for authorized
7 elderly persons to participate in its school lunch program. If a school board desires
8 to establish such a service, it shall develop a plan for the provision of food services
9 for elderly persons and submit the plan to the department state superintendent.
10 Upon petition of 5% of the voters in the school district who voted in the last school
11 board election, the school board shall formulate a food services plan, provided that
12 hot food service facilities are available to school children in the district.

13 **SECTION 2074.** 115.345 (2) of the statutes is amended to read:

14 115.345 (2) Each plan shall provide at least one meal per day for each day that
15 school is in regular session. The school board may provide additional service at other
16 times in its discretion, if the number of eligible persons in the district or adjacent
17 districts is of sufficient size, in the opinion of the department state superintendent,
18 so that unwarranted production expense is not incurred.

19 **SECTION 2075.** 115.345 (3) of the statutes is amended to read:

20 115.345 (3) Any school board which operates a food services plan for elderly
21 persons under this section shall make facilities available for service to elderly
22 persons at every high school and junior high school in the district which provides hot
23 food service to its students. Upon application, the department state superintendent
24 may grant exceptions from compliance with this subsection for reasons of safety,

1 convenience or insufficient interest in a given neighborhood. The school board may,
2 in addition, provide service at elementary schools if desired.

3 **SECTION 2076.** 115.345 (4) of the statutes is amended to read:

4 115.345 (4) Meals may be served at schools where they are served to students
5 or at any site more convenient to the majority of authorized elderly persons
6 interested in the service. Food may be transported to authorized elderly persons who
7 are unable to leave their homes or distributed to nonprofit organizations for such
8 purposes. However, no state funds under this section may be used for food delivery
9 to individual homes. The ~~department~~ state superintendent may require
10 consolidation of programs between districts and between schools if such a procedure
11 will be convenient and economical.

12 **SECTION 2077.** 115.345 (6) of the statutes is amended to read:

13 115.345 (6) All meals served must meet the approval of the ~~department which~~
14 state superintendent who shall establish minimum nutritional standards not
15 inconsistent with federal standards and reasonable expenditure limits such that the
16 average cost per meal is not excessive. The ~~department~~ state superintendent shall
17 give special consideration to dietary problems of elderly persons in formulating a
18 nutritional plan. However, no school board shall be required to provide special foods
19 for individual persons with allergies or medical disorders.

20 **SECTION 2078.** 115.345 (7) of the statutes is amended to read:

21 115.345 (7) Participants in a program under this section may be required to
22 document their Wisconsin residency in a manner approved by the department. The
23 ~~department~~ state superintendent may issue identification cards to such persons if
24 necessary.

25 **SECTION 2079.** 115.345 (7m) of the statutes is amended to read:

1 115.345 (7m) A private school may establish a food services plan for elderly
2 persons. If the plan meets all of the requirements of this section and is approved by
3 the ~~department~~ state superintendent, the private school is eligible for
4 reimbursement in the same manner as school districts under sub. (5).

5 **SECTION 2080.** 115.345 (8) of the statutes is amended to read:

6 115.345 (8) The ~~department~~ state superintendent shall adopt reasonable rules
7 necessary to implement this section.

8 **SECTION 2729e.** 115.347 (3) of the statutes, as affected by 1997 Wisconsin Act
9 3, is amended to read:

10 115.347 (3) The ~~department~~ state superintendent shall assist school boards in
11 developing a method for submitting enrollment data to the department of workforce
12 development under sub. (1).

13 **SECTION 2729m.** 115.35 (2) (intro.) of the statutes is amended to read:

14 115.35 (2) (intro.) In carrying out this section, the ~~department~~ state
15 superintendent may, without limitation because of enumeration:

16 **SECTION 2729s.** 115.35 (5) (intro.) of the statutes is amended to read:

17 115.35 (5) (intro.) In each report under s. 15.04 (1) (d), the ~~department~~ state
18 superintendent shall include information:

19 **SECTION 2081.** 115.35 (5) (c) of the statutes is amended to read:

20 115.35 (5) (c) As to the department's state superintendent's recommendations
21 to improve such programs and cooperation.

22 **SECTION 2733m.** 115.361 (2) (b) and (c) of the statutes are amended to read:

23 115.361 (2) (b) A school board contracting under par. (am) may apply to the
24 ~~department~~ state superintendent for a grant to help fund the costs of the program.

25 The ~~department~~ state superintendent shall review the applications and determine

1 which of the applicants will receive grants. A grant shall fund 100% of the cost of the
2 classroom materials for the program and 80% of the costs of the contract, except that
3 no grant may exceed \$50,000. Grants shall be awarded from the appropriation under
4 s. 20.255 (2) (dm).

5 (c) The department state superintendent shall promulgate rules to implement
6 and administer this subsection, including rules establishing criteria for selecting
7 grant recipients under par. (b).

8 **SECTION 2734m.** 115.361 (3) (a) and (b) of the statutes are amended to read:

9 115.361 (3) (a) A school board may apply to the department state
10 superintendent for a grant to fund a families and schools together program designed
11 to identify pupils who are 6 to 11 years of age who have a high risk of dropping out
12 of school, experiencing alcohol and other drug abuse problems or being adjudged
13 delinquent. The program shall provide prevention and early intervention activities
14 involving joint school, family and community participation, including mental health
15 and alcohol and other drug abuse program specialists.

16 (b) Beginning in the 1990-91 school year and annually thereafter, the
17 department state superintendent may award grants of up to \$50,000 to school
18 districts with small and medium memberships and grants of up to \$70,000 to school
19 districts with large memberships. Grants shall be awarded from the appropriation
20 under s. 20.255 (2) (dm). In this paragraph, "membership" has the meaning given
21 in s. 121.004 (5).

22 **SECTION 2735m.** 115.361 (4) of the statutes is amended to read:

23 115.361 (4) GRANTS FOR PUPIL ALCOHOL AND OTHER DRUG ABUSE PROGRAM PROJECTS.

24 (a) The department state superintendent may award grants of up to \$1,000 to a
25 participating school district for alcohol and other drug abuse education, prevention

1 or intervention programs designed by the pupils enrolled in the school district. The
2 school district shall use the funds for the costs of the projects.

3 (b) Grants under this subsection shall be awarded from the appropriation
4 under s. 20.255 (2) (dm). To the extent possible, the ~~department~~ state superintendent
5 shall ensure that grants are equally distributed on a statewide basis.

6 **SECTION 2736m.** 115.361 (5) (a), (b) (intro.) and 3. (intro.) and (c) (intro.) and
7 3. of the statutes are amended to read:

8 115.361 (5) (a) A school board, with the cooperation and support of a
9 community-based organization, may apply to the ~~department~~ state superintendent
10 for a grant of up to \$30,000 to fund an after-school or summer school program for
11 pupils in grades 1 to 9.

12 (b) (intro.) The ~~department~~ state superintendent shall award grants under this
13 subsection from the appropriation under s. 20.255 (2) (dm). The amount of a grant
14 may not exceed 80% of the cost of the program, including in-kind contributions. The
15 ~~department~~ state superintendent may award a grant to a school board under this
16 subsection only if all of the following apply:

17 3. (intro.) The program includes a school tutoring program operated by the
18 school board or the community-based organization for pupils in grades 1 to 9 who
19 are one or more years behind their age group in reading, writing or mathematics or
20 who exhibit other significant academic deficiencies, including poor school
21 attendance or school work completion problems. The ~~department~~ state
22 superintendent may consider whether any of the following applies to the program in
23 determining whether to award a grant:

24 (c) (intro.) The ~~department~~ state superintendent shall:

1 3. Annually by July 1, evaluate the programs funded under this subsection and
2 submit a report describing its his or her conclusions and recommendations to the
3 chief clerk of each house of the legislature for distribution to the appropriate
4 standing committees under s. 13.172 (3).

5 **SECTION 2738m.** 115.361 (7) (a) (intro.), (b) and (c) of the statutes are amended
6 to read:

7 115.361 (7) (a) (intro.) Of the amount in the appropriation under s. 20.255 (2)
8 (dm), annually the ~~department~~ state superintendent shall allocate the following
9 amounts for the following programs:

10 b) Annually, the ~~department~~ state superintendent shall determine whether the
11 amount allocated for each program under par. (a) will be fully utilized based upon
12 the applications received that meet the specified criteria for each program. If an
13 amount will not be fully utilized, the ~~department~~ state superintendent may transfer
14 the unutilized funds to programs for which qualified applications exceed the
15 amounts allocated. The transfer shall be made by November 1 of each school year,
16 except that in any school year in which a biennial budget act takes effect, the transfer
17 shall be made by November 1 or within 120 days after the effective date of the
18 biennial budget act, whichever is later. Annually, the ~~department~~ state
19 superintendent shall submit a report to the joint committee on finance describing all
20 transfers under this paragraph.

21 (c) The ~~department~~ state superintendent shall collect and analyze information
22 about the programs funded under this section, evaluate their effectiveness and
23 submit a report of the evaluation to the appropriate standing committees of the
24 legislature under s. 13.172 (3) and to the governor by July 1, 1994, and biennially by
25 July 1 thereafter.

1 **SECTION 2741m.** 115.3615 of the statutes is amended to read:

2 **115.3615 Head start supplement.** From the appropriation under s. 20.255
3 (2) (eh), the ~~department~~ state superintendent shall distribute funds to agencies
4 determined by the ~~department~~ state superintendent to be eligible for designation as
5 head start agencies under 42 USC 9836 to provide comprehensive health,
6 educational, nutritional, social and other services to economically disadvantaged
7 children and their families. The ~~department~~ state superintendent shall distribute
8 the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no
9 matching fund requirement. The ~~department~~ state superintendent shall give
10 preference in funding under this section to an agency that is receiving federal funds
11 under 42 USC 9831 to 9852. Funds distributed under this section may be used to
12 match available federal funds under 42 USC 9831 to 9852 only if the funds are used
13 to secure additional federal funds for the purposes under this section.

14 **SECTION 2745ag.** 115.362 (4) (a) of the statutes is amended to read:

15 115.362 (4) (a) Each school board receiving a grant under sub. (2) (a) 2. shall
16 ensure that its program meets standards established by the ~~department~~ state
17 superintendent by rule. The school board may establish the program individually
18 or on a cooperative basis with one or more school districts, cooperative educational
19 service agencies or county handicapped children's education boards.

20 **SECTION 2745ar.** 115.362 (5) of the statutes is amended to read:

21 115.362 (5) The ~~department~~ state superintendent shall promulgate rules
22 establishing criteria for the awarding of grants under sub. (2) (a). The rules shall
23 require that the ~~department~~ state superintendent give priority in awarding grants
24 to school districts in which no pupil assistance program is available.

25 **SECTION 2745b.** 115.37 of the statutes is amended to read:

1 **115.37 Council on the education of the blind.** The council on the education
2 of the blind shall make recommendations as to procedures and policies affecting any
3 problem of the visually handicapped before the department. The council shall advise
4 on such services, activities, programs, investigations and researches as in its
5 judgment will contribute to the welfare of visually handicapped persons. The
6 ~~department~~ state superintendent shall seek the advice of and consult with the
7 council on problems and policy changes affecting the visually handicapped in the
8 department's jurisdiction, and the council may initiate consultations with the
9 department. Notwithstanding any provision to the contrary, the council shall have
10 access to files, records and statistics kept in the department which relate to matters
11 concerning the visually handicapped.

12 **SECTION 2745g.** 115.375 of the statutes is renumbered 36.54, and 36.54 (1) and
13 (2) (b), (c) and (d), as renumbered, are amended to read:

14 **36.54 (1) (a)** The environmental education board shall consult with the
15 ~~department~~ state superintendent of public instruction in identifying needs and
16 establishing priorities for environmental education in public schools, including
17 needs for teacher training, curriculum development and the development and
18 dissemination of curriculum materials. The ~~department~~ state superintendent of
19 public instruction shall seek the advice of the environmental education board in
20 carrying out these activities.

21 (b) The environmental education board shall consult with other state agencies,
22 including the university of Wisconsin-extension, conservation and environmental
23 groups, youth organizations and nature and environmental centers in identifying
24 needs and establishing priorities for environmental education.

1 **(2)** (b) From the appropriations under s. ~~20.255 (1) (jr) and (2) (ee) and (ra)~~
2 20.285 (1) (ee), (j), (r) and (rc), the environmental education board shall award grants
3 to corporations and public agencies for the development, dissemination and
4 presentation of environmental education programs. Programs shall be funded on an
5 18-month basis. The environmental education board may not award a grant unless
6 the grant recipient matches at least 25% of the amount of the grant. Private funds
7 and in-kind contributions may be applied to meet the matching requirement.
8 Grants under this paragraph may not be used to replace funding available from other
9 sources.

10 (c) The environmental education board shall promulgate rules establishing the
11 criteria and procedures for the awarding of grants for programs and projects under
12 par. (b). The environmental education board shall use the priorities established
13 under sub. (1) for awarding grants if the amount in the appropriations under s.
14 ~~20.255 (1) (jr) and (2) (ee) and (ra)~~ 20.285 (1) (ee), (j), (r) and (rc) in any fiscal year
15 is insufficient to fund all applications under this subsection. ~~The department shall~~
16 ~~assist the board in administering this section.~~

17 (d) The environmental education board shall seek private funds for the purpose
18 of the grants under this subsection.

19 **SECTION 2745k.** 115.38 (1) (intro.) of the statutes is amended to read:

20 115.38 **(1)** (intro.) The ~~department~~ state superintendent shall develop a school
21 and school district performance report for use by school districts under sub. (2). The
22 report shall include all of the following by school and by school district:

23 **SECTION 2745n.** 115.38 (1) (c) of the statutes is amended to read:

24 115.38 **(1)** (c) Staffing and financial data information, as determined by the
25 ~~department~~ state superintendent, not to exceed 10 items. The ~~department~~ state

1 superintendent may not request a school board to provide information solely for the
2 purpose of including the information in the report under this paragraph.

3 **SECTION 2745s.** 115.38 (2) of the statutes is amended to read:

4 115.38 (2) By January 1, 1993, and annually thereafter by January 1, each
5 school board shall distribute to the parent or guardian of each pupil enrolled in the
6 school district, including pupils enrolled in charter schools located in the school
7 district, or give to each pupil to bring home to his or her parent or guardian, a school
8 and school district performance report that includes the information specified by the
9 ~~department~~ state superintendent under sub. (1).

10 **SECTION 2745w.** 115.38 (3) of the statutes is amended to read:

11 115.38 (3) Annually, the ~~department~~ state superintendent shall publish and
12 distribute to the legislature under s. 13.172 (2) a summary of the reports under sub.
13 (2).

14 **SECTION 2745y.** 115.38 (4) of the statutes is amended to read:

15 115.38 (4) Beginning in the 1993-94 school year and annually thereafter, the
16 ~~department~~ state superintendent shall identify those school districts that are low in
17 performance and those schools in which there are pupils enrolled who do not meet
18 the state minimum performance standards on the examinations administered under
19 s. 118.30. The ~~department~~ state superintendent shall make recommendations
20 regarding how the programs and operations of the identified school districts and
21 schools may be improved and periodically assess school district implementation of
22 the recommendations.

23 **SECTION 2746m.** 115.40 (2) of the statutes is amended to read:

24 115.40 (2) (a) A school board, in conjunction with one or more public agencies
25 or private, nonprofit, community-based organizations, may submit an application

1 to the ~~department~~ state superintendent for a 3-year grant to develop and implement
2 a collaborative service program for preschool or elementary-grade pupils, or both,
3 and their families.

4 (b) A public agency or a private, nonprofit, community-based organization, in
5 conjunction with a school board, may submit an application to the ~~department~~ state
6 superintendent for a 3-year grant to develop and implement a collaborative service
7 program for preschool or elementary-grade pupils, or both, and their families.

8 **SECTION 2082.** 115.40 (4) (a) of the statutes is amended to read:

9 115.40 (4) (a) The ~~secretary~~ state superintendent and the secretary of health
10 and social services shall provide technical assistance to and consult with applicants
11 regarding the preparation of their applications.

12 **SECTION 2083.** 115.40 (4) (b) of the statutes is amended to read:

13 115.40 (4) (b) The ~~secretary~~ state superintendent and the secretary of health
14 and social services shall review the applications and jointly determine the grant
15 recipients and the amount of each grant. A grant may not be awarded to a school
16 board, agency or organization unless the percentage of the participating school
17 district's membership in the previous school year for whom aid to families with
18 dependent children was being received under s. 49.19 was greater than 5%. In this
19 paragraph, "membership" has the meaning given in s. 121.004 (5).

20 **SECTION 2084.** 115.40 (4) (c) (intro.) of the statutes is amended to read:

21 115.40 (4) (c) (intro.) The ~~secretary~~ state superintendent and the secretary of
22 health and social services shall give preference in awarding grants under this section
23 to all of the following:

24 **SECTION 2749g.** 115.40 (6) of the statutes is amended to read:

1 115.40 (6) The department state superintendent shall include in the
2 department's biennial report under s. 15.04 (1) (d) information on the programs
3 funded under this section.

4 **SECTION 2749k.** 115.41 of the statutes is amended to read:

5 **115.41 Teacher improvement program.** The department state
6 superintendent shall operate a program to provide prospective teachers with
7 one-semester internships under the supervision of licensed teachers. The program
8 may also fund in-service activities and professional staff development research
9 projects. The ~~department~~ state superintendent shall charge school districts fees for
10 participation in the program. Program costs shall be paid from the appropriation
11 under s. 20.255 (1) (hg).

12 **SECTION 2749m.** 115.43 (2) (intro.) of the statutes is amended to read:

13 115.43 (2) SCHOLARSHIPS. (intro.) The ~~department~~ state superintendent shall:

14 **SECTION 2749p.** 115.43 (2) (b) of the statutes is amended to read:

15 115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege
16 scholarships, on a competitive basis, to minority group pupils who enroll in a
17 technical college or in college or university classes or programs designed to improve
18 academic skills that are essential for success in postsecondary school education. The
19 ~~department~~ state superintendent shall give preference to minority group pupils who
20 are inadequately represented in the technical college and university of Wisconsin
21 systems.

22 **SECTION 2749r.** 115.44 of the statutes is amended to read:

23 **115.44 Early identification program.** (1) The department state
24 superintendent shall establish an early identification program as part of the
25 Wisconsin educational opportunity program under s. 115.28 (23). Early

1 identification program costs shall be paid from the appropriation under s. 20.255 (1)
2 (a). The early identification program shall assist minority and economically
3 disadvantaged pupils in grades 8 to 12 in pursuing higher educational opportunities
4 by providing direction toward attainment of career goals.

5 (2) Biennially, the ~~department~~ state superintendent shall provide the governor
6 and any appropriate standing committee of the legislature information on the
7 performance of the early identification program and the postsecondary educational
8 progress of the pupils who were enrolled in the program. The information shall
9 include the number and ethnic backgrounds of the pupils who were enrolled in the
10 program and college acceptance, retention and graduation rates of the pupils.

11 **SECTION 2085.** 115.45 (2) and (3) of the statutes are amended to read:

12 115.45 (2) (a) Annually by September 15, the school board, on its own initiative
13 or upon receipt of an application from the principal of an elementary school located
14 in the school district, may apply to the ~~department~~ state superintendent for a grant
15 under this section. The application shall include a plan specifying how the school
16 board intends to meet the requirements under sub. (4), explaining the school board's
17 selection process for individual schools and private service providers and identifying
18 the schools in the school district, or the private service providers certified by the
19 school board as providing the services under sub. (4) (b), to which the grant funds will
20 be applied.

21 (b) The council for Milwaukee public schools grant programs under s. 115.28
22 (20) shall review the applications submitted under par. (a) and make
23 recommendations to the ~~secretary~~ state superintendent regarding the schools to be
24 selected and amounts of the grants to be awarded. The council's recommendations

1 shall be based upon and include information regarding the degree to which the
2 proposed projects will effectively meet the requirements under sub. (4).

3 **(3)** The ~~department~~ state superintendent shall determine the amount of the
4 grant, if any, to be awarded a school board submitting an application under sub. (2)

5 (a). Amounts awarded shall be paid from the appropriation under s. 20.255 (2) (do).
6 Amounts awarded shall be used by the school board to supplement existing
7 elementary school programs and not to supplant or replace funds otherwise available
8 for such programs.

9 **SECTION 2750d.** 115.45 (3m) (b) (intro.) of the statutes is amended to read:

10 115.45 **(3m)** (b) (intro.) The ~~department~~ state superintendent shall give
11 priority in awarding grants under this section to all of the following programs:

12 **SECTION 2750g.** 115.45 (4) (h) (intro.) of the statutes is amended to read:

13 115.45 **(4)** (h) (intro.) Annually, each identified school or private service
14 provider shall report to the ~~department~~ state superintendent all of the following:

15 **SECTION 2750r.** 115.45 (6) (intro.) of the statutes is amended to read:

16 115.45 **(6)** (intro.) The ~~department~~ state superintendent shall:

17 **SECTION 2086.** 115.45 (6) (b) of the statutes is amended to read:

18 115.45 **(6)** (b) By March 1, 1986, and annually thereafter, submit to the joint
19 committee on finance and the chief clerk of each house of the legislature, for
20 distribution to the appropriate standing committees under s. 13.172 (3), a budget
21 report detailing the grants ~~the department~~ he or she intends to award under this
22 section in the next fiscal year. The report shall provide summary data on the results
23 of the annual testing required under sub. (4) (b) and include a description of the
24 guidelines used to determine the individual schools and private service providers

1 that will receive funds under this section and the types of expenditures eligible for
2 such funds.

3 **SECTION 2751g.** 115.45 (9) (b) of the statutes is amended to read:

4 115.45 (9) (b) The ~~department~~ state superintendent may authorize a school
5 district to use up to 8% of a grant to pay the costs of transporting pupils under par.
6 (a).

7 **SECTION 2751r.** 115.45 (10) of the statutes is amended to read:

8 115.45 (10) Grants under this section shall be awarded for a 3-year period. The
9 ~~department~~ state superintendent and the grant recipient shall jointly establish
10 performance objectives for each proposed project and criteria for evaluating whether
11 the project meets the objectives. At the end of the 3-year period, the ~~department~~
12 state superintendent shall determine whether the project met its objectives. A grant
13 may not be renewed unless the ~~department~~ state superintendent determines that
14 the project met its objectives.

15 **SECTION 2087.** 115.47 of the statutes is amended to read:

16 **115.47 Designated state official under agreement.** The “designated state
17 official” for this state under s. 115.46 shall be the ~~secretary~~ state superintendent.

18 **SECTION 2088.** 115.48 of the statutes is repealed and recreated to read:

19 **115.48 Contracts under agreement.** True copies of all contracts made on
20 behalf of this state pursuant to the agreement shall be kept on file in the department
21 and in the office of the secretary of state. The department shall publish all such
22 contracts in convenient form.

23 **SECTION 2753b.** 115.51 (1) of the statutes is amended to read:

1 115.51 (1) "Blind" includes persons visually handicapped, as determined by
2 competent medical authority with the approval of the department state
3 superintendent.

4 **SECTION 2753c.** 115.52 (2) of the statutes is amended to read:

5 115.52 (2) The ~~department~~ state superintendent shall maintain and govern the
6 school for the visually handicapped and the school for the deaf. The ~~department~~ state
7 superintendent may fix the period of the school year at the schools at not less than
8 38 weeks, prescribe the school terms and confer diplomas upon meritorious pupils
9 who have completed the prescribed curricula.

10 **SECTION 2753d.** 115.52 (3) of the statutes is amended to read:

11 115.52 (3) All the blind and the deaf residents of this state 6 to 20 years old,
12 and for the duration of a school term all the blind or deaf residents of this state who
13 become 21 years old during that school term, who are capable of receiving instruction
14 shall be received and taught in the schools free of charge. Like nonresident pupils
15 also may be received upon payment in advance of the fees fixed by the department
16 state superintendent at an amount not less than \$75 per month, but no nonresident
17 shall be received to the exclusion of a resident pupil. The ~~department~~ state
18 superintendent also may admit pupils who are 21 years of age or older prior to the
19 beginning of a school term upon the payment of fees fixed by the superintendent and
20 upon the recommendation of the secretary of health and family services, the director
21 of the technical college system or the superintendent of the school to which the pupil
22 will be assigned. All pupils shall equally and freely enjoy the benefits and privileges
23 of the schools and have the use of the library and books of instruction and receive
24 board, lodging and laundry, without discrimination. The schools may provide
25 transportation for resident pupils.

1 **SECTION 2753f.** 115.52 (5) of the statutes is amended to read:

2 115.52 (5) The ~~department~~ state superintendent may grant approval for the
3 maintenance of a summer school at the school for the deaf whenever it will be to the
4 advantage of deaf persons and may grant approval for the maintenance of a summer
5 school at the school for the visually handicapped whenever it will be to the advantage
6 of visually handicapped minors. There shall be a summer school each year at the
7 school for the visually handicapped for visually handicapped adults.

8 **SECTION 2753h.** 115.52 (6) of the statutes is amended to read:

9 115.52 (6) The ~~department~~ state superintendent may make charges for meals,
10 living quarters, laundry and other services furnished to employes of the schools and
11 their families. The ~~department~~ state superintendent also may make charges for
12 services furnished to visitors at the schools and participants in training programs
13 and institutes.

14 **SECTION 2753j.** 115.53 (intro.) of the statutes is amended to read:

15 **115.53 (title) Department State superintendent; powers.** (intro.) The
16 ~~department~~ state superintendent may:

17 **SECTION 2753L.** 115.53 (4) (b) of the statutes is amended to read:

18 115.53 (4) (b) The net cost of hospital treatment shall be at the rate established
19 under s. 233.40 (1) and shall be chargeable to the appropriation for operating the
20 patient's school. The ~~department~~ state superintendent likewise may authorize
21 payment for the expense of transporting patients to and from the hospital. The
22 ~~department~~ state superintendent shall make payments for the treatment to the
23 University of Wisconsin Hospitals and Clinics Authority. Funds collected by the
24 ~~department~~ state superintendent on account of the hospitalization shall be deposited
25 in the appropriation under s. 20.255 (1) (b) for the school concerned.

1 **SECTION 2753n.** 115.53 (5) of the statutes is amended to read:

2 115.53 (5) Arrange for visits by members of the staff of either school to other
3 public schools or to families of blind or deaf children, whenever it appears to the
4 ~~department~~ state superintendent that such visits will be of advantage to blind or deaf
5 children.

6 **SECTION 2753p.** 115.55 of the statutes is amended to read:

7 **115.55 Library for the blind and visually handicapped.** Embossed, clear
8 type or large type text books acquired by the school for the visually handicapped shall
9 constitute a circulating collection for the blind and visually handicapped. The
10 collection shall be kept at the school and be under the supervision of its
11 superintendent. All blind and visually handicapped school age children of the state
12 may use such books upon compliance with rules made by the superintendent and
13 approved by the ~~department~~ state superintendent.

14 **SECTION 2753r.** 115.58 of the statutes is amended to read:

15 **115.58 Park grounds.** The ~~department~~ state superintendent may permit the
16 city of Janesville to use portions of the grounds of the state school for the visually
17 handicapped at Janesville, which abut on the Rock river, for purposes of operating
18 a city park. Any construction on such grounds is subject to prior approval by the
19 ~~department~~ state superintendent. Any agreement pursuant hereto shall be
20 cancelable at the option of either party without liability. Any such grounds so used
21 by the city of Janesville shall be supervised by the city and shall be subject to the
22 ordinances of the city of Janesville applicable to city parks.

23 **SECTION 2753t.** 115.71 (2) (d) of the statutes is amended to read:

1 115.71 (2) (d) Determined to be an Indian under rules promulgated by the
2 department state superintendent in coordination with the board under s. 115.28 (17)
3 (c).

4 **SECTION 2089.** 115.745 of the statutes is repealed.

5 **SECTION 2754c.** 115.75 (1) (b) (intro.) of the statutes is amended to read:

6 115.75 (1) (b) (intro.) No alternative school may receive state aid under this
7 section unless the department state superintendent:

8 **SECTION 2754g.** 115.75 (1) (b) 2. of the statutes is amended to read:

9 115.75 (1) (b) 2. Certifies that the alternative school has met the requirements
10 of ss. 115.73 and 115.735 and has submitted a report to the department state
11 superintendent which includes a description of all expenditures made in the prior
12 year in connection with the program, a budget for the current year for the program
13 and the number of pupils who have completed the fall semester in the program.

14 **SECTION 2754n.** 115.76 (3) (intro.) of the statutes is amended to read:

15 115.76 (3) (intro.) “Child with exceptional educational needs” means a child
16 with any of the following conditions, or such other conditions as the department state
17 superintendent determines, who may require educational services to supplement or
18 replace regular education:

19 **SECTION 2754r.** 115.76 (3) (m) of the statutes is amended to read:

20 115.76 (3) (m) Any combination of conditions named by the department state
21 superintendent or enumerated in pars. (a) to (L).

22 **SECTION 2754w.** 115.76 (8) of the statutes is amended to read:

23 115.76 (8) “Reduced program” means any program which has decreased its
24 educational services, facilities or staff in the manner and degree specified in written
25 standards issued by the department state superintendent.

1 **SECTION 2090.** 115.77 (1) of the statutes is amended to read:

2 115.77 (1) APPOINTMENT OF ADMINISTRATOR. The ~~secretary~~ state superintendent
3 shall appoint the administrator.

4 **SECTION 2091.** 115.77 (2) (intro.) of the statutes is amended to read:

5 115.77 (2) DUTIES OF ADMINISTRATOR. (intro.) Subject to the direction of the
6 ~~secretary~~ state superintendent, the administrator:

7 **SECTION 2756d.** 115.77 (3) (a) of the statutes is amended to read:

8 115.77 (3) (a) Services for children with exceptional educational needs who are
9 under the jurisdiction of the ~~department~~ state superintendent and for the Wisconsin
10 school for the deaf and the Wisconsin school for the visually handicapped.

11 **SECTION 2756h.** 115.77 (3) (d) 3. of the statutes is amended to read:

12 115.77 (3) (d) 3. Recommending to the ~~department~~ state superintendent
13 standards for certification of personnel whom the ~~department~~ state superintendent
14 determines to be involved in the education of children described in this paragraph.

15 **SECTION 2756p.** 115.78 (intro.) of the statutes is amended to read:

16 **115.78 State exceptional educational needs plan.** (intro.) The
17 ~~department~~ state superintendent shall annually issue and make public a state plan
18 for the education of children with exceptional educational needs. The state plan shall
19 include:

20 **SECTION 2756t.** 115.781 of the statutes is amended to read:

21 **115.781 Reports of service to handicapped children.** The ~~department~~
22 state superintendent shall report to the governor, the joint committee on finance and
23 the chief clerk of each house of the legislature, for distribution to the appropriate
24 standing committees under s. 13.172 (3), the state's progress toward achieving full
25 service to handicapped children under the education for all handicapped children act

1 of 1975 (P.L. 94-142). The ~~department~~ state superintendent shall submit reports
2 under this section within 45 days of the collection of data for the submission of the
3 report of handicapped children receiving special education and related services, or
4 its successor forms, as required under P.L. 94-142.

5 **SECTION 2092.** 115.79 (1) (intro.) of the statutes is amended to read:

6 115.79 (1) (intro.) The ~~secretary~~ state superintendent shall consult with the
7 council on exceptional education concerning:

8 **SECTION 2093.** 115.79 (1) (d) of the statutes is amended to read:

9 115.79 (1) (d) Any other matters upon which the ~~secretary~~ state
10 superintendent wishes the council's opinion.

11 **SECTION 2758m.** 115.80 (3) (a) of the statutes is amended to read:

12 115.80 (3) (a) The school board shall appoint a multidisciplinary team for each
13 child reported to it under sub. (1) who resides in the school district and has not
14 graduated from high school and for each child identified under sub. (2). A
15 multidisciplinary team shall be composed of 2 or more persons who are skilled in
16 assessing the exceptional educational needs that a child may have and who are
17 skilled in programming for children with exceptional educational needs. The
18 ~~department~~ state superintendent shall determine the method of appointing
19 members to the team and may require that there be additional members. The
20 number and specialties of additional members may depend on the exceptional
21 educational needs that the particular child is believed to have. Before a child is sent
22 from a state or county residential facility to a school district, the ~~department~~ state
23 superintendent may require that the team for the school district to which the child
24 may be sent include or consult with persons appointed by the governing body of the
25 residential facility. For the evaluation of a child who resides and is receiving

1 education only at a state or county residential facility, the multidisciplinary team
2 shall be appointed by and make recommendations under pars. (c) and (d) to the
3 governing body of the residential facility in which the child resides.

4 **SECTION 2761d.** 115.815 (4) (c) of the statutes is amended to read:

5 115.815 (4) (c) Whenever a school board receives a referral under par. (a) 4., the
6 school board shall assign staff to determine whether the child can appropriately be
7 placed in a special education program operated by the school district. If the assigned
8 staff determines that the child can appropriately be placed in a special education
9 program operated by the school district, the school board shall provide an education
10 program for the child and is eligible for state tuition payments under s. 121.79 (1) (a).
11 If the assigned staff determines that the child cannot appropriately be placed in a
12 special education program operated by the school district, the school board shall keep
13 a written record of the reasons for that determination. If there is a dispute regarding
14 the placement of a child under this paragraph between the school board of the
15 originating school district and the school board receiving the referral, the
16 ~~department~~ state superintendent shall resolve the dispute under s. 115.85 (2m).

17 **SECTION 2761f.** 115.815 (5) of the statutes is amended to read:

18 115.815 (5) RULES. The ~~department~~ state superintendent shall promulgate
19 rules to implement and administer this section.

20 **SECTION 2761h.** 115.83 (2) of the statutes is amended to read:

21 115.83 (2) A special education program may consist of such special education
22 programs for children as to allow them to attend regular education programs, one or
23 more special schools or preschools, special sections within a school or preschool,
24 special instruction centers, special instruction at the home or residence of the child

1 or at any other location or any other special education program approved by the
2 department state superintendent.

3 **SECTION 2761p.** 115.83 (5) of the statutes is amended to read:

4 115.83 (5) The courses, qualifications of teachers, coordinators, social workers
5 and school psychologists and plan of organizing and maintaining special education
6 programs and other services shall comply with requirements established by the
7 department state superintendent.

8 **SECTION 2761t.** 115.85 (1) (b) of the statutes is amended to read:

9 115.85 (1) (b) A school district may provide special education for preschool
10 children under the age of 3 years and instruction for their parents. Such special
11 education shall be subject to the approval of and shall comply with requirements
12 established by the department state superintendent.

13 **SECTION 2763m.** 115.85 (2) (c) 1. of the statutes is amended to read:

14 115.85 (2) (c) 1. Upon the approval of the ~~department~~ state superintendent, the
15 child may be placed in a public special education program located in another state.

16 **SECTION 2094.** 115.85 (2) (c) 2. (intro.) of the statutes is amended to read:

17 115.85 (2) (c) 2. (intro.) The ~~department~~ state superintendent shall approve a
18 placement in a public special education program located in another state if the
19 ~~department~~ he or she determines that the program is appropriate to meet the child's
20 exceptional educational needs and that:

21 **SECTION 2764m.** 115.85 (2) (d) of the statutes is amended to read:

22 115.85 (2) (d) To provide a special education program which is appropriate to
23 the child's needs, the school board may, upon approval of the ~~department~~ state
24 superintendent and if no equivalent public program is available, contract with a
25 private special education service if the placement is warranted on the basis of a less

1 restrictive environment alternative. Private special education services provided
2 under this subchapter may not include religious or sectarian teachings or
3 instruction. If the local school board utilizes the placement option under this
4 paragraph, the school district of residence and not the county of residence shall pay
5 tuition charges for exceptional children.

6 **SECTION 2095.** 115.85 (2m) of the statutes is amended to read:

7 115.85 (2m) PLACEMENT DISPUTES. If a dispute arises between the school board
8 and the department of health and family services, the department of corrections or
9 a county department under s. 46.215, 46.22 or 46.23, or between school boards under
10 s. 115.815 (4) (c), over the placement of a child in an appropriate program under sub.
11 (2), the ~~department~~ state superintendent shall resolve the dispute. This subsection
12 applies only to placements in nonresidential educational programs made under s.
13 48.48 (4) (17) (a) 3., 48.57 (1) (c), 938.48 (4) or 938.57 (1) (c) and to placements in child
14 caring institutions made under s. 115.815.

15 **SECTION 2767b.** 115.86 (5) (d) of the statutes is amended to read:

16 115.86 (5) (d) Annually by October 1, the board and the school boards of the
17 school districts participating in the county program shall submit a report to the
18 ~~department~~ state superintendent that specifies the portion of each school day that
19 each pupil enrolled in the county program who is also enrolled in the school district
20 of the pupil's residence spent in county program classes in the previous school year
21 and the portion of the school day that the pupil spent in school district classes in the
22 previous school year. The ~~department~~ state superintendent shall develop guidelines
23 for a full-time equivalency methodology. The ~~department~~ state superintendent is
24 not required to promulgate the guidelines as rules.

25 **SECTION 2767e.** 115.86 (7) (a) of the statutes is amended to read:

1 115.86 (7) (a) The school board of any district which is included under the
2 administration of a board may withdraw from participation in any part of the
3 program only with the approval of the ~~department~~ state superintendent after
4 conference with the board and a determination by the ~~department~~ state
5 superintendent that such withdrawal is in the interest of the program in the county
6 and the school district affected. Such withdrawal shall be effective only if the school
7 board has the approval of the division to establish an equivalent part of a program.
8 Such withdrawal shall be effective either December 31 or June 30 provided that 12
9 months' notice has been given to the board. The withdrawing school district shall
10 be liable for its proportionate share of all operating costs until its withdrawal
11 becomes effective, shall continue to be liable for its share of debt incurred while it was
12 a participant and shall receive no share in the assets.

13 **SECTION 2767g.** 115.86 (8) of the statutes is amended to read:

14 115.86 (8) TRANSPORTATION. The board may promulgate a plan for the
15 transportation at county expense of children who are participating in special
16 education programs under this section, special education programs operated at day
17 care centers or special education programs operated by a private organization within
18 whose attendance area the child resides and which is situated not more than 5 miles
19 beyond the boundaries of the area the board serves, as measured along the usually
20 traveled route. The plan, upon approval of the ~~department~~ state superintendent,
21 shall govern the transportation of such children. Any such plan for transportation
22 during the school term supersedes ss. 115.88 and 121.54 (3).

23 **SECTION 2767j.** 115.86 (11) of the statutes is amended to read:

24 115.86 (11) VIOLATIONS. The ~~department~~ state superintendent shall withhold
25 aid from any board that is in violation of this section.

1 **SECTION 2767L.** 115.87 (8) of the statutes is amended to read:

2 115.87 (8) Upon the advance approval of the ~~department~~ state superintendent,
3 the school board of any district may place a child in a special education program
4 outside this state in accordance with s. 115.85 (2) (c) or a special education program
5 operated by a private, nonsectarian special education service either within or outside
6 the state in accordance with s. 115.85 (2) (d). The school district of residence shall
7 pay the tuition and transportation in accordance with the procedure established for
8 the payment of tuition by the school district under s. 121.78.

9 **SECTION 2767p.** 115.88 (1) of the statutes is amended to read:

10 115.88 (1) PROGRAM AID. (am) If, upon receipt of the report under s. 115.84, the
11 ~~department~~ state superintendent is satisfied that the special education program has
12 been maintained during the preceding school year in accordance with law, the
13 ~~department~~ state superintendent shall certify to the department of administration
14 in favor of each county, cooperative educational service agency and school district
15 maintaining such special education program a sum equal to 63% of the amount
16 expended by the county, agency and school district during the preceding year for
17 salaries of personnel enumerated in s. 115.83 (1), including the salary portion of any
18 authorized contract for physical or occupational therapy services, except as provided
19 in par. (b), and other expenses approved by the ~~department~~ state superintendent.
20 The department of administration shall pay such amounts to the county, agency and
21 school district from the appropriation under s. 20.255 (2) (b).

22 (b) Salaries of licensed school psychologists and licensed school social workers
23 shall be reimbursed at 51% without regard to whether they are employed in a
24 program for handicapped children. The school district, county handicapped
25 children's education board or cooperative educational service agency shall include in

1 the report under s. 115.84 any information required by the department state
2 superintendent relating to use of a school psychologist or school social worker.

3 **SECTION 2767s.** 115.88 (2) of the statutes is amended to read:

4 115.88 (2) TRANSPORTATION AID. If upon receipt of the report under s. 115.84 the
5 department state superintendent is satisfied that the transportation of children with
6 exceptional educational needs has been maintained during the preceding year in
7 accordance with the law, the department state superintendent shall certify to the
8 department of administration in favor of each county, cooperative educational
9 service agency or school district transporting such pupils 63% of the amount
10 expended for such transportation. Pupils for whom aid is paid under this subsection
11 shall not be eligible for aid under s. 121.58 (2) or (4). The department of
12 administration shall pay such amounts to the county, agency or school district from
13 the appropriations under s. 20.255 (2) (b) and ~~(u)~~ (br). This subsection applies to any
14 child with exceptional educational needs who requires special assistance in
15 transportation, including any such child attending regular classes who requires
16 special or additional transportation. This subsection does not apply to any child with
17 exceptional educational needs attending regular or special classes who does not
18 require any special or additional transportation.

19 **SECTION 2767u.** 115.88 (6) of the statutes is amended to read:

20 115.88 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. From the appropriation
21 under s. 20.255 (2) (b) there shall be paid the full cost of salary and travel expenses,
22 in amounts determined in advance by the department state superintendent, to
23 school districts for providing special education outside the school district of
24 employment.

25 **SECTION 2767w.** 115.88 (8) of the statutes is amended to read:

1 115.88 (8) ENROLLMENT OUT OF STATE. If a child with exceptional educational
2 needs is enrolled in a public special education program under s. 115.85 (2) (c) 2. and
3 the ~~department~~ state superintendent is satisfied that the program in which the child
4 is enrolled complies with this subchapter, the ~~department~~ state superintendent shall
5 certify to the department of administration in favor of the school district of residence
6 a sum equal to the percentage of the approved costs under subs. (1) and (2) of the
7 amount expended by the school district during the preceding year for the additional
8 costs associated with the child's special education program. The department of
9 administration shall pay the amount to the school district from the appropriation
10 under s. 20.255 (2) (b).

11 **SECTION 2767x.** 115.882 of the statutes is amended to read:

12 **115.882 Proration of state aid.** If the sum of the appropriations under s.
13 20.255 (2) (b) and ~~(u)~~ (br) in any one year is insufficient to pay the full amount of aid
14 under ss. 115.88 and 118.255, state aid payments shall be prorated among the
15 counties, school districts and cooperative educational service agencies entitled
16 thereto.

17 **SECTION 2096.** 115.89 of the statutes is amended to read:

18 **115.89 Noncomplying school district; remedies.** (1) If, after a public
19 hearing in the school district or as the result of a monitoring procedure or a complaint
20 investigation, the ~~department~~ state superintendent finds that a school board has
21 violated this subchapter or the rules promulgated under this subchapter, the
22 ~~department~~ state superintendent may make recommendations to the school board
23 to remedy the violation and may require the school board to submit a remedial plan
24 incorporating such recommendations.

1 **(3)** If, after consultation with the school board, the department state
2 superintendent finds that the remedial plan has not incorporated the department's
3 his or her recommendations, or that its implementation has been inadequate to
4 ensure compliance with this subchapter and the rules promulgated under this
5 subchapter, the department state superintendent shall request the attorney general
6 to proceed against the school district for injunctive or other appropriate relief.

7 **SECTION 2768m.** 115.92 (3) of the statutes is amended to read:

8 115.92 **(3)** The department state superintendent shall by rule establish criteria
9 for the approval of programs established under this subchapter for the purpose of
10 determining those programs eligible for aid under s. 115.93.

11 **SECTION 2097.** 115.93 (1) of the statutes is amended to read:

12 115.93 **(1)** Except as provided under sub. (2), if upon receipt of the reports under
13 s. 115.92 (2) the department state superintendent is satisfied that the school age
14 parents program has been maintained during the preceding school year in
15 accordance with the rules under s. 115.92 (3), the department state superintendent
16 shall certify to the department of administration in favor of each school district
17 maintaining the program a sum equal to 63% of the amount expended by the school
18 district during the preceding school year for salaries of teachers and instructional
19 aides, special transportation and other expenses approved by the department state
20 superintendent. The department of administration shall pay such amounts to the
21 school district from the appropriation under s. 20.255 (2) (b).

22 **SECTION 2769c.** 115.955 (3) to (7) of the statutes are amended to read:

23 115.955 **(3)** "Bilingual counselor" means a certified school counselor approved
24 by the department state superintendent under s. 115.28 (15) (a).

1 (4) “Bilingual counselor’s aide” means a person who is employed to assist a
2 counselor and who is approved by the department state superintendent under s.
3 115.28 (15) (a).

4 (5) “Bilingual teacher” means a certified teacher approved by the department
5 state superintendent under s. 115.28 (15) (a).

6 (6) “Bilingual teacher’s aide” means a person who is employed to assist a
7 teacher and who is approved by the department state superintendent under s. 115.28
8 (15) (a).

9 (7) “Limited–English speaking pupil” means a pupil whose ability to use the
10 English language is limited because of the use of a non–English language in his or
11 her family or in his or her daily, nonschool surroundings, and who has difficulty, as
12 defined by rule by the department state superintendent, in performing ordinary
13 classwork in English as a result of such limited English language ability.

14 **SECTION 2769g.** 115.96 (5) (b) of the statutes is amended to read:

15 115.96 (5) (b) A parent or legal custodian may appeal the school board’s failure
16 to place the pupil in the bilingual–bicultural education program established for the
17 pupil in the pupil’s language group by filing a notice of appeal with the clerk of the
18 school district within 10 days after the commencement of the school term. The school
19 board shall provide for a hearing on the question of placement within 20 days after
20 receipt of the notice of appeal and shall take a written record of the proceedings. The
21 cost of taking the record shall be the responsibility of the school board. The parent
22 or legal custodian may request a public or private hearing. Within 10 days after the
23 hearing, the school board shall make a decision on the question of placement. If the
24 parent or legal custodian is not satisfied with the decision of the school board, the
25 parent or legal custodian may, within 10 days after the school board’s decision, file

1 a notice of appeal with the ~~department~~ state superintendent. If the parent or legal
2 custodian appeals, the parent or legal custodian shall assume the cost of transcribing
3 the record. Within 10 days after receipt of the notice of appeal from the
4 determination of the school board, the ~~department~~ state superintendent shall issue
5 a decision based on the hearing record. If the parent or legal custodian prevails, the
6 school board shall reimburse the parent or legal custodian for the cost of transcribing
7 the record.

8 **SECTION 2769L.** 115.97 (5) (a) (intro.) of the statutes is amended to read:

9 115.97 (5) (a) (intro.) Except as provided under par. (b), if a school board is
10 required to establish a bilingual-bicultural education program under sub. (2), (3) or
11 (4), but bilingual teachers for the language groups are unavailable, the program may
12 be taught by certified teachers of English as a 2nd language upon receipt of approval
13 of the ~~department~~ state superintendent. The ~~department~~ state superintendent may
14 approve a program under this paragraph only if the school board demonstrates all
15 of the following:

16 **SECTION 2769p.** 115.99 of the statutes is amended to read:

17 **115.99 Preschool and summer school programs.** A school board may
18 establish a full-time or part-time preschool or summer bilingual-bicultural
19 education program according to rules established by the ~~department~~ state
20 superintendent.

21 **SECTION 2769t.** 115.993 of the statutes is amended to read:

22 **115.993 Report on bilingual-bicultural education.** Annually, on or before
23 August 15, the school board of a district operating a bilingual-bicultural education
24 program under this subchapter shall report to the ~~department~~ state superintendent
25 the number of pupils, including both limited-English speaking pupils and other

1 pupils, instructed the previous school year in bilingual-bicultural education
2 programs, an itemized statement on oath of all disbursements on account of the
3 bilingual-bicultural education program operated during the previous school year
4 and a copy of the estimated budget for that program for the current school year.

5 **SECTION 2769y.** 115.995 of the statutes is amended to read:

6 **115.995 State aids.** Upon receipt of the report under s. 115.993, if the
7 department state superintendent is satisfied that the bilingual-bicultural education
8 program for the previous school year was maintained in accordance with this
9 subchapter, the department state superintendent shall certify to the department of
10 administration in favor of the school district a sum equal to a percentage of the
11 amount expended on limited-English speaking pupils by the school district during
12 the preceding year for salaries of personnel participating in and attributable to
13 bilingual-bicultural education programs under this subchapter, special books and
14 equipment used in the bilingual-bicultural programs and other expenses approved
15 by the department state superintendent. The percentage shall be determined by
16 dividing the amount in the appropriation under s. 20.255 (2) (cc) in the current school
17 year by the total amount of aidable costs in the previous school year.

18 **SECTION 2098.** 115.996 of the statutes is amended to read:

19 **115.996 Report to the legislature.** Annually, on or before December 31, the
20 department state superintendent shall submit a report to the chief clerk of each
21 house of the legislature, for distribution to the legislature under s. 13.172 (2), on the
22 status of bilingual-bicultural education programs established under this
23 subchapter. The report shall include the number of pupils served in
24 bilingual-bicultural education programs for each language group in each school
25 district in which such programs are offered and the cost of the program per pupil for

1 each school district, language group and program type. The department shall also
2 provide the number of pupils in each school district and language group who as a
3 result of participation in a bilingual-bicultural education program improved their
4 English language ability to such an extent that the program is no longer necessary
5 for such pupils.

6 **SECTION 2770m.** 116.01 of the statutes is amended to read:

7 **116.01 Purpose.** The organization of school districts in Wisconsin is such that
8 the legislature recognizes the need for a service unit between the school district and
9 the ~~department~~ state superintendent. The cooperative educational service agencies
10 are designed to serve educational needs in all areas of Wisconsin by serving as a link
11 both between school districts and between school districts and the state. Cooperative
12 educational service agencies may provide leadership, coordination and education
13 services to school districts, University of Wisconsin System institutions and centers
14 and technical colleges. Cooperative educational service agencies may facilitate
15 communication and cooperation among all public and private schools, agencies and
16 organizations that provide services to pupils.

17 **SECTION 2099.** 116.02 (1) (c) of the statutes is amended to read:

18 116.02 (1) (c) The ~~department~~ state superintendent shall cause to convene
19 annually on the day that the board of control holds its annual organizational meeting
20 under par. (a) a convention composed of the representative from each school board
21 in the agency. There shall be no more than one representative from each union high
22 school district. The convention may direct the board of control to determine a
23 different date for the annual organizational meeting.

24 **SECTION 2100.** 116.03 (10) of the statutes is repealed and recreated to read:

1 116.03 (10) Authorize the expenditure of money for the purposes set forth in
2 this chapter and for the actual and necessary expenses of the board of control and
3 agency administrator and for the acquisition of equipment, space and personnel. All
4 accounts of the agency shall be paid by check, share draft or other draft signed by the
5 chairperson and secretary to the board of control.

6 **SECTION 2101.** 116.03 (11) of the statutes is amended to read:

7 116.03 (11) Establish the salaries of the agency administrator and other
8 professional and nonprofessional employees. State reimbursement for the cost of the
9 salary of the agency administrator shall be equal to the actual salary paid or the
10 maximum of the salary range for public instruction supervisors ~~in the department~~
11 under the state superintendent, whichever is less.

12 **SECTION 2774m.** 116.03 (12m) of the statutes is repealed and recreated to read:

13 116.03 (12m) Every 3rd year as scheduled by the state superintendent, provide
14 to the school board of each school district in the agency an accountability plan that
15 addresses both the efficiency and effectiveness of all agency programs and services.

16 **SECTION 2775m.** 116.03 (13) of the statutes is amended to read:

17 116.03 (13) Every 3rd year, as scheduled by the department state
18 superintendent, submit to the department state superintendent for its his or her
19 approval an evaluation of agency programs and services.

20 **SECTION 2775n.** 116.06 (1) of the statutes is amended to read:

21 116.06 (1) Upon the petition of a school board of a district operating high school
22 grades, the department state superintendent, after investigation of the proposal,
23 may transfer by order the entire school district from one agency to another, effective
24 the next succeeding July 1. Any school district so transferred shall pay its agreed
25 share of all expenses incurred by the agency in its behalf, but shall not be required

1 to fulfill any commitments in the agency from which transferred extending beyond
2 the effective date of transfer. A transfer of the territory of a union high school district
3 shall include and effect a transfer of that territory of underlying elementary school
4 districts which lie within the boundaries of the union high school district.

5 **SECTION 2775p.** 116.065 (1) of the statutes is amended to read:

6 116.065 (1) The school board of a school district in cooperative educational
7 service agency no. 1, as designated on April 1, 1985, may adopt a resolution to
8 withdraw from the agency. The school board shall immediately notify the board of
9 control and the ~~department~~ state superintendent of its intention.

10 **SECTION 2775s.** 116.08 (1) of the statutes is amended to read:

11 116.08 (1) An amount not to exceed \$25,000 annually shall be paid to each
12 agency for the maintenance and operation of the office of the board of control and
13 agency administrator and to match any federal funds received by the agency for
14 vocational education administration. No state aid may be paid unless the agency
15 submits by August 1 an annual report which includes a detailed certified statement
16 of its expenses for the prior year to the ~~department~~ state superintendent, and such
17 statement reveals that the state aid was expended as provided by this section. In no
18 case may the state aid exceed the actual expenditures for the prior year as certified
19 in such statement.

20 **SECTION 2775t.** 116.10 of the statutes is created to read:

21 **116.10 Lease of equipment.** The board of control may lease equipment for
22 the purpose of assisting pupils with a visual handicap to read.

23 **SECTION 2102.** 117.03 (2) of the statutes is amended to read:

24 117.03 (2) "Appeal panel" means a panel appointed by the secretary state
25 superintendent under s. 117.05 (1).

1 **SECTION 2103.** 117.05 (1) of the statutes is amended to read:

2 117.05 (1) APPEAL PANELS. The secretary state superintendent shall appoint 3
3 members of the board to hear appeals filed under ss. 117.12 (4) and 117.13 (3). No
4 2 members of the appeal panel may be board members from any of the following kinds
5 of school districts: those with small enrollments, those with medium enrollments or
6 those with large enrollments.

7 **SECTION 2104.** 117.05 (1m) of the statutes is amended to read:

8 117.05 (1m) BOARD AND APPEAL PANEL MEETINGS. The secretary state
9 superintendent shall set the time and place for meetings of the board under ss.
10 117.10, 117.12 (5) and 117.132 and for meetings of appeal panels under ss. 117.12 (4)
11 and 117.13.

12 **SECTION 2105.** 117.05 (2) (a) of the statutes is amended to read:

13 117.05 (2) (a) *Board.* The secretary state superintendent shall appoint 7
14 members of the board to perform any review under ss. 117.10, 117.12 (5) and 117.132.
15 The 7 members shall include the secretary state superintendent or his or her
16 designee on the board, 2 board members from school districts with small
17 enrollments, 2 board members from school districts with medium enrollments and
18 2 board members from school districts with large enrollments. Any action of the
19 board under this chapter requires the affirmative vote of at least 4 of the 7 members
20 appointed under this paragraph.

21 **SECTION 2779m.** 117.05 (9) (a) (intro.), (b) and (c) of the statutes are amended
22 to read:

23 117.05 (9) (a) (intro.) The department state superintendent may charge the
24 following persons a fee sufficient to reimburse the department for the costs of the
25 board under ss. 117.10 and 117.132:

1 (b) The clerk of the school district ordering the dissolution or requesting review
2 shall pay the fee under par. (a) 3. or 4. to the ~~department~~ state superintendent. The
3 secretary of the board shall forward the fee collected under par. (a) 5. to the
4 ~~department~~ state superintendent.

5 (c) The ~~department~~ state superintendent may charge a person filing a notice
6 of appeal under s. 117.12 (4) or 117.13 (3) a fee sufficient to reimburse the department
7 for the costs of the appeal panel under s. 117.12 (4) or 117.13 (3). The secretary of
8 the board shall collect the fee and forward it to the ~~department~~ state superintendent.
9 The ~~department~~ state superintendent may not charge any person who files a notice
10 of appeal under s. 117.12 (4) and is charged the fee under this paragraph any
11 additional fee for review by the board under s. 117.12 (5).

12 **SECTION 2106.** 117.05 (10) of the statutes is amended to read:

13 117.05 (10) (title) ~~SECRETARY~~ STATE SUPERINTENDENT TO ADVISE. The ~~secretary~~
14 state superintendent shall advise and consult with school boards regarding school
15 district organization and reorganization. If, in the ~~secretary's~~ state superintendent's
16 opinion, one or more school districts should be altered, consolidated or dissolved, he
17 or she may make recommendations to the school boards.

18 **SECTION 2780g.** 117.25 (1m) (a) of the statutes is amended to read:

19 117.25 (1m) (a) A written agreement between the school boards of 2 or more
20 school districts that are considering consolidating under s. 117.08 or 117.09 to
21 continue operating a program or facility at a specific location for a specified period
22 after consolidation, not to exceed 5 years, shall be binding upon the joint interim
23 school board of the new school district under s. 117.22 and any subsequently elected
24 school board of the new school district. The school district clerk of the school district

1 with the largest equalized valuation shall file a copy of the agreement with the
2 department state superintendent.

3 **SECTION 2780r.** 117.30 (1) of the statutes is amended to read:

4 117.30 (1) If a school district for 2 or more successive years has failed to operate
5 a school as required by law, the board shall attach the territory of the school district
6 to one or more school districts that do operate schools. Within 60 days of the date on
7 which a school district becomes subject to this section, the department state
8 superintendent shall so notify the school district clerk and the clerk of each
9 municipality in which part of the school district lies. Prior to August 30 of the year
10 in which the school district becomes subject to this section, the board shall issue an
11 order of school district reorganization attaching the school district to one or more
12 operating school districts. Orders issued under this section take effect upon being
13 filed as provided in s. 117.17 (2). The school board of each district to which any
14 territory is attached under this section shall levy and collect a special tax against the
15 property in the territory so attached for such amount as is payable for tuition and
16 transportation, at the time of the attachment, by the school district in which the
17 attached territory was located prior thereto, in the proportion that the equalized
18 valuation of the attached territory bears to the total equalized valuation of the school
19 district in which such territory was located prior to such attachment.

20 **SECTION 2107.** 118.01 (1) of the statutes is amended to read:

21 118.01 (1) PURPOSE. Public education is a fundamental responsibility of the
22 state. The constitution vests in the state superintendent the supervision of public
23 instruction and directs the legislature to provide for the establishment of district
24 schools. The effective operation of the public schools is dependent upon a common
25 understanding of what public schools should be and do. Establishing such goals and

1 expectations is a necessary and proper complement to the state's financial
2 contribution to education. Each school board should provide curriculum, course
3 requirements and instruction consistent with the goals and expectations established
4 under sub. (2). Parents and guardians of pupils enrolled in the school district share
5 with the state and school board the responsibility for pupils meeting the goals and
6 expectations under sub. (2).

7 **SECTION 2782g.** 118.015 (2) of the statutes is amended to read:

8 118.015 (2) EMPLOYMENT OF READING SPECIALISTS. Each school district shall
9 employ a reading specialist certified by the department to develop and coordinate a
10 comprehensive reading curriculum in grades kindergarten to 12. At the discretion
11 of the ~~department~~ state superintendent, a school district may contract with other
12 school districts or cooperative educational service agencies to employ a certified
13 reading specialist on a cooperative basis.

14 **SECTION 2782r.** 118.125 (1) (cm) and (d) of the statutes are amended to read:

15 118.125 (1) (cm) "Pupil physical health records" means those pupil records that
16 include basic health information about a pupil, including the pupil's immunization
17 records, an emergency medical card, a log of first aid and medicine administered to
18 the pupil, an athletic permit card, a record concerning the pupil's ability to
19 participate in an education program, any lead screening records required under s.
20 254.162, the results of any routine screening test, such as for hearing, vision or
21 scoliosis, and any follow-up to such test, and any other basic health information, as
22 determined by the ~~department~~ state superintendent.

23 (d) "Pupil records" means all records relating to individual pupils maintained
24 by a school but does not include notes or records maintained for personal use by a
25 teacher or other person who is required by the ~~department~~ state superintendent

1 under s. 115.28 (7) to hold a certificate, license or permit if such records and notes
2 are not available to others, nor does it include records necessary for, and available
3 only to persons involved in, the psychological treatment of a pupil.

4 **SECTION 2785d.** 118.13 (2) of the statutes is amended to read:

5 118.13 (2) (a) Each school board shall develop written policies and procedures
6 to implement this section and submit them to the ~~department~~ state superintendent
7 as a part of its 1986 annual report under s. 120.18. The policies and procedures shall
8 provide for receiving and investigating complaints by residents of the school district
9 regarding possible violations of this section, for making determinations as to
10 whether this section has been violated and for ensuring compliance with this section.

11 (b) Any person who receives a negative determination under par. (a) may
12 appeal the determination to the ~~department~~ state superintendent.

13 **SECTION 2785h.** 118.13 (3) (a) (intro.) of the statutes is amended to read:

14 118.13 (3) (a) (intro.) The ~~department~~ state superintendent shall:

15 **SECTION 2785p.** 118.13 (3) (a) 1. of the statutes is amended to read:

16 118.13 (3) (a) 1. Decide appeals made to him or her under sub. (2) (b). Decisions
17 of the ~~department~~ state superintendent under this subdivision are subject to judicial
18 review under ch. 227.

19 **SECTION 2785t.** 118.13 (3) (b) (intro.) of the statutes is amended to read:

20 118.13 (3) (b) (intro.) The ~~department~~ state superintendent may:

21 **SECTION 2108.** 118.145 (1) of the statutes is amended to read:

22 118.145 (1) The school board of a district operating high school grades shall
23 determine, with the advice and consent of the ~~department~~ state superintendent, the
24 minimum standards for admission to high school.

25 **SECTION 2787e.** 118.15 (1) (cm) 5. of the statutes is amended to read:

1 118.15 (1) (cm) 5. The ~~department~~ state superintendent shall grant a high
2 school equivalency diploma to a child under this paragraph who completes the
3 general educational development test with a passing score, as determined by the
4 ~~department~~ state superintendent, and completes the additional requirements
5 determined by the ~~department~~ state superintendent under s. 115.29 (4).

6 **SECTION 2787m.** 118.15 (2) (a) 3. of the statutes is amended to read:

7 118.15 (2) (a) 3. Multiply the quotient under subd. 1. by any additional costs
8 associated with direct student support services, as determined jointly by the
9 ~~department~~ state superintendent and the state director of the technical college
10 system.

11 **SECTION 2109.** 118.15 (2) (c) of the statutes is amended to read:

12 118.15 (2) (c) Pupils attending a technical college under this subsection may
13 receive general education subjects at the technical college ~~and shall be counted as~~
14 ~~pupils enrolled in the high school for all purposes including computing state aid for~~
15 ~~the school district.~~ Payments by the school district under par. (a) shall be deemed
16 costs of operation and maintenance.

17 **SECTION 2788b.** 118.153 (2) (b) of the statutes is amended to read:

18 118.153 (2) (b) 1. If in the previous school year a school district had 50 or more
19 dropouts and a dropout rate exceeding 5% of its total high school enrollment, the
20 school board shall apply to the ~~department~~ state superintendent for aid under this
21 section.

22 2. If in the previous school year a school district had 40 or more dropouts, the
23 school board may apply to the ~~department~~ state superintendent for aid under this
24 section.

25 **SECTION 2788c.** 118.153 (3m) of the statutes is created to read:

1 118.153 **(3m)** (a) After reviewing the recommendations of the governor's
2 council on workforce excellence under s. 106.115 (2) (em), the state superintendent
3 may approve an innovative school-to-work program provided by a nonprofit
4 organization for children at risk in a county having a population of 500,000 or more
5 to assist those children at risk in acquiring employability skills and
6 occupational-specific competencies before leaving high school. If the state
7 superintendent approves a program under this paragraph, the state superintendent
8 may award a grant, from the appropriation under s. 20.255 (3) (ef), to the nonprofit
9 organization providing the program and the nonprofit organization shall use the
10 funds received under the grant to provide the program.

11 (b) The state superintendent shall establish requirements for the operation of
12 the grant program under this subsection. Those requirements need not be
13 promulgated as rules.

14 **SECTION 2788d.** 118.153 (4) (a) and (b) of the statutes are amended to read:

15 118.153 **(4)** (a) Beginning in August 1994, and annually thereafter, a school
16 board that applied for aid under this section in the previous school year shall submit
17 a report to the ~~department~~ state superintendent. The report shall include only
18 information about the pupils enrolled in a program for children at risk in the
19 previous school year that is necessary for the ~~department~~ state superintendent to
20 determine the number of pupils who achieved each of the objectives under par. (c).

21 (b) Upon receipt of a school board's annual report under par. (a) the ~~department~~
22 state superintendent shall pay to the school district from the appropriation under s.
23 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved
24 at least 3 of the objectives under par. (c) in the previous school year, additional state

1 aid in an amount equal to 10% of the school district's average per pupil aids provided
2 under s. 20.835 (7) (a), 1991 stats., and s. 20.255 (2) (ac) in the previous school year.

3 **SECTION 2788h.** 118.153 (7) of the statutes is amended to read:

4 118.153 (7) The ~~department~~ state superintendent shall promulgate rules to
5 implement and administer this section. The rules shall not be overly restrictive in
6 defining approved programs and shall not serve to exclude programs that have
7 demonstrated success in meeting the needs of children at risk.

8 **SECTION 2788p.** 118.155 (1) of the statutes is amended to read:

9 118.155 (1) Any school board shall, without approval of the ~~department~~ state
10 superintendent, permit pupils with written permission of a parent or guardian to be
11 absent from school at least 60 minutes but not more than 180 minutes per week to
12 obtain religious instruction outside the school during the required school period. The
13 supervisor of such religious instruction shall report monthly, to the principal of the
14 school regularly attended, the names of the pupils who attended such weekly
15 religious instruction. The school board may deny the privilege of released time to
16 pupils who absent themselves from such religious instruction after requesting the
17 privilege. The time period, or periods, allotted for the pupil to be absent from school
18 for the purpose of religious instruction shall be determined by the school board.

19 **SECTION 2788t.** 118.16 (2) (b) of the statutes is amended to read:

20 118.16 (2) (b) Annually, on or before August 1, shall determine how many pupils
21 enrolled in the school district were absent in the previous year and whether the
22 absences were excused under s. 118.15 and shall notify the ~~department~~ state
23 superintendent of the determination.

24 **SECTION 2110.** 118.165 (2) of the statutes is amended to read:

1 118.165 (2) An institution may request the ~~department~~ state superintendent
2 to approve the institution's educational program as a private school. The ~~department~~
3 state superintendent shall base its his or her approval solely on the criteria under
4 sub. (1).

5 **SECTION 2111.** 118.167 of the statutes is amended to read:

6 **118.167** (title) **Private school determination by ~~department~~ state**
7 **superintendent.** If an association that regulates or accredits private educational
8 institutions in this state submits an affidavit to the ~~department~~ state
9 superintendent attesting that the institution meets or exceeds all of the criteria
10 under s. 118.165 and the ~~department~~ state superintendent finds that the institution
11 does meet or exceed all of the criteria under s. 118.165, the ~~department~~ state
12 superintendent shall determine that the institution is a private school. If at any time
13 the ~~department~~ state superintendent finds that an institution determined to be a
14 private school under this section no longer meets the criteria under s. 118.165, the
15 ~~department~~ state superintendent may withdraw the determination.

16 **SECTION 2790m.** 118.18 of the statutes is amended to read:

17 **118.18 Teacher reports.** Every teacher shall record the names, ages and
18 studies of all pupils under his or her charge and their daily attendance and such other
19 facts or matters relating to the school as the ~~department~~ state superintendent or
20 school board requires.

21 **SECTION 2792b.** 118.19 (3), (4) and (4m) of the statutes are amended to read:

22 118.19 (3) (a) No license to teach in any public school may be issued unless the
23 applicant possesses a bachelor's degree including such professional training as the
24 department by rule requires, except as permitted under par. (b) and ss. 115.28 (17)
25 (a) and 118.192. Notwithstanding s. 36.11 (16), beginning August 31, 1990, no

1 teacher preparatory program in this state may be approved by the department state
2 superintendent under s. 115.28 (7) (a), unless each student in the program is
3 required to complete student teaching consisting of full days for a full semester
4 following the daily schedule and semester calendar of the cooperating school.
5 Beginning August 31, 1990, no license to teach in any public school may be granted
6 to an applicant who completed a professional training program outside this state
7 unless the applicant completed student teaching consisting of full days for a full
8 semester following the daily schedule and semester calendar of the cooperating
9 school or the equivalent, as determined by the department state superintendent.
10 The department state superintendent may grant exceptions to the student teaching
11 requirements under this paragraph when the midyear calendars of the institution
12 offering the teacher preparatory program and the cooperating school differ from each
13 other and would prevent students from attending classes at the institution in
14 accordance with the institution's calendar. The department state superintendent
15 shall promulgate rules to implement this subsection.

16 (b) The department state superintendent shall permanently certify any
17 applicant to teach Wisconsin native American languages and culture who has
18 successfully completed the university of Wisconsin-Milwaukee school of education
19 approved Wisconsin native American languages and culture project certification
20 program at any time between January 1, 1974, and December 31, 1977. School
21 districts shall not assign individuals certified under this paragraph to teach courses
22 other than Wisconsin native American languages and culture, unless they qualify
23 under par. (a).

24 (4) (a) Notwithstanding subch. II of ch. 111, the department state
25 superintendent may not grant a license to any person who has been convicted of any

1 Class A, B, C or D felony under ch. 940 or 948, except ss. 940.08 and 940.205, or of
2 an equivalent crime in another state or country, for a violation that occurs on or after
3 September 12, 1991, for 6 years following the date of the conviction, and may grant
4 the license only if the person establishes by clear and convincing evidence that he or
5 she is entitled to the license.

6 (b) Notwithstanding par. (a), the ~~department~~ state superintendent shall grant
7 a license to a person convicted of a crime described under par. (a), prior to the
8 expiration of the 6-year period following the conviction, if the conviction is reversed,
9 set aside or vacated.

10 **(4m)** Beginning July 1, 1995, the ~~department~~ state superintendent may not
11 issue or renew a license to teach the visually impaired unless the applicant
12 demonstrates, based on criteria established by the ~~department~~ state superintendent
13 by rule, that he or she is proficient in reading and writing braille and in teaching
14 braille. In promulgating rules under this subsection, the ~~department~~ state
15 superintendent shall take into consideration the standard used by the librarian of
16 congress for certifying braille transcribers.

17 **SECTION 2792d.** 118.19 (8) of the statutes is amended to read:

18 118.19 (8) Beginning July 1, 1992, the ~~department~~ state superintendent may
19 not grant to any person a license to teach unless the person has received instruction
20 in the study of minority group relations, including instruction in the history, culture
21 and tribal sovereignty of the federally recognized American Indian tribes and bands
22 located in this state.

23 **SECTION 2792e.** 118.19 (9) (a) (intro.) of the statutes is amended to read:

24 118.19 (9) (a) (intro.) Except as provided in par. (b), beginning on July 1, 1996,
25 the ~~department~~ state superintendent may not issue an initial teaching license,

1 school district administrator's license or school administrator's license unless the
2 applicant has demonstrated competency in all of the following:

3 **SECTION 2792h.** 118.19 (9) (b) of the statutes is amended to read:

4 118.19 (9) (b) The ~~department~~ state superintendent may waive the
5 requirements under par. (a) if the applicant demonstrates competency in the subjects
6 under par. (a) 1. to 3. within 12 months after the date on which the license is issued.

7 **SECTION 2792L.** 118.19 (10) (b) (intro.) of the statutes is amended to read:

8 118.19 (10) (b) (intro.) With the assistance of the department of justice, the
9 ~~department~~ state superintendent shall do all of the following:

10 **SECTION 2792p.** 118.19 (10) (b) 2. of the statutes is amended to read:

11 118.19 (10) (b) 2. Over a 5-year period, conduct a background investigation of
12 each person who holds a license, issued by the ~~department~~ state superintendent, that
13 has no expiration date and who is employed by an educational agency.

14 **SECTION 2792r.** 118.19 (10) (c) of the statutes is amended to read:

15 118.19 (10) (c) If the person under par. (b) is a nonresident, or if the ~~department~~
16 state superintendent determines that the person's employment, licensing or state
17 court records provide a reasonable basis for further investigation, the ~~department~~
18 state superintendent shall require the person to be photographed and fingerprinted
19 on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The
20 department of justice may provide for the submission of the fingerprint cards to the
21 federal bureau of investigation for the purposes of verifying the identity of the person
22 fingerprinted and obtaining records of his or her criminal arrest and conviction.

23 **SECTION 2792u.** 118.19 (10) (d) (intro.) of the statutes is amended to read:

24 118.19 (10) (d) (intro.) Upon request, an educational agency shall provide the
25 ~~department~~ state superintendent with all of the following information about each

1 person employed by the educational agency who holds a license, issued by the
2 department state superintendent, that has no expiration date:

3 **SECTION 2792y.** 118.19 (10) (e) of the statutes is amended to read:

4 118.19 (10) (e) The department state superintendent may issue or renew a
5 license or permit conditioned upon the receipt of a satisfactory background
6 investigation.

7 **SECTION 2112.** 118.19 (10) (f) of the statutes is amended to read:

8 118.19 (10) (f) The ~~department~~ state superintendent shall keep confidential all
9 information received under this subsection from the department of justice or the
10 federal bureau of investigation. Such information is not subject to inspection or
11 copying under s. 19.35.

12 **SECTION 2794m.** 118.192 (1) to (3) of the statutes are amended to read:

13 118.192 (1) The department state superintendent shall establish an
14 alternative teacher training program for mathematics and science teachers. The
15 program shall be conducted during the summer and shall consist of approximately
16 100 hours of formal instruction.

17 (2) An individual who holds a bachelor's degree in engineering, mathematics,
18 biology, chemistry or physics, has at least 5 years of experience as an engineer,
19 mathematician or science professional and passes the appropriate subject area
20 portion of the national teacher's examination administered by the educational
21 testing service, inc., in mathematics or science may apply to the department state
22 superintendent for enrollment in the alternative teacher training program. The
23 department state superintendent shall charge a fee sufficient to cover the costs of the
24 program.

1 **(3)** The ~~department~~ state superintendent shall grant a professional teaching
2 permit to any person who satisfactorily completes the program under sub. (2). The
3 permit authorizes the person to teach mathematics or science, as specified by the
4 ~~department~~ state superintendent, in grades kindergarten to 12 for 2 years, if the
5 person is supervised by a person who holds a regular teaching license. The permit
6 is renewable.

7 **SECTION 2113.** 118.192 (5) of the statutes is repealed.

8 **SECTION 2795m.** 118.195 of the statutes is amended to read:

9 **118.195 Discrimination against handicapped teachers prohibited. (1)**

10 No person otherwise qualified may be denied a certificate or license from the
11 ~~department~~ state superintendent under s. 118.19 (1) because the person is totally or
12 partially blind, deaf or physically handicapped nor may any school district refuse to
13 employ a teacher on such grounds, if such handicapped teacher is able to carry out
14 the duties of the position which the person seeks.

15 **(2)** Any school board may request the ~~department~~ state superintendent for
16 advice and assistance in interpreting this section.

17 **SECTION 2114.** 118.20 (2) of the statutes is amended to read:

18 118.20 **(2)** The ~~department~~ state superintendent or a person designated by the
19 state superintendent may receive and investigate complaints charging
20 discrimination in employment, assignment or reassignment of teachers or
21 administrative personnel in the public schools and the ~~department~~ state
22 superintendent or designee may hold hearings, subpoena witnesses and take
23 testimony to effectuate the purposes of this section.

24 **SECTION 2115.** 118.20 (3) of the statutes is amended to read:

1 118.20 (3) If the ~~department~~ state superintendent finds probable cause to
2 believe that any discrimination prohibited by this section has been or is being
3 practiced, the ~~department~~ state superintendent shall immediately endeavor to
4 eliminate the practice by conference, conciliation or persuasion. In case of failure to
5 eliminate the discrimination, the ~~department~~ state superintendent shall issue and
6 serve a written notice of hearing, specifying the nature of the discrimination which
7 appears to have been committed, and requiring the public school official, employe,
8 teacher agency or placement bureau named, hereinafter called the “respondent” to
9 answer the complaint at a hearing before the ~~department~~ state superintendent. The
10 notice shall specify a time of hearing not less than 10 days after service of the
11 complaint, and a place of hearing within the county in which the discrimination is
12 alleged to have occurred.

13 **SECTION 2116.** 118.20 (4) of the statutes is amended to read:

14 118.20 (4) After hearing, if the ~~department~~ state superintendent finds that the
15 respondent has engaged in discrimination prohibited by this section the ~~department~~
16 state superintendent shall make written findings and recommend such action by the
17 respondent as shall satisfy the purposes of this section and shall serve a certified
18 copy of the findings and recommendations on the respondent together with an order
19 requiring the respondent to comply with the recommendations. Any person
20 aggrieved by noncompliance with the order shall be entitled to have the order
21 enforced specifically by suit in equity. If the ~~department~~ state superintendent finds
22 that the respondent has not engaged in the alleged discrimination, the ~~department~~
23 state superintendent shall serve a certified copy of the ~~department’s~~ state
24 superintendent’s findings on the complainant together with an order dismissing the
25 complaint.

1 **SECTION 2117.** 118.20 (5) of the statutes is amended to read:

2 118.20 (5) If any public school official, employe, teachers agency or placement
3 bureau violates sub. (1) or fails or refuses to obey any lawful order made by the
4 ~~department~~ state superintendent pursuant to this section, such person shall forfeit
5 and pay into the state treasury not less than \$25 nor more than \$50, or be imprisoned
6 not less than 5 nor more than 30 days. Such violation or failure or refusal to obey
7 an order shall be grounds for the removal of any school district administrator,
8 member of a school board or other public school official. Findings and orders of the
9 ~~department~~ state superintendent under this section shall be subject to judicial
10 review under ch. 227.

11 **SECTION 2118.** 118.20 (6) of the statutes is amended to read:

12 118.20 (6) Upon request of the ~~department~~ state superintendent, the attorney
13 general or district attorney of the county in which any investigation, hearing or trial
14 under this section is pending, shall aid and prosecute under supervision of the
15 ~~department~~ state superintendent, all necessary actions or proceedings for the
16 enforcement of this section and for the punishment of all violations thereof.

17 **SECTION 2119.** 118.20 (7) of the statutes is amended to read:

18 118.20 (7) In administering this section the ~~department~~ state superintendent
19 shall have authority to make, amend and rescind rules necessary to carry out the
20 purposes of this section.

21 **SECTION 2801g.** 118.22 (1) (b) of the statutes is amended to read:

22 118.22 (1) (b) "Teacher" means any person who holds a teacher's certificate or
23 license issued by the ~~department~~ state superintendent or a classification status
24 under the technical college system board and whose legal employment requires such

1 certificate, license or classification status, but does not include part-time teachers
2 or teachers employed by any board of school directors in a city of the 1st class.

3 **SECTION 2801r.** 118.25 (6) of the statutes is amended to read:

4 118.25 (6) As a condition of employment, employes of the department state
5 superintendent whose work brings them into contact with school children or with
6 school employes shall have physical examinations under sub. (2).

7 **SECTION 2120.** 118.255 (3) of the statutes is repealed and recreated to read:

8 118.255 (3) The school board, cooperative educational service agency or county
9 handicapped children's education board maintaining health treatment services shall
10 report annually to the department, and at such other times as the department
11 directs, such information as the department requires.

12 **SECTION 2121.** 118.255 (4) of the statutes is amended to read:

13 118.255 (4) If the ~~department~~ state superintendent is satisfied that the health
14 treatment services program has been maintained during the preceding school year
15 in accordance with law, the ~~department~~ state superintendent shall certify to the
16 department of administration in favor of each school board, cooperative educational
17 service agency and county handicapped children's education board maintaining such
18 health treatment services, an amount equal to 63% of the amount expended for items
19 listed in s. 115.88 (1) by the school board, cooperative educational service agency and
20 county handicapped children's education board during the preceding year for these
21 health treatment services. The department of administration, upon such
22 certification shall distribute the amounts to the appropriate school board,
23 cooperative educational service agency and county handicapped children's education
24 board.

25 **SECTION 2803m.** 118.258 (2) (b) of the statutes is amended to read:

1 118.258 (2) (b) The school board shall submit a copy of the rules under sub. (1)
2 to the department state superintendent when the rule is first adopted and whenever
3 the rule is amended.

4 **SECTION 2122.** 118.26 of the statutes is amended to read:

5 **118.26 Claim against school district.** No action may be brought or
6 maintained against a school district upon a claim or cause of action unless the
7 claimant complies with s. 893.80. This section does not apply to actions commenced
8 under s. 19.37 ~~or~~, 19.97 or 281.99.

9 **SECTION 2123.** 118.30 (1) of the statutes is renumbered 118.30 (1) (a) and
10 amended to read:

11 118.30 (1) (a) The department state superintendent shall adopt or approve
12 examinations designed to measure pupil attainment of knowledge and concepts in
13 the 4th, 8th and 10th grades.

14 **SECTION 2124.** 118.30 (1) (b) of the statutes is created to read:

15 118.30 (1) (b) If the governor has issued pupil academic standards as an
16 executive order, the governor shall submit the standards to the education
17 committees in the senate and assembly. Upon the approval of the academic
18 standards by both committees, the department shall develop a high school
19 graduation examination that is designed to measure whether pupils meet the pupil
20 academic standards.

21 **SECTION 2125.** 118.30 (1g) of the statutes is created to read:

22 118.30 (1g) Each school board operating high school grades shall adopt a high
23 school graduation examination. If the school board has adopted the pupil academic
24 standards approved by the education committees in the senate and assembly under
25 sub. (1) (b), the school board may adopt the high school graduation examination

1 developed by the department under sub. (1) (b). If a school board develops and adopts
2 its own high school graduation examination, it shall notify the department.

3 **SECTION 2126.** 118.30 (1m) (intro.) of the statutes is amended to read:

4 118.30 (1m) (intro.) Except as otherwise provided in this section and in s.
5 118.40 (2r) (d), annually each school board shall do all of the following:

6 **SECTION 2808m.** 118.30 (1m) (b) of the statutes is amended to read:

7 118.30 (1m) (b) Administer the 10th grade examination to all pupils enrolled
8 in the school district, including pupils enrolled in charter schools located in the school
9 district, in the 10th grade. This paragraph does not apply after the 2000-01 school
10 year.

11 **SECTION 2127.** 118.30 (1m) (d) of the statutes is created to read:

12 118.30 (1m) (d) If the school board operates high school grades, beginning in
13 the 1999-2000 school year administer the high school graduation examination
14 adopted by the school board under sub. (1g). The school board shall administer the
15 examination at least twice each school year. The school board shall determine the
16 high school grades in which the examination will be administered each school year.

17 **SECTION 2809e.** 118.30 (2) (b) 2. of the statutes is amended to read:

18 118.30 (2) (b) 2. According to criteria established by the ~~department~~ state
19 superintendent by rule, the school board may determine not to administer an
20 examination under this section to a limited-English speaking pupil, as defined
21 under s. 115.955 (7), may permit the pupil to be examined in his or her native
22 language or may modify the format and administration of an examination for such
23 pupils.

24 **SECTION 2809m.** 118.30 (3) of the statutes is amended to read:

1 118.30 (3) The ~~department~~ state superintendent shall make available upon
2 request, within 90 days after the date of administration, any examination required
3 to be administered under this section. This subsection does not apply while the
4 examination is being developed or validated.

5 **SECTION 2809s.** 118.33 (1) (am) of the statutes is amended to read:

6 118.33 (1) (am) The ~~department~~ state superintendent shall encourage school
7 boards to require an additional 8.5 credits selected from any combination of
8 vocational education, foreign languages, fine arts and other courses.

9 **SECTION 2128.** 118.33 (1) (cm) of the statutes is created to read:

10 118.33 (1) (cm) Except as provided in par. (e), beginning on September 1, 2001,
11 a school board may not grant a high school diploma to any pupil unless the pupil has
12 passed the high school graduation examination administered under s. 118.30 (1m)
13 (d). A school board shall provide a pupil with at least 4 opportunities to take the
14 examination in the high school grades.

15 **SECTION 2810m.** 118.33 (1) (e) of the statutes is created to read:

16 118.33 (1) (e) Each school board shall develop alternative criteria for
17 evaluating a pupil who has been excused from high school graduation examination
18 under s. 118.30 (2) (b) 3. A school board may grant a high school diploma to a pupil
19 who has been excused from the high school graduation examination under s. 118.30
20 (2) (b) 3. if the pupil satisfies all of the other requirements under this subsection and
21 satisfies the other criteria.

22 **SECTION 2810r.** 118.33 (2) (intro.) of the statutes is amended to read:

23 118.33 (2) (intro.) The ~~department~~ state superintendent shall:

24 **SECTION 2129.** 118.33 (2) (c) of the statutes is amended to read:

1 118.33 (2) (c) Establish course requirements under sub. (1) (a) and approve any
2 school board's high school graduation standards policy that is equivalent to the
3 requirements under sub. (1).

4 **SECTION 2811m.** 118.33 (3) of the statutes is amended to read:

5 118.33 (3) By September 1, 1986, each school board operating high school
6 grades shall submit to the ~~department~~ state superintendent a report describing the
7 school board's policies and guidelines on high school graduation standards, including
8 a list of courses required under sub. (1) (a) and the number of hours in each school
9 term required to earn one credit under sub. (1) (a), and thereafter shall notify the
10 ~~department~~ state superintendent whenever changes are made in such policies or
11 guidelines. The department shall make reasonable efforts to combine the reports
12 required under this subsection with other required school board reports.

13 **SECTION 2130.** 118.33 (3m) of the statutes is amended to read:

14 118.33 (3m) A course taken at a technical college by a child attending the school
15 part-time or in lieu of high school under s. 118.15 (1) (b), or attending the school
16 under s. 118.15 (1) (cm), does not fulfill any of the high school graduation
17 requirements under sub. (1) (a) unless the ~~department~~ state superintendent has
18 approved the course for that purpose. If a pupil satisfies all of the high school
19 graduation requirements under sub. (1), the school board shall grant a high school
20 diploma to the pupil regardless of whether the pupil satisfied all or a portion of the
21 requirements while attending an institution of higher education under s. 118.55 or
22 a technical college.

23 **SECTION 2812m.** 118.33 (4) of the statutes is amended to read:

24 118.33 (4) (a) The ~~department~~ state superintendent shall establish procedures
25 for school boards to certify to the ~~department~~ state superintendent whether they are

1 in compliance with the requirements under sub. (1) and the rules promulgated under
2 sub. (2).

3 (b) The department state superintendent may periodically review school
4 district high school graduation standards and shall notify any school board not in
5 compliance with the requirements under sub. (1) or the rules promulgated under
6 sub. (2), identifying the changes necessary.

7 **SECTION 2815d.** 118.34 (3) of the statutes is amended to read:

8 118.34 (3) The department and the technical college system board shall provide
9 technical assistance to school boards to develop technical preparation programs in
10 each high school. Annually, the school board shall evaluate its program and report
11 the results to the department state superintendent and the technical college system
12 board.

13 **SECTION 2815g.** 118.35 (2) of the statutes is amended to read:

14 118.35 (2) The department state superintendent shall by rule establish
15 guidelines for the identification of gifted and talented pupils.

16 **SECTION 2815r.** 118.35 (3) (b) of the statutes is amended to read:

17 118.35 (3) (b) Annually by August 15, report to the department state
18 superintendent the number of gifted and talented pupils who participated in a
19 program under par. (a) in the previous school year and such other information as the
20 department state superintendent requests.

21 **SECTION 2131.** 118.37 (title) of the statutes is renumbered 118.55 (title) and
22 amended to read:

23 **118.55 (title) ~~Postsecondary enrollment~~ Youth options program.**

24 **SECTION 2132.** 118.37 (1) (title) of the statutes is repealed.

1 **SECTION 2133.** 118.37 (1) of the statutes is renumbered 118.55 (1) and amended
2 to read:

3 118.55 (1) In this section, “institution of higher education” means a center or
4 institution within the university of Wisconsin system, a ~~technical college~~ tribally
5 controlled college or a private, nonprofit institution of higher education located in
6 this state.

7 **SECTION 2134.** 118.37 (2) and (3) of the statutes are renumbered 118.55 (2) and
8 (3), and 118.55 (2) and (3) (b), as renumbered, are amended to read:

9 118.55 (2) (a) Beginning in the 1992-93 school year, any public school pupil
10 enrolled in the 11th or 12th grade who is not attending a technical college under sub.
11 (7r) or s. 118.15 (1) (b) may enroll in an institution of higher education for the purpose
12 of taking one or more nonsectarian courses at the institution of higher education,
13 subject to par. (b). The pupil shall submit an application to the institution of higher
14 education in the previous school semester. The pupil shall indicate on the application
15 whether he or she will be taking the course or courses for high school credit or
16 postsecondary credit. The pupil shall also specify on the application that if he or she
17 is admitted the institution of higher education may disclose the pupil’s grades, the
18 courses that he or she is taking and his or her attendance record to the public school
19 in which the pupil is enrolled.

20 (b) Paragraph (a) applies to a private institution of higher education and to a
21 tribally controlled college only if the private institution of higher education or
22 tribally controlled college has notified the ~~department~~ state superintendent of its
23 intent to participate in the program under this section by September 1 of the previous
24 school year.

1 **(3) (b)** If the pupil specifies in the notice under par. (a) that he or she intends
2 to take a course at an institution of higher education for high school credit, the school
3 board shall determine whether the course is comparable to a course offered in the
4 school district, and whether the course satisfies any of the high school graduation
5 requirements under s. 118.33 and the number of high school credits to award the
6 pupil for the course, if any. ~~The department~~ In cooperation with institutions of higher
7 education, the state superintendent shall develop guidelines to assist school districts
8 in making the determinations. The school board shall notify the pupil of its
9 determinations, in writing, before the end beginning of the semester in which it
10 ~~received the notice under par. (a)~~ the pupil will be enrolled. If the pupil disagrees
11 with the school board's decision regarding comparability of courses, satisfaction of
12 high school graduation requirements or the number of high school credits to be
13 awarded, the pupil may appeal the school board's decision to the ~~department~~ state
14 superintendent within 30 days after the decision. The ~~department's~~ state
15 superintendent's decision shall be final and is not subject to review under subch. III
16 of ch. 227.

17 **SECTION 2135.** 118.37 (3m) of the statutes is repealed.

18 **SECTION 2136.** 118.37 (4) of the statutes is renumbered 118.55 (4), and 118.55
19 (4) (a), as renumbered, is amended to read:

20 118.55 (4) (a) An institution of higher education may admit a pupil under this
21 section only if it has space available. ~~A pupil may attend a technical college under~~
22 ~~this section only if he or she is a resident of this state.~~

23 **SECTION 2822c.** 118.37 (5) (intro.) and (a) of the statutes are renumbered
24 118.55 (5) (intro.) and (a).

25 **SECTION 2137.** 118.37 (5) (b) of the statutes is repealed.

1 **SECTION 2823m.** 118.37 (5) (c) of the statutes is renumbered 118.55 (5) (c), and
2 118.55 (5) (c) 2., as renumbered, is amended to read:

3 118.55 (5) (c) 2. An amount determined by dividing the state total net cost of
4 the general fund in the previous school year by the state total membership in the
5 previous school year, dividing that quotient by the statewide average number of high
6 school credits taken by full-time pupils in the previous school year, as determined
7 by the ~~department~~ state superintendent, and multiplying that quotient by the
8 number of high school credits taken by the pupil at the private institution of higher
9 education, as determined under sub. (3) (b). In this subdivision, “net cost” has the
10 meaning given in s. 121.004 (6), and “membership” has the meaning given in s.
11 121.004 (5).

12 **SECTION 2824m.** 118.37 (6) of the statutes is renumbered 118.55 (6), and 118.55
13 (6) (title), (a) and (b), as renumbered, are amended to read:

14 118.55 (6) (title) ~~RESPONSIBILITY OF PUPIL FOR TUITION AND FEES; INSTITUTION OF~~
15 HIGHER EDUCATION. (a) A pupil taking a course at an institution of higher education
16 for high school credit under this section is not responsible for any portion of the
17 tuition and fees for the course if the school board, or the ~~department~~ state
18 superintendent on appeal under sub. (3) (b), has determined that the course is not
19 comparable to a course offered in the school district.

20 (b) A pupil taking a course at an institution of higher education for high school
21 credit under this section is responsible for the tuition and fees for the course if the
22 school board has determined that the course is comparable to a course offered in the
23 school district, unless the ~~department~~ state superintendent reverses the school
24 board’s decision on appeal under sub. (3) (b).

1 **SECTION 2138.** 118.37 (7g) of the statutes is renumbered 118.55 (7g) and
2 amended to read:

3 118.55 **(7g)** TRANSPORTATION. The parent or guardian of a pupil who is
4 attending an institution of higher education or technical college under this section
5 and is taking a course for high school credit ~~that is not comparable to a course offered~~
6 ~~in the school district~~ may apply to the ~~department~~ state superintendent for
7 reimbursement of the cost of transporting the pupil between the high school in which
8 the pupil is enrolled and the institution of higher education or technical college that
9 the pupil is attending if the pupil and the pupil's parent or guardian are unable to
10 pay the cost of such transportation. The ~~department~~ state superintendent shall
11 determine the reimbursement amount and shall pay the amount from the
12 appropriation under s. 20.255 (2) (cw). The ~~department~~ state superintendent shall
13 give preference under this subsection to those pupils who are eligible for a free or
14 reduced-price lunch under 42 USC 1758 (b).

15 **SECTION 2139.** 118.37 (8) of the statutes is renumbered 118.55 (8).

16 **SECTION 2827m.** 118.37 (9) of the statutes is renumbered 118.55 (9) and
17 amended to read:

18 118.55 **(9)** RULES. The ~~department~~ state superintendent shall promulgate rules
19 to implement and administer this section, including rules establishing criteria for
20 determining reimbursement amounts under sub. (7g).

21 **SECTION 2140.** 118.38 (2m) of the statutes is repealed.

22 **SECTION 2141.** 118.38 (3) of the statutes is amended to read:

23 118.38 **(3)** A waiver is effective for 4 years. The ~~secretary~~ department shall
24 renew the waiver for additional 4-year periods if the school board has evaluated the
25 educational and financial effects of the waiver over the previous 4-year period,

1 except that the ~~secretary~~ department is not required to renew a waiver if the
2 ~~secretary~~ department determines that the school district is not making adequate
3 progress toward improving pupil academic performance.

4 **SECTION 2142.** 118.40 (1) of the statutes is amended to read:

5 118.40 (1) NOTICE TO DEPARTMENT. Whenever a school board intends to establish
6 a charter school, it shall notify the ~~department~~ state superintendent of its intention.
7 The Whenever one of the entities under sub. (2r) (b) intends to establish a charter
8 school, it shall notify the state superintendent of its intention by February 1 of the
9 previous school year. A notice under this subsection shall include a description of the
10 proposed school.

11 **SECTION 2143.** 118.40 (1m) (a) of the statutes is amended to read:

12 118.40 (1m) (a) A written petition requesting ~~the~~ a school board to establish
13 a charter school under this section may be filed with the school district clerk. ~~The~~
14 If the proposed charter school would replace a public school in whole or in part, the
15 petition shall be signed by at least 10% of the teachers employed by the school district
16 or by at least 50% of the teachers employed at one school of the school district.

17 **SECTION 2144.** 118.40 (1m) (b) 7. of the statutes is amended to read:

18 118.40 (1m) (b) 7. Subject to sub. (7) (a) and (am) and ss. 118.19 (1) and 121.02
19 (1) (a) 2., the qualifications that must be met by the individuals to be employed in the
20 school.

21 **SECTION 2145.** 118.40 (2) (a) of the statutes is amended to read:

22 118.40 (2) (a) Within 30 days after receiving a petition under sub. (1m) the
23 school board shall hold a public hearing on the petition. At the hearing, the school
24 board shall consider the level of employe and parental support for the establishment

1 of the charter school described in the petition. ~~After the hearing, the school board~~
2 ~~may grant the petition.~~

3 **SECTION 2146.** 118.40 (2) (c) of the statutes is amended to read:

4 118.40 (2) (c) The school board of ~~the school district operating under ch. 119~~
5 shall either grant or deny the petition within 30 days after the public hearing. If the
6 school board of ~~the school district operating under ch. 119~~ denies a petition, the
7 person seeking to establish the charter school may, within 30 days after the denial,
8 appeal the denial to the department. The department shall issue a decision within
9 30 days after receiving the appeal. The department's decision is final and not subject
10 to judicial review under ch. 227. Section 115.28 (5) applies to this paragraph.

11 **SECTION 2147.** 118.40 (2r) of the statutes is created to read:

12 118.40 (2r) OTHER INITIATIVES. (a) In this subsection:

13 1. "Membership" has the meaning given in s. 121.004 (5).

14 2. "Shared cost per member" means the shared cost under s. 121.07 (6) (a)
15 divided by the school district's membership.

16 (b) The common council of the city of Milwaukee, the chancellor of the
17 University of Wisconsin-Milwaukee and the Milwaukee area technical college
18 district board may establish by charter and operate a charter school or, on behalf of
19 their respective entities, may initiate a contract with an individual or group to
20 operate a school as a charter school. A charter shall include all of the provisions
21 specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions
22 specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment
23 of the charter school on the liability of the contracting entity under this paragraph.
24 The contract may include other provisions agreed to by the parties. The chancellor
25 of the University of Wisconsin-Milwaukee may not establish or enter into a contract

1 for the establishment of a charter school under this paragraph without the approval
2 of the board of regents of the University of Wisconsin System.

3 (c) An entity under par. (b) may not establish or enter into a contract for the
4 establishment of a charter school located outside of the school district operating
5 under ch. 119. A pupil residing within the school district operating under ch. 119 may
6 attend a charter school established under this subsection only if one of the following
7 applies:

8 1. In the previous school year, the pupil was enrolled in the school district
9 operating under ch. 119.

10 2. In the previous school year, the pupil was attending a private school under
11 s. 119.23.

12 3. In the previous school year, the pupil was enrolled in grades kindergarten
13 to 3 in a private school located in the city of Milwaukee other than under s. 119.23.

14 4. In the previous school year, the pupil was not enrolled in school.

15 5. In the previous school year, the pupil was enrolled in a charter school under
16 this subsection.

17 (d) The chartering or contracting entity under par. (b) shall do all of the
18 following:

19 1. Ensure that all instructional staff of charter schools under this subsection
20 hold a license or permit to teach issued by the department.

21 2. Administer the examinations under ss. 118.30 (1m) and 121.02 (1) (r) to
22 pupils enrolled in charter schools under this subsection.

23 (e) From the appropriation under s. 20.255 (2) (fm), the department shall pay
24 to the operator of the charter school an amount equal to the shared cost per member
25 in the previous school year of the school district operating under ch. 119 multiplied

1 by the number of pupils attending the charter school. The department shall pay 25%
2 of the total amount in September, 25% in December, 25% in February and 25% in
3 June. The department shall send the check to the operator of the charter school.

4 (f) The department shall annually reduce the aid paid under s. 121.08 to the
5 board of a school district operating under ch. 119 by an amount equal to the shared
6 cost per member in the previous school year of the school district operating under ch.
7 119 multiplied by the number of pupils attending charter schools under this
8 subsection.

9 (g) The department shall ensure that aid paid to other school districts under
10 s. 121.08 is neither reduced nor increased as a result of the payments under par. (e)
11 or the reduction in aid to the board under par. (f) and that the amount of the aid
12 reduction under par. (f) lapses to the general fund.

13 **SECTION 2148.** 118.40 (3) (a) of the statutes is amended to read:

14 118.40 (3) (a) If the school board grants the petition under sub. (2) ~~(a)~~, the school
15 board shall contract with the person named in the petition under sub. (1m) (b) 1. to
16 operate the school as a charter school under this section. The contract shall include
17 all of the provisions specified in the petition and may include other provisions agreed
18 to by the parties.

19 **SECTION 2149.** 118.40 (3) (b) of the statutes is amended to read:

20 118.40 (3) (b) A contract under par. (a) or under sub. (2m) may be for any term
21 ~~not exceeding 5 school years and may be renewed for one or more terms not exceeding~~
22 ~~5 school years~~ any term. The contract shall specify the amount to be paid by the
23 school board to the charter school during each school year of the contract.

24 **SECTION 2150.** 118.40 (3) (b) of the statutes, as affected by 1997 Wisconsin Act

25 (this act), is amended to read:

1 118.40 (3) (b) A contract under par. (a) or under ~~sub.~~ subs. (2m) and (2r) may
2 be for any term and may be renewed for any term. The contract shall specify the
3 amount to be paid ~~by the school board~~ to the charter school during each school year
4 of the contract.

5 **SECTION 2151.** 118.40 (3) (d) of the statutes is amended to read:

6 118.40 (3) (d) A school board or an entity under s. 118.40 (2r) (b) shall give
7 preference in awarding contracts for the operation of charter schools to those charter
8 schools that serve children at risk, as defined in s. 118.153 (1) (a).

9 **SECTION 2152.** 118.40 (5) (intro.) and (a) of the statutes are amended to read:

10 118.40 (5) CHARTER REVOCATION. (intro.) A charter may be revoked by the school
11 board or the entity under sub. (2r) (b) that contracted with the charter school if the
12 school board or, if applicable, the entity under sub. (2r) (b) finds that any of the
13 following occurred:

14 (a) The charter school violated its contract with the school board or the entity
15 under sub. (2r) (b).

16 **SECTION 2153.** 118.40 (7) (a) of the statutes is amended to read:

17 118.40 (7) (a) ~~—A—~~ Except as provided in par. (am), a charter school is an
18 instrumentality of the school district in which it is located and the school board of
19 that school district shall employ all personnel for the charter school. ~~This paragraph~~
20 ~~does not apply to charter schools located in the school district operating under ch.~~
21 ~~119.~~

22 **SECTION 2154.** 118.40 (7) (am) of the statutes is created to read:

23 118.40 (7) (am) 1. Except as provided in subd. 2., if a charter school is
24 established under sub. (2m) and located in the school district operating under ch.
25 119, the school board of that school district shall determine whether or not the

1 charter school is an instrumentality of the school district. If the school board
2 determines that a charter school is an instrumentality of the school district, the
3 school board shall employ all personnel for the charter school. If the school board
4 determines that a charter school is not an instrumentality of the school district, the
5 school board may not employ any personnel for the charter school.

6 2. A charter school established under sub. (2r) or a private school located in the
7 school district operating under ch. 119 that is converted to a charter school is not an
8 instrumentality of the school district operating under ch. 119 and the school board
9 of that school district may not employ any personnel for the charter school.

10 **SECTION 2842b.** 118.40 (7) (ar) of the statutes is created to read:

11 118.40 (7) (ar) Nothing in this subsection affects the rights of personnel of a
12 charter school that is an instrumentality of the school district in which it is located
13 to engage in collective bargaining pursuant to subch. IV of ch. 111.

14 **SECTION 2842g.** 118.42 (1) (intro.) of the statutes is amended to read:

15 118.42 (1) (intro.) A nonprofit corporation may apply to the department state
16 superintendent for a grant to partially fund the costs of planning, developing and
17 operating a youth village program that complies with all of the following:

18 **SECTION 2842p.** 118.42 (1) (e) of the statutes is created to read:

19 118.42 (1) (e) The program meets all applicable requirements under P.L.
20 104-193, section 103.

21 **SECTION 2842r.** 118.42 (2) (a) of the statutes is amended to read:

22 118.42 (2) (a) The ~~department~~ state superintendent shall review the
23 applications and determine which of the applicants shall receive the grant.

24 **SECTION 2842t.** 118.42 (3) of the statutes is amended to read:

1 118.42 (3) Any school board may contract with the grant recipient for the
2 participation of pupils enrolled in the school district in the program. No pupil may
3 participate in the program unless his or her family meets the eligibility requirements
4 under s. 49.145 (2) and (3) and any requirements applicable under P.L. 104-193,
5 section 103. A pupil may not continue to participate in the program if the pupil is
6 absent from his or her home for more than 45 consecutive days. No pupil may be
7 required to participate in the program without his or her approval, if the pupil is an
8 adult, or the approval of his or her parents or legal guardian, if the pupil is a minor.

9 **“SECTION 2842w.** 118.43 (6) (a) of the statutes is amended to read:

10 118.43 (6) (a) In this subsection, “amount appropriated” means the amount
11 appropriated under s. 20.255 (2) (cu) in any fiscal year less \$250,000, plus the amount
12 appropriated under s. 20.255 (2) (cv).

13 **SECTION 2842x.** 118.43 (6) (b) (intro.) of the statutes is amended to read:

14 118.43 (6) (b) (intro.) From the ~~appropriation~~ appropriations under s. 20.255
15 (2) (cu) and (cv), subject to par. (c), the department shall pay to each school district
16 that has entered into a contract with the department under this section an amount
17 determined as follows:

18 **SECTION 2155.** 118.55 (7r) of the statutes is created to read:

19 118.55 (7r) ATTENDANCE AT TECHNICAL COLLEGE. (a) Upon the pupil’s request
20 and with the written approval of the pupil’s parent or guardian, any public school
21 pupil who satisfies the following criteria may apply to attend a technical college for
22 the purpose of taking one or more courses:

- 23 1. The pupil has completed the 10th grade.
- 24 2. The pupil is in good academic standing.

1 3. The pupil notifies the school board of his or her intent to attend a technical
2 college under this subsection by March 1 if the pupil intends to enroll in the fall
3 semester and by October 1 if the pupil intends to enroll in the spring semester.

4 4. The pupil is not a child at risk, as defined in s. 118.153 (1) (a).

5 (am) A school board may refuse to permit a pupil to attend a technical college
6 under this subsection if the pupil is a child with exceptional educational needs, as
7 defined in s. 115.76 (3), and the school board determines that the cost to the school
8 district under par. (dm) would impose an undue financial burden on the school
9 district.

10 (b) The technical college district board shall admit the pupil if he or she meets
11 the requirements and prerequisites of the course or courses for which he or she
12 applied, except that the district board may reject an application from a pupil who has
13 a record of disciplinary problems, as determined by the district board, or if the
14 district board determines that there is no space available for the pupil.

15 (c) If a child attends a technical college under this subsection, the technical
16 college shall ensure that the child's educational program meets the high school
17 graduation requirements under s. 118.33. At least 30 days before the beginning of
18 the technical college semester in which the pupil will be enrolled, the school board
19 of the school district in which the pupil resides shall notify the pupil, in writing, if
20 a course in which the pupil will be enrolled does not meet the high school graduation
21 requirements and whether the course is comparable to a course offered in the school
22 district. If the pupil disagrees with the school board's decision regarding
23 comparability of courses or satisfaction of high school graduation requirements, the
24 pupil may appeal the school board's decision to the state superintendent within 30
25 days after the decision. The state superintendent's decision is final and is not subject

1 to review under subch. III of ch. 227. The pupil is eligible to receive both high school
2 and technical college credit for courses successfully completed at the technical
3 college.

4 (d) For each pupil attending a technical college under this subsection, the
5 school board shall pay to the technical college district board, in 2 instalments payable
6 upon initial enrollment and at the end of the semester, the following amount:

7 1. If the pupil is attending the technical college for less than 7 credits that are
8 eligible for high school credit, for those courses taken for high school credit, an
9 amount equal to the cost of tuition, course fees and books for the pupil at the technical
10 college.

11 2. If the pupil is attending the technical college for 7 credits or more that are
12 eligible for high school credit, an amount equal to 50% of the school district's average
13 per pupil cost for regular instruction and instructional support services in the
14 previous school year, as determined by the department, multiplied by a fraction the
15 numerator of which is the number of credits taken for high school credit for which
16 the pupil is enrolled and the denominator of which is 15. If the pupil is attending the
17 technical college for 12 credits or more, the school board is responsible under this
18 subdivision for no more than 6 of the credits for courses that are comparable to
19 courses offered in the school district. Annually by the 3rd Monday in February, the
20 department shall make available to school boards and technical college district
21 boards estimates of the amounts under this subdivision.

22 (dm) If a pupil who is attending a technical college under this subsection is a
23 child with exceptional educational needs, as defined in s. 115.76 (3), the payment
24 under par. (d) shall be adjusted to reflect the cost of any special services required for
25 the pupil.

1 (e) The school board is not responsible for transporting a pupil attending a
2 technical college under this subsection to or from the technical college that the pupil
3 is attending.

4 **SECTION 2156.** 118.55 (7w) of the statutes is created to read:

5 118.55 (7w) RESPONSIBILITY OF PUPIL FOR TUITION AND FEES; TECHNICAL COLLEGE.
6 A pupil taking a course at a technical college for high school credit under this section
7 is not responsible for any portion of the tuition and fees for the course if the school
8 board is required to pay the technical college for the course under sub. (7r) (d).

9 **SECTION 2157.** 119.04 (title) of the statutes is amended to read:

10 **119.04 (title) ~~Education~~ Public instruction laws applicable.**

11 **SECTION 2158.** 119.04 (1) of the statutes is amended to read:

12 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
13 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
14 (2), 115.40, 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to
15 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19, 118.20, 118.24 (1),
16 (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43, 118.55, 120.12
17 (5) and (15) to (24), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34)
18 and (35) and 120.14 are applicable to a 1st class city school district and board.

19 **SECTION 2847c.** 119.23 (2) (a) 3. of the statutes is amended to read:

20 119.23 (2) (a) 3. The private school notified the department state
21 superintendent of its intent to participate in the program under this section by May
22 1 of the previous school year. The notice shall specify the number of pupils
23 participating in the program under this section for which the school has space.

24 **SECTION 2847g.** 119.23 (3) (a) of the statutes is amended to read:

1 119.23 (3) (a) The pupil or the pupil's parent or guardian shall submit an
2 application, on a form provided by the ~~department~~ state superintendent, to the
3 participating private school that the pupil wishes to attend. Within 60 days after
4 receiving the application, the private school shall notify the applicant, in writing,
5 whether the application has been accepted. The ~~department~~ state superintendent
6 shall ensure that the private school determines which pupils to accept on a random
7 basis, except that the private school may give preference in accepting applications
8 to siblings of pupils accepted on a random basis.

9 **SECTION 2847L.** 119.23 (4) of the statutes is amended to read:

10 119.23 (4) Upon receipt from the pupil's parent or guardian of proof of the
11 pupil's enrollment in the private school, the ~~department~~ state superintendent shall
12 pay to the parent or guardian, from the appropriation under s. 20.255 (2) (fu), an
13 amount equal to the total amount to which the school district is entitled under s.
14 121.08 divided by the school district membership, or an amount equal to the private
15 school's operating and debt service cost per pupil that is related to educational
16 programming, as determined by the department, whichever is less. The ~~department~~
17 state superintendent shall pay 25% of the total amount in September, 25% in
18 November, 25% in February and 25% in May. The department shall send the check
19 to the private school. The parent or guardian shall restrictively endorse the check
20 for the use of the private school.

21 **SECTION 2847p.** 119.23 (5) (intro.) of the statutes is amended to read:

22 119.23 (5) (intro.) The ~~department~~ state superintendent shall:

23 **SECTION 2847t.** 119.23 (7) (b) of the statutes is amended to read:

24 119.23 (7) (b) The ~~department~~ state superintendent shall monitor the
25 performance of the pupils attending private schools under this section. If the

1 ~~department~~ state superintendent determines in any school year that the private
2 school is not meeting at least one of the standards under par. (a), that private school
3 may not participate in the program under this section in the following school year.

4 **SECTION 2848m.** 119.25 (2) (b) of the statutes is amended to read:

5 119.25 (2) (b) No administrator may be designated to participate in an
6 expulsion hearing if he or she was involved in the incident that led to the expulsion
7 proceeding. Prior to expelling a pupil, the hearing officer or panel shall hold a
8 hearing. Upon request of the pupil and, if the pupil is a minor, the pupil's parent or
9 guardian, the hearing shall be closed. The pupil and, if the pupil is a minor, the
10 pupil's parent or guardian, may be represented at the hearing by counsel. The
11 hearing officer or panel shall keep a full record of the hearing. The hearing officer
12 or panel shall inform each party of the right to a complete record of the proceeding.
13 Upon request, the hearing officer or panel shall direct that a transcript of the record
14 be prepared and that a copy of the transcript be given to the pupil and, if the pupil
15 is a minor, the pupil's parent or guardian. Upon the ordering by the hearing officer
16 or panel of the expulsion of a pupil, the school district shall mail a copy of the order
17 to the board, the pupil and, if the pupil is a minor, the pupil's parent or guardian.
18 A school board, hearing officer or panel may disclose the transcript to the parent or
19 guardian of an adult pupil, if the adult pupil is a dependent of his or her parent or
20 guardian under section 152 of the internal revenue code. Within 30 days after the
21 date on which the order is issued, the board shall review the expulsion order and
22 shall, upon review, approve, reverse or modify the order. The order of the hearing
23 officer or panel shall be enforced while the board reviews the order. The expelled
24 pupil or, if the pupil is a minor, the pupil's parent or guardian may appeal the board's
25 decision to the ~~department~~ state superintendent. If the board's decision is appealed

1 to the department state superintendent, within 60 days after the date on which the
2 department state superintendent receives the appeal, the department state
3 superintendent shall review the decision and shall, upon review, approve, reverse or
4 modify the decision. The decision of the board shall be enforced while the department
5 state superintendent reviews the decision. An appeal from the decision of the
6 department state superintendent may be taken within 30 days to the circuit court
7 for the county in which the school is located.

8 **SECTION 2159.** 119.28 (5) of the statutes is amended to read:

9 119.28 (5) Any action under subs. (3) and (4) shall be subject to the direction
10 of the department state superintendent and the division for learning support, equity
11 and advocacy in the department as provided by law.

12 **SECTION 2849d.** 119.32 (6) of the statutes is amended to read:

13 119.32 (6) The superintendent of schools shall ~~take an annual census of all~~
14 ~~persons between the ages of 4 and 20 residing in the city and at the same time shall~~
15 collect such additional statistics and information relating to schools and the
16 population entitled to school privileges in the city as the board directs. ~~The census~~
17 ~~may be estimated by using statistically significant sampling techniques that have~~
18 ~~been approved by the department.~~

19 **SECTION 2849h.** 119.44 (1) of the statutes is amended to read:

20 119.44 (1) The board shall file its annual financial report with the city clerk and
21 shall send a copy of the report to the department state superintendent.

22 **SECTION 2849m.** 119.44 (2) (c) of the statutes is amended to read:

23 119.44 (2) (c) The information specified under s. 120.18 (1) (gm) and (i).

24 **SECTION 2849r.** 119.44 (2) (d) of the statutes is created to read:

25 119.44 (2) (d) The information specified under s. 120.18 (1) (a).

1 **SECTION 2851m.** 119.485 of the statutes is created to read:

2 **119.485 Taxes for state trust fund loans. (1)** If the board is awarded a state
3 trust fund loan under subch. II of ch. 24, the board shall include in its budget
4 transmitted to the common council under s. 119.16 (8) (b) a written notice specifying
5 the amount of money necessary to pay the principal and interest on the loan as they
6 become due. The common council shall levy and collect a tax upon all property
7 subject to taxation in the city, at the same time and in the same manner as other taxes
8 are levied and collected, equal to the amount of money required to make such
9 payments. The taxes are in addition to all other taxes that the city is authorized to
10 levy.

11 **(2)** Annually by December 31, the board shall transfer to the city an amount
12 which, when added to the interest that will accrue on the amount, is sufficient to
13 meet the anticipated costs of debt service on the loan in the ensuing year.

14 **SECTION 2853m.** 119.497 (2) (b) of the statutes is amended to read:

15 119.497 **(2)** (b) By December 1, 1992, the board shall submit the approved plan
16 to the ~~department~~ state superintendent and the legislative audit bureau for their
17 review. By January 15, 1993, the ~~department~~ state superintendent and the
18 legislative audit bureau shall submit their comments on the plan to the committees
19 specified under par. (a) in the manner specified under par. (a).

20 **SECTION 2160.** 119.68 (2) of the statutes is amended to read:

21 119.68 **(2)** No action may be brought or maintained against the school upon a
22 claim or cause of action unless the claimant complies with s. 893.80. This subsection
23 does not apply to actions commenced under s. 19.37 ~~or~~, 19.97 or 281.99.

24 **SECTION 2854b.** 119.71 (2) of the statutes is amended to read:

1 119.71 (2) From the appropriation under s. 20.255 (2) (ec), the ~~department~~ state
2 superintendent shall pay to the board the amount specified in the spending plan
3 under s. 119.80 in each school year.

4 **SECTION 2854e.** 119.72 (1) (c) of the statutes is amended to read:

5 119.72 (1) (c) Employs or utilizes only persons appropriately licensed by the
6 ~~department~~ state superintendent under s. 115.28 (7) for pupils in the program, or
7 ensures that only such persons supervise the individuals providing instruction and
8 support services to the pupils in the program.

9 **SECTION 2854h.** 119.72 (5) of the statutes is amended to read:

10 119.72 (5) From the appropriation under s. 20.255 (2) (ec), the ~~department~~ state
11 superintendent shall pay to the board the amount specified in the spending plan
12 under s. 119.80 for the program under this section in each school year.

13 **SECTION 2854k.** 119.73 of the statutes is amended to read:

14 **119.73 Kindergarten and early childhood programs.** The board shall
15 evaluate the effectiveness of the expanded 5-year-old kindergarten programs under
16 s. 119.71 and the early childhood education programs under s. 119.72 in meeting the
17 needs of disadvantaged children. By January 1, 1990, and annually thereafter by
18 January 1, the board shall submit a report summarizing its findings to the
19 ~~department~~ state superintendent and to the chief clerk of each house of the
20 legislature for distribution to the appropriate standing committees under s. 13.172
21 (3).

22 **SECTION 2854m.** 119.74 (intro.) of the statutes is amended to read:

23 **119.74 Extended-day elementary grade, 4-year-old kindergarten and**
24 **alcohol and other drug abuse programs.** (intro.) From the appropriation under
25 s. 20.255 (2) (ec), the ~~department~~ state superintendent shall pay to the board the

1 amounts specified in the spending plan under s. 119.80 for the following programs
2 in each school year:

3 **SECTION 2854p.** 119.75 (2) (a) of the statutes is amended to read:

4 119.75 (2) (a) From the appropriation under s. 20.255 (2) (ec), the ~~department~~
5 state superintendent shall pay to the board the amount specified in the spending
6 plan under s. 119.80 in each school year.

7 **SECTION 2854s.** 119.78 (2) of the statutes is amended to read:

8 119.78 (2) From the appropriation under s. 20.255 (2) (ec), the ~~department~~ state
9 superintendent shall pay to the board the amount specified in the spending plan
10 under s. 119.80 in each school year to fund the family resource center under sub. (1).

11 **SECTION 2854u.** 119.82 (3) of the statutes is amended to read:

12 119.82 (3) From the appropriation under s. 20.255 (2) (ec), the ~~department~~ state
13 superintendent shall pay to the board the amount specified in the spending plan
14 under s. 119.80 in each school year for the programs under sub. (1).

15 **SECTION 2854w.** 119.84 of the statutes is amended to read:

16 **119.84 Professional development.** Annually, the ~~department~~ state
17 superintendent shall pay the amount appropriated in that fiscal year under s. 20.255
18 (2) (dc) to the board. The board shall use the funds for professional staff development
19 activities. This subsection does not apply after June 30, 1996.

20 **SECTION 2161.** 120.12 (14) of the statutes is amended to read:

21 120.12 (14) COURSE OF STUDY. Determine the school course of study, with the
22 advice of the ~~department~~ state superintendent .

23 **SECTION 2162.** 120.12 (17) of the statutes is amended to read:

24 120.12 (17) UNIVERSITY OF WISCONSIN SYSTEM TUITION. Pay the tuition of any
25 pupil enrolled in the school district and attending a center or institution within the

1 university of Wisconsin system if the pupil is not participating in the program under
2 s. ~~118.37~~ 118.55, the course the pupil is attending at the university is not offered in
3 the school district and the pupil will receive high school credit for the course.

4 **SECTION 2857g.** 120.13 (1) (c) 3. of the statutes is amended to read:

5 120.13 (1) (c) 3. Prior to expelling a pupil, the school board shall hold a hearing.
6 Upon request of the pupil and, if the pupil is a minor, the pupil's parent or guardian,
7 the hearing shall be closed. The pupil and, if the pupil is a minor, the pupil's parent
8 or guardian may be represented at the hearing by counsel. The school board shall
9 keep written minutes of the hearing. Upon the ordering by the school board of the
10 expulsion of a pupil, the school district clerk shall mail a copy of the order to the pupil
11 and, if the pupil is a minor, to the pupil's parent or guardian. The expelled pupil or,
12 if the pupil is a minor, the pupil's parent or guardian may appeal the expulsion to the
13 ~~department~~ state superintendent. If the school board's decision is appealed to the
14 ~~department~~ state superintendent, within 60 days after the date on which the
15 ~~department~~ state superintendent receives the appeal, the ~~department~~ state
16 superintendent shall review the decision and shall, upon review, approve, reverse or
17 modify the decision. The decision of the school board shall be enforced while the
18 ~~department~~ state superintendent reviews the decision. An appeal from the decision
19 of the ~~department~~ state superintendent may be taken within 30 days to the circuit
20 court of the county in which the school is located.

21 **SECTION 2857r.** 120.13 (1) (e) 3. of the statutes is amended to read:

22 120.13 (1) (e) 3. Prior to expelling a pupil, the hearing officer or panel shall hold
23 a hearing. Upon request of the pupil and, if the pupil is a minor, the pupil's parent
24 or guardian, the hearing shall be closed. The pupil and, if the pupil is a minor, the
25 pupil's parent or guardian, may be represented at the hearing by counsel. The

1 hearing officer or panel shall keep a full record of the hearing. The hearing officer
2 or panel shall inform each party of the right to a complete record of the proceeding.
3 Upon request, the hearing officer or panel shall direct that a transcript of the record
4 be prepared and that a copy of the transcript be given to the pupil and, if the pupil
5 is a minor, the pupil's parent or guardian. Upon the ordering by the hearing officer
6 or panel of the expulsion of a pupil, the school district shall mail a copy of the order
7 to the school board, the pupil and, if the pupil is a minor, the pupil's parent or
8 guardian. Within 30 days after the date on which the order is issued, the school board
9 shall review the expulsion order and shall, upon review, approve, reverse or modify
10 the order. The order of the hearing officer or panel shall be enforced while the school
11 board reviews the order. The expelled pupil or, if the pupil is a minor, the pupil's
12 parent or guardian may appeal the school board's decision to the department state
13 superintendent. If the school board's decision is appealed to the department state
14 superintendent, within 60 days after the date on which the department state
15 superintendent receives the appeal, the department state superintendent shall
16 review the decision and shall, upon review, approve, reverse or modify the decision.
17 The decision of the school board shall be enforced while the department state
18 superintendent reviews the decision. An appeal from the decision of the department
19 state superintendent may be taken within 30 days to the circuit court of the county
20 in which the school is located. This paragraph does not apply to a school district
21 operating under ch. 119.

22 **SECTION 2163.** 120.13 (2) (g) of the statutes, as affected by 1995 Wisconsin Act
23 289, is amended to read:

24 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
25 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.745 (2), (3) and (5) (a) 2. and (b) 2.,

1 632.747 (3), 632.87 (4) and (5), 632.895 (9) ~~and (10) to (12)~~, 632.896, 767.25 (4m) (d)
2 and 767.51 (3m) (d).

3 **SECTION 2860m.** 120.13 (26) of the statutes is amended to read:

4 120.13 (26) CONTRACTS WITH PRIVATE EDUCATION SERVICES. Upon the approval of
5 the ~~department~~ state superintendent, contract with private education services for
6 pupils who need concurrent education and treatment services, the educational
7 portion of which is not available in the schools in which the pupils are enrolled.
8 Private education services provided under this subsection may not include religious
9 or sectarian teachings or instruction.

10 **SECTION 2164.** 120.13 (26r) of the statutes is created to read:

11 120.13 (26r) CONTRACTS FOR OUTPATIENT MENTAL HEALTH AND DEVELOPMENTAL
12 DISABILITIES SERVICES. Contract with the department of health and family services for
13 outpatient services under s. 51.07 (4).

14 **SECTION 2862m.** 120.14 (1) of the statutes is amended to read:

15 120.14 (1) At the close of each fiscal year, the school board of each school district
16 shall employ a licensed accountant to audit the school district accounts and certify
17 the audit. The audit shall include information concerning the school district's
18 self-insurance plan under s. 120.13 (2) (b), as specified by the commissioner of
19 insurance. If required by the ~~department~~ state superintendent under s. 115.28 (18),
20 the audit shall include an audit of the number of pupils reported for membership
21 purposes under s. 121.004 (5). The cost of the audit shall be paid from school district
22 funds. Annually by September 15, the school district clerk shall file a financial audit
23 statement with the ~~department~~ state superintendent.

24 **SECTION 2165.** 120.17 (8) (bm) of the statutes is amended to read:

1 120.17 (8) (bm) If the equalized valuation of that part of a municipality lying
2 within a school district is reduced due to the removal of property from the tax roll
3 because the imposition of the property tax on that property is found unconstitutional,
4 the school district clerk shall notify the supervisor of equalization. The supervisor
5 of equalization shall reduce the equalized valuation by the full value of the property
6 so removed and certify the resulting equalized valuation to the ~~department~~ state
7 superintendent and the school district clerk for use in computing the tax levy
8 certifications under this subsection. Corrections may be made under this paragraph
9 only for the valuations used by the department for the last 2 school years.

10 **SECTION 2863b.** 120.18 (1) (a) of the statutes is amended to read:

11 120.18 (1) (a) ~~Except in a union high school district, the~~ The school census,
12 showing the numbers and ages of children ~~between the ages of 4 and 20 residing in~~
13 ~~the school district~~ who are at least 4 years old but not yet 14 years old and who reside
14 in a school district operating only elementary grades, showing the number and ages
15 of children between the ages of 14 and 20 residing in a union high school district and
16 showing the number and ages of children between the ages of 4 and 20 residing in
17 any other school district. The census may be estimated by using statistically
18 significant sampling techniques that have been approved by the department state
19 superintendent. Children cared for at a charitable or penal institution of this state
20 may not be included in the report. The school district clerk may employ a competent
21 person to take the school census.

22 **SECTION 2863g.** 120.18 (1) (h) of the statutes is renumbered 120.18 (1) (s).

23 **SECTION 2863r.** 120.18 (1) (i) of the statutes is created to read:

24 120.18 (1) (i) A description of the educational technology used by the school
25 district, including the uses made of the technology, the cost of the technology and the

1 number of persons using or served by the technology. In this paragraph, “educational
2 technology” has the meaning given in s. 44.70 (3).

3 **SECTION 2863rm.** 120.18 (3) of the statutes is amended to read:

4 120.18 (3) The ~~department~~ state superintendent may promulgate rules to
5 implement and administer this section.

6 **SECTION 2863s.** 120.21 (1) (b) of the statutes is amended to read:

7 120.21 (1) (b) With flight operator schools, approved by the U.S. civil
8 aeronautics administration, for courses in flight instruction approved by the
9 ~~department~~ state superintendent.

10 **SECTION 2166.** 121.004 (2) of the statutes is amended to read:

11 121.004 (2) EQUALIZED VALUATION. The “equalized valuation” of a school district
12 is the full value of the taxable property of the territory in the school district as
13 certified for the prior year under s. 121.06 (2), excluding value adjustments made
14 under s. 70.57 (1) resulting from appeals made under s. 70.995. The “equalized
15 valuation” of any taxable property in a tax incremental district shall not exceed its
16 equalized value determined for the purpose of obtaining the tax incremental base of
17 that district under s. 66.46. The “equalized valuation” of a school district shall be
18 reduced by the amount of an environmental remediation value increment on a parcel
19 of property that is certified under s. 66.462 during the period of certification.

20 **SECTION 2167.** 121.006 (1) (a) of the statutes is amended to read:

21 121.006 (1) (a) The ~~department~~ state superintendent may withhold state aid
22 from any school district in which the scope and character of the work are not
23 maintained in such manner as to meet the ~~department’s~~ state superintendent’s
24 approval.

1 **SECTION 2867m.** 121.006 (2) (intro.) and (a) of the statutes are amended to
2 read:

3 121.006 (2) (intro.) Unless the ~~department~~ state superintendent is satisfied
4 that the failure to meet the requirements of pars. (a) and (b) was occasioned by some
5 extraordinary cause not arising from intention or neglect on the part of the
6 responsible officers, every school district shall:

7 (a) Hold school for at least 180 days each year, less any days during which the
8 ~~department~~ state superintendent determines that school is not held or educational
9 standards are not maintained as the result of a strike by school district employes, the
10 days to be computed in accordance with s. 115.01 (10).

11 **SECTION 2168.** 121.02 (1) (intro.) of the statutes is amended to read:

12 121.02 (1) (intro.) ~~Each~~ Except as provided in s. 118.40 (2r) (d), each school
13 board shall:

14 **SECTION 2169.** 121.02 (1) (a) 2. of the statutes is amended to read:

15 121.02 (1) (a) 2. Ensure that all instructional staff of charter schools located
16 in the school district hold a license or permit to teach issued by the department. The
17 ~~department~~ state superintendent shall promulgate rules defining “instructional
18 staff” for purposes of this subdivision and s. 118.40 (2r) (d) 1.

19 **SECTION 2869m.** 121.02 (1) (f) 1. of the statutes is amended to read:

20 121.02 (1) (f) 1. Schedule at least 180 school days annually, less any days
21 during which the ~~department~~ state superintendent determines that school is not
22 held or educational standards are not maintained as the result of a strike by school
23 district employes.

24 **SECTION 2170.** 121.02 (1) (s) of the statutes is amended to read:

1 121.02 (1) (s) Beginning in the 1993-94 school year, administer the
2 examinations required by the department under s. 118.30 (1m) (am) and (b), and;
3 beginning in the 1996-97 school year, administer the examination required by the
4 department under s. 118.30 (1m) (a); and beginning in the 1999-2000 school year,
5 administer the high school graduation examination required under s. 118.30 (1m)
6 (d).

7 **SECTION 2871m.** 121.02 (3) to (5) of the statutes are amended to read:

8 121.02 (3) Prior to any finding that a school district is not in compliance with
9 the standards under sub. (1), the department state superintendent shall, upon
10 request of the school board or upon receipt of a petition signed by the maximum
11 number of electors allowed for nomination papers of school district officers under s.
12 8.10 (3) (i), (km) or (ks), conduct a public hearing in the school district. If the
13 department state superintendent, after the hearing, finds that the district is not in
14 compliance with the standards, the department state superintendent may develop
15 with the school board a plan which describes methods of achieving compliance. The
16 plan shall specify the time within which compliance shall be achieved. The
17 department state superintendent shall withhold up to 25% of state aid from any
18 school district that fails to achieve compliance within the specified period.

19 (4) Any school district which is completely surrounded by water may meet the
20 requirements of this section by being in substantial compliance with the standards
21 in sub. (1). Annually by August 15, the school district shall submit to the department
22 state superintendent for approval a report describing the methods by which the
23 school district intends to substantially comply with the standards. The department
24 state superintendent shall allow any such school district maximum flexibility in the
25 school district's substantial compliance plans.

1 (5) The ~~department~~ state superintendent shall promulgate rules to implement
2 and administer this section, including rules defining “regular instruction” for the
3 purpose of sub. (1) (L) 1. and 2.

4 **SECTION 2171.** 121.05 (1) (a) 5. of the statutes is amended to read:

5 121.05 (1) (a) 5. Pupils attending a technical college under s. 118.15 (1) (b) and
6 pupils attending an institution of higher education or a technical college under s.
7 ~~118.37~~ 118.55.

8 **SECTION 2872m.** 121.05 (3) and (4) of the statutes are amended to read:

9 121.05 (3) If a school district is unable to hold school on either of the 2 dates
10 specified in sub. (1) (a), the ~~department~~ state superintendent shall designate
11 alternative membership counting dates.

12 (4) Beginning in the 1994-95 school year, the school board of a school district
13 in which a foster or group home that is not exempt under s. 70.11 is located may
14 submit a report to the ~~department~~ state superintendent. If the school board submits
15 a report, it shall submit it by June 30. The report shall indicate, on a full-time
16 equivalent basis, the number of pupils residing in such foster or group homes who
17 were provided educational services by the school district during the current school
18 year but were not included in the September or January membership count under
19 sub. (1) (a). The ~~department~~ state superintendent shall adjust the school district’s
20 membership based on the report. The ~~department~~ state superintendent shall make
21 proportional adjustments to the memberships of the school districts in which the
22 pupil was previously enrolled during that school year. The ~~department~~ state
23 superintendent shall obtain from such school districts the information necessary to
24 make such adjustments. The ~~department~~ state superintendent shall promulgate
25 rules to implement and administer this subsection.

1 **SECTION 2172.** 121.06 (1) of the statutes is amended to read:

2 121.06 (1) Annually on or before October 1, the full value of the taxable
3 property in each part of each city, village and town in each school district shall be
4 determined by the department of revenue according to its best judgment from all
5 sources of information available to it and shall be certified by the department of
6 revenue to the ~~department~~ state superintendent.

7 **SECTION 2873d.** 121.06 (2) of the statutes is amended to read:

8 121.06 (2) The ~~department~~ state superintendent shall certify to each school
9 district clerk the appropriate full values certified to the ~~department~~ state
10 superintendent under sub. (1).

11 **SECTION 2873h.** 121.07 (1) (c) of the statutes is amended to read:

12 121.07 (1) (c) If an order of school district reorganization under ch. 117 is not
13 effective due to litigation until after the 3rd Friday in September but takes effect
14 before April 1 of the current school year, state aid for any affected school district for
15 the first year of operation shall be computed after the order takes effect using
16 calculations by the ~~department~~ state superintendent of the number of pupils
17 enrolled and teacher-pupil ratio for the territory in the affected school district, which
18 shall be made as if the school district had been in existence on the 3rd Friday in
19 September.

20 **SECTION 2873m.** 121.07 (7) (b) of the statutes is amended to read:

21 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
22 rounded to the next lower dollar, that, after subtraction of payments under ss.
23 121.09, 121.10, 121.105, 121.85 (6) (b) 2. and 3. and (c) and 121.86, fully distributes
24 an amount equal to the amount remaining in the appropriation under s. 20.255 (2)

1 (ac) plus \$50,000,000 in the 1997-98 school year and \$100,000,000 in the 1998-99
2 school year for payments under ss. 121.08 and 121.85 (6) (a) and (g).

3 **SECTION 2873p.** 121.09 of the statutes is amended to read:

4 **121.09 State aid adjustment; redetermination of assessment. (1)** If, on
5 or after July 1, 1980, the tax appeals commission or a court makes a final
6 redetermination on the assessment of property subject to taxation under s. 70.995
7 that is lower than the previous assessment, or if, on or after January 1, 1982, the
8 state board of assessors makes a final redetermination on the assessment of property
9 subject to taxation under s. 70.995 that is lower than the previous assessment, the
10 school board of the school district in which the property is located may, within 4 years
11 after the date of the determination, decision or judgment, file the determination of
12 the state board of assessors, the decision of the tax appeals commission or the
13 judgment of the court with the ~~department~~ state superintendent, requesting an
14 adjustment in state aid to the school district. If the ~~department~~ state superintendent
15 determines that the determination, decision or judgment is final and that it has been
16 filed within the 4-year period, the state shall pay to the school district in the
17 subsequent fiscal year, from the appropriation under s. 20.255 (2) (ac), an amount
18 equal to the difference between the state aid computed under s. 121.08 for the school
19 year commencing after the year subject to the valuation recertification, using the
20 school district's equalized valuation as originally certified, and the state aid
21 computed under s. 121.08 for that school year using the school district's equalized
22 valuation as recertified under s. 70.57 (2).

23 **(2)** If, on or after May 3, 1984, the state board of assessors, the tax appeals
24 commission or a court makes a final redetermination on the assessment of property
25 subject to taxation under s. 70.995 that is higher than the previous assessment, the

1 ~~department~~ state superintendent shall notify the school district in which the
2 property is located of the recertification by the department of revenue under s. 70.57
3 (2). The ~~department~~ state superintendent shall, in the subsequent fiscal year,
4 withhold from the school district's state aid entitlement under s. 121.08 an amount
5 equal to the difference between the state aid computed under s. 121.08 for the school
6 year commencing after the year subject to the valuation recertification, using the
7 school district's equalized valuation as originally certified, and the state aid
8 computed under s. 121.08 for that school year, using the school district's equalized
9 valuation as recertified under s. 70.57 (2).

10 **SECTION 2873t.** 121.10 (4) of the statutes is amended to read:

11 121.10 (4) If a school district is ineligible for a payment under sub. (2) or (3),
12 the ~~department~~ state superintendent shall pay to the school district in that school
13 year, from the appropriation under s. 20.255 (2) (bm), an amount which, when added
14 to the amount of state aid the school district will receive in that school year, is equal
15 to an amount determined by multiplying \$175 by the membership.

16 **SECTION 2173.** 121.135 (1) of the statutes is amended to read:

17 121.135 (1) If, upon receipt of the report under s. 115.84, the ~~department~~ state
18 superintendent is satisfied that there are children participating in a special
19 education program provided by a county handicapped children's education board,
20 the ~~department~~ state superintendent shall certify to the department of
21 administration from the appropriation under s. 20.255 (2) (bh) in favor of the county
22 handicapped children's education board the amount determined under sub. (2),
23 except as provided under sub. (3).

24 **SECTION 2874m.** 121.135 (3) of the statutes is amended to read:

1 121.135 (3) This section does not apply beginning on the effective date of a
2 resolution adopted under s. 115.86 (9) (c), except that in the school year beginning
3 July 1 of the year prior to the effective date of the resolution, the department state
4 superintendent shall certify to the department of administration from the
5 appropriation under s. 20.255 (2) (bh) in favor of the county handicapped children's
6 education board an amount equal to one-half the amount specified under sub. (2) for
7 each pupil enrolled.

8 **SECTION 2174.** 121.14 (1) of the statutes is amended to read:

9 121.14 (1) State aid shall be paid to each district or county handicapped
10 children's education board only for those academic summer classes or laboratory
11 periods for which the department state superintendent has given prior review and
12 approval as to the content of such classes or laboratory periods so as to assure that
13 such classes and laboratory periods are only for necessary academic purposes.
14 Recreational programs and team sports shall not be eligible for aid under this
15 section, and pupils participating in such programs shall not be counted as pupils
16 enrolled under s. 121.004 (5) nor shall costs associated with such programs be
17 included in shared costs under s. 121.07 (6).

18 **SECTION 2875m.** 121.15 (1m) of the statutes is created to read:

19 121.15 (1m) Notwithstanding sub. (1), beginning in the 1997-98 school year,
20 each school district shall receive a portion of its total aid entitlement on the 4th
21 Monday of July of the following school year. This portion shall be determined by
22 adjusting the other payments under sub. (1) (a) so that a total of \$50,000,000 is
23 distributed under this subsection in July, 1998, and a total of \$150,000,000 is
24 distributed under this subsection in each July thereafter. School districts shall treat

1 the payment under this subsection as if it had been received in the previous school
2 year.

3 **SECTION 2175.** 121.15 (2) (c) of the statutes is amended to read:

4 121.15 (2) (c) If the ~~department~~ state superintendent notifies a school district
5 that a state aid payment may be withheld under par. (a) or (b), the ~~department~~ state
6 superintendent shall notify each member of the school board or the school district
7 clerk. If the ~~department~~ state superintendent notifies the school district clerk, the
8 school district clerk shall promptly distribute a copy of the notice to each member of
9 the school board.

10 **SECTION 2876m.** 121.15 (3m) (a) 1. of the statutes is amended to read:

11 121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids,
12 other than the amount appropriated under s. 20.255 (2) (cv), and property taxes
13 levied for school districts.

14 **SECTION 2176.** 121.15 (3m) (a) 2. of the statutes is amended to read:

15 121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.
16 20.255 (2), other than s. 20.255 (2) (~~fm~~), (fu), (k) and (m), and under ~~s. 20.505 (4) (er)~~
17 ss. 20.275 (1) (d), (es), (et), (f), (fs) and (u) and 20.285 (1) (ee), (r) and (rc) and those
18 aids appropriated under s. 20.275 (1) (s) that are used to provide grants or
19 educational telecommunications access to school districts under s. 196.218 (4r).

20 **SECTION 2878m.** 121.15 (3m) (b) of the statutes is amended to read:

21 121.15 (3m) (b) By June 15, 1996, and annually by June 15 thereafter, the
22 department, the department of administration and the legislative fiscal bureau shall
23 jointly certify to the joint committee on finance an estimate of the amount necessary
24 to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that the

1 sum of state school aids and the school levy tax credit under s. 79.10 (4) equals ~~66.7%~~
2 two-thirds of partial school revenues.

3 **SECTION 2880m.** 121.15 (4) of the statutes is amended to read:

4 121.15 (4) On July 1 and October 15, using the most accurate data available,
5 the ~~department~~ state superintendent shall provide the department of revenue and
6 each school district with an estimate of the total amount of state aid, as defined in
7 s. 121.90 (2), the school district will receive in the current school year. On October
8 15, using the most accurate data available, the ~~department~~ state superintendent
9 shall calculate the total amount of state aid, as defined in s. 121.90 (2), that each
10 school district will receive in the current school year. Any adjustments to that
11 calculation shall be made by increasing or decreasing the payment made in
12 September of the following school year.

13 **SECTION 2177.** 121.17 of the statutes is repealed and recreated to read:

14 **121.17 Use of federal revenue sharing funds.** It is the intent of the
15 legislature that school districts receiving federal revenue sharing funds through the
16 state under this subchapter shall utilize these funds in compliance with the federal
17 revenue sharing requirements as defined in the state and local fiscal assistance act
18 of 1972 (P.L. 92-512), as amended by P.L. 94-488. The department shall assure
19 compliance with this section.

20 **SECTION 2881d.** 121.23 (1) of the statutes is amended to read:

21 121.23 (1) In the event that the ~~department~~ state superintendent finds that
22 school is not held, or educational standards are not maintained in accordance with
23 s. 121.02 (1) (f) as the result of a strike by school district employees, make-up days
24 are authorized to be scheduled but no make-up days are required.

25 **SECTION 2881h.** 121.23 (2) (intro.) of the statutes is amended to read:

1 121.23 (2) (intro.) If a school district holds less than 180 days of school as the
2 result of a strike by school district employes, for the purposes of computing general
3 aid, the ~~department~~ state superintendent shall compute the school district's primary
4 and secondary ceiling costs per member in accordance with the procedure specified
5 in pars. (a) to (e). In making the calculation, the ~~department~~ state superintendent
6 shall:

7 **SECTION 2881m.** 121.41 (1) of the statutes is amended to read:

8 121.41 (1) STATE AID. To promote a uniformly effective driver education
9 program among high school and technical college pupils, each school district
10 operating high school grades, each county handicapped children's education board
11 which provides the substantial equivalent of a high school education and each
12 technical college district shall receive \$100 for each pupil of high school age who
13 completes a course in driver education approved by the department under s. 115.28
14 (11), but in no case may the state aid exceed the actual cost of instruction. If the
15 appropriation under s. 20.255 (2) (~~is~~) (em) is inadequate in any year to provide \$100
16 per pupil, the state aid shall be prorated after the appropriation for administration
17 is deducted. Such state aid shall be paid at the same time as the state aid under s.
18 121.08 is paid.

19 **SECTION 2881p.** 121.51 (1) of the statutes is amended to read:

20 121.51 (1) "Attendance area" is the geographic area designated by the
21 governing body of a private school as the area from which its pupils attend and
22 approved by the school board of the district in which the private school is located.
23 If the private school and the school board cannot agree on the attendance area, the
24 ~~department~~ state superintendent shall, upon the request of the private school and
25 the board, make a final determination of the attendance area. The attendance areas

1 of private schools affiliated with the same religious denomination shall not overlap
2 unless one school limits its enrollment to pupils of the same sex and the other school
3 limits its enrollment to pupils of the opposite sex or admits pupils of both sexes.

4 **SECTION 2881t.** 121.52 (1) (b) of the statutes is amended to read:

5 121.52 (1) (b) The school board may adopt additional rules, not inconsistent
6 with law or with rules of the secretary of transportation or the ~~department~~ state
7 superintendent, for the protection of the pupils or to govern the conduct of the person
8 in charge of the motor vehicle used for transportation of pupils for compensation.

9 **SECTION 2178.** 121.52 (4) of the statutes is amended to read:

10 121.52 (4) The use of any motor vehicle to transport pupils shall be
11 discontinued upon receipt of an order signed by the ~~secretary~~ state superintendent
12 or the secretary of transportation ordering such discontinuance. Personnel under
13 the ~~secretary~~ state superintendent or the secretary of transportation may ride any
14 school bus at any time for the purpose of inspection.

15 **SECTION 2882d.** 121.53 (6) of the statutes is amended to read:

16 121.53 (6) Within 10 days after its occurrence, every accident involving a motor
17 vehicle while providing transportation under this subchapter shall be reported to the
18 appropriate school board and promptly by the school board to the ~~department~~ state
19 superintendent on forms provided by the ~~department~~ state superintendent.

20 **SECTION 2882h.** 121.54 (3) of the statutes is amended to read:

21 121.54 (3) TRANSPORTATION FOR CHILDREN WITH EXCEPTIONAL EDUCATIONAL NEEDS.
22 Every school board shall provide transportation for children with exceptional
23 educational needs, as defined in s. 115.76 (3), to any public or private elementary or
24 high school, to the Wisconsin school for the visually handicapped or the Wisconsin
25 school for the deaf or to any special educational program for children with

1 exceptional educational needs sponsored by a state tax-supported institution of
2 higher education, regardless of distance, if the request for such transportation is
3 approved by the ~~department~~ state superintendent. Approval shall be based on
4 whether or not the child can walk to school with safety and comfort. Section 121.53
5 shall apply to transportation provided under this subsection.

6 **SECTION 2882p.** 121.54 (4) (b) of the statutes is amended to read:

7 121.54 (4) (b) A school board, a county handicapped children's education board
8 or a cooperative educational service agency may provide transportation regardless
9 of distance for children with exceptional educational needs who attend a summer
10 special education program under s. 115.83 (4), if a request for such transportation
11 is approved by the ~~department~~ state superintendent. Approval shall be based on
12 whether or not the child can walk to school with safety and comfort. Section 121.53
13 shall apply to transportation provided under this paragraph.

14 **SECTION 2882t.** 121.54 (9) of the statutes is amended to read:

15 121.54 (9) TRANSPORTATION IN AREAS OF UNUSUAL HAZARDS. (a) In school districts
16 in which unusual hazards exist for pupils in walking to and from the school where
17 they are enrolled, the school board shall develop a plan which shall show by map and
18 explanation the nature of the unusual hazards to pupil travel and propose a plan of
19 transportation if such transportation is necessary, which will provide proper
20 safeguards for the school attendance of such pupils. Copies of the plan shall be filed
21 with the sheriff of the county in which the principal office of the school district is
22 located. The sheriff shall review the plan and may make suggestions for revision
23 deemed appropriate. The sheriff shall investigate the site and plan and make a
24 determination as to whether unusual hazards exist which cannot be corrected by
25 local government and shall report the findings in writing to the ~~department~~ state

1 superintendent and the school board concerned. Within 60, but not less than 30, days
2 from the day on which the department state superintendent receives the sheriff's
3 report, the department state superintendent shall determine whether unusual
4 hazards to pupil travel exist and whether the plan provides proper safeguards for
5 such pupils. If the department state superintendent makes findings which support
6 the plan and the determination that unusual hazards exist which seriously
7 jeopardize the safety of the pupils in their travel to and from school, the school board
8 shall put the plan into effect and state aid shall be paid under s. 121.58 (2) (c) for any
9 transportation of pupils under this subsection. Any city, village or town may
10 reimburse, in whole or in part, a school district for costs incurred in providing
11 transportation under this subsection for pupils who reside in the city, village or town.

12 (am) Any person aggrieved by the failure of a school board to file a plan with
13 the sheriff as provided in par. (a) may notify the school board in writing that an area
14 of unusual hazard exists. The school board shall reply to the aggrieved person in
15 writing within 30 days of receipt of the aggrieved person's notice. The school board
16 shall send a copy of the board's reply to the sheriff of the county in which the principal
17 office of the school district is located and to the department state superintendent.
18 Upon receipt of the school board's reply, the aggrieved person may request a hearing
19 before the department state superintendent for a determination as to whether an
20 area of unusual hazard exists. If the department state superintendent determines
21 that an area of unusual hazard exists, the department state superintendent shall
22 direct the school board to proceed as provided in par. (a).

23 (b) Within 30 days after the sheriff's report is received by the department state
24 superintendent, any aggrieved person may request a hearing before the department

1 state superintendent on the determination by the sheriff and on the plan. After such
2 hearing, the ~~department~~ state superintendent shall proceed as provided in par. (a).

3 (c) The ~~department~~ state superintendent and the department of transportation
4 shall establish a definition of “unusual hazards” and “area of unusual hazards” for
5 the implementation of this subsection. Such definition shall be promulgated, as a
6 rule, by the ~~department~~ state superintendent.

7 **SECTION 2179.** 121.56 of the statutes is amended to read:

8 **121.56 School bus routes.** The school board of each district shall make and
9 be responsible for all necessary provisions for the transportation of pupils, including
10 establishment, administration and scheduling of school bus routes. Upon the
11 request of any school board, the ~~department~~ state superintendent shall provide
12 advice and counsel on problems of school transportation. Any private school shall,
13 upon the request of the public school officials, supply all necessary information and
14 reports. The transportation of public and private school pupils shall be effectively
15 coordinated to insure the safety and welfare of the pupils. Upon receipt of a signed
16 order from the ~~secretary~~ state superintendent, the school board shall discontinue
17 any route specified by the ~~secretary~~ state superintendent.

18 **SECTION 2884m.** 121.57 (1) (b) of the statutes is amended to read:

19 121.57 (1) (b) This subsection also applies to handicapped children. The
20 ~~department~~ state superintendent may grant permission for a handicapped child to
21 be transported to a school in another school district if an acceptable form of
22 transportation is provided and if such school offers equal or better educational
23 opportunities for the child.

24 **SECTION 2180.** 121.58 (5) of the statutes is amended to read:

1 121.58 (5) (title) ~~DEPARTMENT~~ STATE SUPERINTENDENT APPROVAL. If the
2 ~~department~~ state superintendent is satisfied that transportation or board and
3 lodging was provided in compliance with law, the ~~department~~ state superintendent
4 shall certify to the department of administration the sum due the school district. In
5 case of differences concerning the character and sufficiency of the transportation or
6 board and lodging, the ~~department~~ state superintendent may determine such matter
7 and its his or her decision is final.

8 **SECTION 2888m.** 121.76 (2) (a) of the statutes is amended to read:

9 121.76 (2) (a) All tuition shall be calculated under s. 121.83 unless the
10 ~~department~~ state superintendent approves an alternative procedure consistent with
11 s. 121.75.

12 **SECTION 2889m.** 121.77 (2) (a) and (b) of the statutes are amended to read:

13 121.77 (2) (a) A tuition claim for each nonresident pupil or adult for whom
14 services were provided under this subchapter during the preceding school year. The
15 claim shall be filed with the school district clerk under s. 121.78, the ~~department~~
16 state superintendent under s. 121.79, the county clerk under s. 121.80, the pupil's
17 parent or guardian under s. 121.81 or the adult under s. 121.82. Credit shall be given
18 for prepayments.

19 (b) A certified copy of each tuition claim under par. (a) with the ~~department~~
20 state superintendent.

21 **SECTION 2890c.** 121.78 (1) (a) of the statutes is amended to read:

22 121.78 (1) (a) Upon the approval of the ~~department~~ state superintendent, the
23 school board of the district of residence and the school board of the district of
24 attendance may make a written agreement to permit an elementary or high school
25 pupil to attend a public school, including an out-of-state school, outside the school

1 district of residence, and the school district of residence shall pay the tuition. The
2 school district of residence shall be paid state aid as though the pupil were enrolled
3 in the school district of residence.

4 **SECTION 2181.** 121.845 (3) of the statutes is repealed and recreated to read:

5 121.845 (3) "School" means an organized educational activity operated by the
6 school board and approved by the department.

7 **SECTION 2894d.** 121.85 (4) (b) of the statutes is amended to read:

8 121.85 (4) (b) Any school board that, prior to May 4, 1976, established a plan
9 to reduce racial imbalance in the school district is eligible for state aid under sub. (6)
10 (a) if the ~~department~~ state superintendent approves the plan.

11 **SECTION 2894h.** 121.87 (1) (intro.) of the statutes is amended to read:

12 121.87 (1) (intro.) Any school district that receives aid under this subchapter
13 in the 1989-90 school year or in any school year thereafter shall submit a report to
14 the ~~department~~ state superintendent, on a form provided by the ~~department~~ state
15 superintendent, by August 15 of the following school year. The report shall include
16 all of the following for the school year in which the school district received aid:

17 **SECTION 2894p.** 121.87 (1) (e) of the statutes is amended to read:

18 121.87 (1) (e) Any other information requested by the ~~department~~ state
19 superintendent.

20 **SECTION 2894t.** 121.87 (2) of the statutes is amended to read:

21 121.87 (2) The ~~department~~ state superintendent shall develop a standard
22 method for reporting under sub. (1).

23 **SECTION 2182.** 121.90 (1) of the statutes is amended to read:

1 21.90 (1) “Number of pupils enrolled” means the number of pupils enrolled
2 on the 3rd Friday of September, ~~except that “number of pupils” excludes the number~~
3 of pupils attending private schools under s. 119.23.

4 **SECTION 2183.** 21.905 (1) of the statutes is amended to read:

5 21.905 (1) In this section, “revenue ceiling” means ~~\$5,300~~ \$5,900 in the
6 ~~1995-96~~ 1997-98 school year and in any subsequent school year means ~~\$5,600~~
7 \$6,100.

8 **SECTION 2184.** 21.905 (3) (b) of the statutes is amended to read:

9 21.905 (3) (b) Divide the result in par. (a) by the sum of the average of the
10 number of pupils enrolled in the 3 previous school years and the number of pupils
11 enrolled who were school district residents and solely enrolled in a special education
12 program provided by a county handicapped children’s education board program in
13 the previous school year.

14 **SECTION 2897m.** 21.91 (2m) (c) (intro.) of the statutes is amended to read:

15 21.91 (2m) (c) (intro.) Except as provided in subs. (3) ~~and~~, (4) ~~and~~ (6), no school
16 district may increase its revenues for the 1997-98 school year to an amount that
17 exceeds the amount calculated as follows:

18 **SECTION 2185.** 21.91 (2m) (c) 1. of the statutes is amended to read:

19 21.91 (2m) (c) 1. Divide the sum of the amount of state aid received in the
20 previous school year and property taxes levied for the previous school year, excluding
21 funds described under sub. (4) (c), by ~~the average of a number calculated by adding~~
22 the number of pupils enrolled in the 3 previous school years, subtracting from that
23 total the number of pupils attending private schools under s. 119.23 in the 4th, 3rd
24 and 2nd preceding school years, and dividing the remainder by 3.

25 **SECTION 2186.** 21.91 (2m) (c) 4. of the statutes is amended to read:

1 121.91 (2m) (c) 4. Multiply the result under subd. 3. by ~~the average of a number~~
2 calculated by adding the number of pupils enrolled in the current and the 2 preceding
3 school years, subtracting from that total the number of pupils attending private
4 schools under s. 119.23 in the 3 previous school years, and dividing the remainder
5 by 3.

6 **SECTION 2187.** 121.91 (2m) (d) 1. of the statutes is amended to read:

7 121.91 (2m) (d) 1. Divide the sum of the amount of state aid received in the
8 previous school year and property taxes levied for the previous school year, excluding
9 funds described under sub. (4) (c), by ~~the average of a number calculated by adding~~
10 the number of pupils enrolled in the 3 previous school years, subtracting from that
11 total the number of pupils attending charter schools under s. 118.40 (2r) and private
12 schools under s. 119.23 in the 4th, 3rd and 2nd preceding school years and dividing
13 the remainder by 3.

14 **SECTION 2188.** 121.91 (2m) (d) 4. of the statutes is amended to read:

15 121.91 (2m) (d) 4. Multiply the result under subd. 3. by ~~the average of a number~~
16 calculated by adding the number of pupils enrolled in the current and the 2 preceding
17 school years, subtracting from that total the number of pupils attending charter
18 schools under s. 118.40 (2r) and private schools under s. 119.23 in the 3 previous
19 school years and dividing the remainder by 3.

20 **SECTION 2902e.** 121.91 (3) (c) of the statutes is amended to read:

21 121.91 (3) (c) The referendum shall be held in accordance with chs. 5 to 12. The
22 school district clerk shall provide the election officials with all necessary election
23 supplies. The form of the ballot shall correspond substantially with the standard
24 form for referendum ballots prescribed by the elections board under ss. 5.64 (2) and
25 7.08 (1) (a). The question submitted shall be whether the limit under sub. (1), (2) or

1 (2m) may be exceeded by a specified amount. If the resolution provides that any of
2 the excess revenue will be used for a nonrecurring purpose, the ballot in the election
3 shall so state and shall specify the amount that will be used for a nonrecurring
4 purpose. The school district clerk shall promptly certify the results of the
5 referendum to the ~~department~~ state superintendent. The limit otherwise applicable
6 to the school district under sub. (1), (2) or (2m) is increased by the amount approved
7 by a majority of those voting on the question.

8 **SECTION 2902m.** 121.91 (4) (a) of the statutes is amended to read:

9 121.91 (4) (a) 1. If a school board transfers to another governmental unit
10 responsibility for providing any service that it provided in the preceding school year,
11 the limit otherwise applicable under sub. (1), (2) or (2m) in the current school year
12 is decreased by the cost that it would have incurred to provide that service, as
13 determined by the ~~department~~ state superintendent.

14 2. If a school board increases the services that it provides by adding
15 responsibility for providing a service transferred to it from another governmental
16 unit in the previous school year, the limit otherwise applicable under sub. (1), (2) or
17 (2m) in the current school year is increased by the cost of that service, as determined
18 by the ~~department~~ state superintendent.

19 3. If responsibility for providing a service is transferred from one school board
20 to another under subs. 1. and 2., the ~~department~~ state superintendent shall ensure
21 that the amount of the decrease in the former school district's limit under sub. (2m)
22 shall be equal to or greater than the amount of the increase in the latter school
23 district's limit under sub. (2m).

24 **SECTION 2902s.** 121.91 (4) (b) of the statutes is amended to read:

1 121.91 (4) (b) 1. If a school district increases its territory by a boundary change
2 under s. 117.10, 117.11, 117.12, 117.13 or 117.132, the limit otherwise applicable in
3 the school year beginning on the effective date of the boundary change under sub. (1),
4 (2) or (2m) is increased by an amount equal to the cost of extending services to the
5 attached territory in the school year to which the limit applies, as determined by the
6 ~~department~~ state superintendent.

7 2. If a school district decreases its territory due to a boundary change under s.
8 117.11, 117.12, 117.13 or 117.132, the limit otherwise applicable in the school year
9 beginning on the effective date of the boundary change under sub. (1), (2) or (2m) is
10 decreased by an amount equal to the cost of services that it provided to the detached
11 territory in the school year to which the limit applies, as determined by the
12 ~~department~~ state superintendent.

13 **SECTION 2902v.** 121.91 (4) (f) of the statutes is created to read:

14 121.91 (4) (f) 1. For the 1998-99 school year or any school year thereafter, if the
15 average of the number of pupils enrolled in the current and the 2 preceding school
16 years, as calculated under sub. (2m) (d) 4., is less than the average of the number of
17 pupils enrolled in the 3 previous school years, as calculated under sub. (2m) (d) 1.,
18 the limit otherwise applicable under sub. (2m) (d) is increased by the amount
19 determined as follows:

20 a. In the current school year, an amount equal to the additional amount that
21 would have been calculated had the decline in average enrollment been 25% of what
22 it was.

23 b. In the first succeeding school year, an amount equal to the additional amount
24 that would have been calculated had the decline in average enrollment been 50% of
25 what it was.

1 c. In the 2nd succeeding school year, an amount equal to the additional amount
2 that would have been calculated had the decline in average enrollment been 75% of
3 what it was.

4 2. Any additional revenue received by a school district as a result of subd. 1.
5 shall not be included in the base for determining the school district's limit under sub.
6 (2m) (d) for the following school year.

7 **SECTION 2189.** 121.91 (5) of the statutes is amended to read:

8 121.91 (5) (a) Upon request by a school board, the ~~department~~ state
9 superintendent may increase the school district's limit under sub. (1) by the amount
10 necessary to allow the school district to avoid increasing its level of short-term
11 borrowing over the amount of short-term borrowing incurred by the school district
12 in the 1992-93 school year if the school district presents clear and convincing
13 evidence of the need for the increase in the limit. The school board shall provide the
14 ~~department~~ state superintendent with any information that the ~~department~~ state
15 superintendent requires to make the determination.

16 (b) The ~~department~~ state superintendent shall submit to the governor, and to
17 the legislature under s. 13.172 (2), a report summarizing the requests made by school
18 boards under par. (a) and the increases granted by the ~~department~~ state
19 superintendent.

20 **SECTION 2903g.** 121.91 (6) of the statutes is created to read:

21 121.91 (6) In determining a school district's limit under sub. (2m) (c) for the
22 1997-98 school year, if the average of the number of pupils enrolled in the current
23 and the 2 preceding school years, as calculated under sub. (2m) (c) 4., is more than
24 2% less than the average of the number of pupils enrolled in the 3 previous school

1 years, as calculated under sub. (2m) (c) 1., the school district’s limit shall be
2 calculated as if the decrease had been 2%.

3 **SECTION 2903m.** 121.92 (2) (intro.) of the statutes is amended to read:

4 121.92 (2) (intro.) The ~~department~~ state superintendent shall do all of the
5 following:

6 **SECTION 2903r.** 125.02 (14) of the statutes is amended to read:

7 125.02 (14) “Person” means a natural person, sole proprietorship, partnership,
8 limited liability company, corporation or association or the owner of a single-owner
9 entity that is disregarded as a separate entity under ch. 71.

10 **SECTION 2903t.** 125.04 (5) (a) 1. of the statutes is amended to read:

11 125.04 (5) (a) 1. Do not have an arrest or conviction record, subject to ss.
12 111.321, 111.322 ~~and~~, 111.335 ~~and~~ 125.12 (1) (b).

13 **SECTION 2190.** 125.04 (5) (a) 5. of the statutes is amended to read:

14 125.04 (5) (a) 5. Have successfully completed within the 2 years prior to the
15 date of application a responsible beverage server training course at any location that
16 is offered by a technical college district and that conforms to curriculum guidelines
17 specified by the technical college system board or a comparable training course that
18 is approved by the department or the ~~department of education~~ educational approval
19 board. This subdivision does not apply to an applicant who held, or who was an agent
20 appointed and approved under sub. (6) of a corporation or limited liability company
21 that held, within the past 2 years, a Class “A”, “Class A” or “Class C” license or a
22 Class “B” or “Class B” license or permit or a manager’s or operator’s license.

23 **SECTION 2904m.** 125.04 (12) (a) of the statutes is amended to read:

24 125.04 (12) (a) *From place to place.* Every alcohol beverage license or permit
25 may be transferred to another place or premises within the same municipality. An

1 alcohol beverage warehouse permit under s. 125.19, a winery permit under s. 125.53
2 or an intoxicating liquor wholesaler's permit under s. 125.54 may be transferred to
3 another premises within this state. Transfers shall be made by the issuing authority
4 upon payment of a fee of \$10. No retail licensee, retail permittee, intoxicating liquor
5 wholesaler or holder of a warehouse or winery permit is entitled to more than one
6 transfer during the license or permit year. This paragraph does not apply to a license
7 issued under s. 125.51 (4) (v) or to a reserve "Class B" license, as defined in s. 125.51
8 (4) (a).

9 **SECTION 2906gg.** 125.10 (1) of the statutes is amended to read:

10 125.10 (1) AUTHORIZATION. ~~Any A~~ municipality may enact ~~regulations~~
11 ~~incorporating any part of this chapter and may prescribe additional regulations for~~
12 ~~the sale of a regulation relating to alcohol beverages not in conflict with only if the~~
13 ~~regulation strictly conforms to~~ this chapter. ~~The municipality may prescribe~~
14 ~~forfeitures or license suspension or revocation for violations of any such regulations.~~
15 ~~Regulations providing forfeitures or license suspension or revocation must be~~
16 ~~adopted by ordinance~~ No regulation relating to alcohol beverages that is enacted on
17 or before the effective date of this subsection ... [revisor inserts date], is valid unless
18 the regulation strictly conforms to this chapter. Nothing in this subsection prohibits
19 a municipality from continuing to enforce a regulation that is in effect on the effective
20 date of this subsection ... [revisor inserts date], and that relates to alcohol beverages,
21 if the regulation strictly conforms to this chapter.

22 **SECTION 2906gm.** 125.12 (1) of the statutes is renumbered 125.12 (1) (a) and
23 amended to read:

1 125.12 (1) (a) Any Except as provided in par. (b), any municipality or the
2 department may revoke, suspend or refuse to renew any license or permit under this
3 chapter, as provided in this section.

4 **SECTION 2906gr.** 125.12 (1) (b) of the statutes is created to read:

5 125.12 (1) (b) 1. In this paragraph, “violation” means a violation of s. 125.07
6 (1) (a), or a local ordinance that strictly conforms to s. 125.07 (1) (a).

7 2. No violation may be considered under this section or s.125.04 (5) (a) 1. unless
8 the licensee or permittee has committed another violation within one year preceding
9 the violation. If a licensee or permittee has committed 2 or more violations within
10 one year, all violations committed within one year of a previous violation may be
11 considered under this section or s. 125.04 (5) (a) 1.

12 **SECTION 2906mg.** 125.12 (2) (ag) 2. and 3. of the statutes are repealed.

13 **SECTION 2906mm.** 125.12 (2) (b) 2. of the statutes is amended to read:

14 125.12 (2) (b) 2. If the licensee appears as required by the summons and denies
15 the complaint, both the complainant and the licensee may produce witnesses,
16 cross-examine witnesses and be represented by counsel. The licensee shall be
17 provided a written transcript of the hearing at his or her expense. If the hearing is
18 held before the municipal governing body and the complaint is found to be true, the
19 license shall either be suspended for not less than 10 days nor more than 90 days or
20 revoked, except that, if a complaint under par. (ag) 4. is found to be true with respect
21 to a license issued under s. 125.51 (4) (v), the license shall be revoked.

22 **SECTION 2906mr.** 125.12 (4) (ag) 2. and 3. of the statutes are repealed.

23 **SECTION 2906mt.** 125.12 (4) (b) of the statutes is amended to read:

24 125.12 (4) (b) *Procedure on hearing.* If the licensee does not appear as required
25 by the summons, the allegations of the complaint shall be taken as true and if the

1 court finds the allegations sufficient, it shall order the license either suspended for
2 not more than 90 days or revoked, except that, for allegations under par. (ag) 6. with
3 respect to a license issued under s. 125.51 (4) (v), it shall order the license revoked.

4 The clerk of the court shall give notice of the suspension or revocation to the person
5 whose license is suspended or revoked. If the licensee appears and answers the
6 complaint, the court shall fix a date for the hearing not more than 30 days after the
7 return date of the summons. The hearing shall be had before the court without a jury.
8 If upon the hearing the court finds the allegations of the complaint to be true, it shall
9 order the license either suspended for not more than 90 days or revoked, except that,
10 if upon the hearing the court finds allegations under par. (ag) 6. to be true with
11 respect to a license issued under s. 125.51 (4) (v), the court shall order that license
12 revoked. If the court finds the allegations of the complaint to be untrue, the
13 complaint shall be dismissed.

14 **SECTION 2906mv.** 125.12 (5) of the statutes is amended to read:

15 125.12 (5) REVOCATIONS OR SUSPENSIONS OF, OR REFUSALS TO RENEW, PERMITS BY
16 THE DEPARTMENT. The department may, after notice and an opportunity for hearing,
17 revoke, suspend or refuse to renew any retail permit issued by it for the causes
18 provided in sub. (4) and any other permit issued by it under this chapter for any
19 violation of this chapter or ch. 139, except that, for a violation of sub. (4) (ag) 6. with
20 respect to a license issued under s. 125.51 (4) (v), the department shall revoke the
21 license. A revocation, suspension or refusal to renew is a contested case under ch.
22 227.

23 **SECTION 2191.** 125.17 (6) (a) (intro.) of the statutes is amended to read:

24 125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing
25 body may issue an operator's license unless the applicant has successfully completed

1 a responsible beverage server training course at any location that is offered by a
2 technical college district and that conforms to curriculum guidelines specified by the
3 technical college system board or a comparable training course that is approved by
4 the department or the ~~department of education~~ educational approval board, or
5 unless the applicant fulfills one of the following requirements:

6 **SECTION 2907dd.** 125.51 (3) (e) of the statutes is renumbered 125.51 (3) (e) 1.
7 and amended to read:

8 125.51 (3) (e) 1. ~~The Except as provided in subds. 2. and 3., the~~ annual fee for
9 a “Class B” license shall be ~~determined~~ established by the municipal governing body
10 and shall be the same for all “Class B” licenses, except that the minimum fee shall
11 be \$50 and the maximum fee shall be \$500. The minimum fee ~~shall~~ does not apply
12 to licenses issued to bona fide clubs and lodges situated and incorporated in the state
13 for at least 6 years.

14 **SECTION 2907dh.** 125.51 (3) (e) 2. and 3. of the statutes are created to read:

15 125.51 (3) (e) 2. Each municipal governing body shall establish the fee, in an
16 amount not less than \$10,000, for an initial issuance of a reserve “Class B” license,
17 as defined in sub. (4) (a) 4., except that the fee for an initial issuance of a reserve
18 “Class B” license to a bona fide club or lodge situated and incorporated in the state
19 for at least 6 years is the fee established under subd. 1. for such a club or lodge. The
20 fee under this subdivision is in addition to any other fee required under this chapter.
21 The annual fee for renewal of a reserve “Class B” license, as defined in sub. (4) (a)
22 1., is the fee established under subd. 1.

23 3. Each municipal governing body shall establish the annual fee for a “Class
24 B” license issued under sub. (4) (v). The initial annual fee may be different from the
25 annual fee to renew the license.

1 **SECTION 2907dp.** 125.51 (4) (a) 2. of the statutes is repealed.

2 **SECTION 2907dt.** 125.51 (4) (a) 4. of the statutes is created to read:

3 125.51 (4) (a) 4. “Reserve “Class B” license” means a license that is not issued
4 by a municipality on July 1, 1997, and that is counted under par. (br).

5 **SECTION 2907hd.** 125.51 (4) (am) of the statutes is created to read:

6 125.51 (4) (am) No municipality may issue a license that would cause the
7 municipality to exceed its quota.

8 **SECTION 2907hh.** 125.51 (4) (b) (intro.) of the statutes is amended to read:

9 125.51 (4) (b) (intro.) ~~Except as provided in pars. (e) and (d), the~~ The quota of
10 each municipality is the sum of the following:

11 1g. The number of licenses issued in good faith by the municipality under s.
12 176.05 (21) (h), 1975 stats., plus whichever of the following is the largest: and in force
13 on July 1, 1997.

14 **SECTION 2907hp.** 125.51 (4) (b) 1., 2., 3., 4. and 5. and (c) to (u) of the statutes
15 are repealed.

16 **SECTION 2907ht.** 125.51 (4) (b) 1m. of the statutes is created to read:

17 125.51 (4) (b) 1m. The number of the municipality’s reserve “Class B” licenses
18 determined under par. (bm) 3.

19 **SECTION 2907pd.** 125.51 (4) (bm) of the statutes is created to read:

20 125.51 (4) (bm) The clerk of each municipality shall record the number of
21 licenses:

22 1. Authorized to be issued by the municipality on July 1, 1997, under s. 125.51
23 (4), 1995 stats.;

24 2. Described in par. (b) 1g.; and

25 3. That are reserve “Class B” licenses.

1 **SECTION 2907ph.** 125.51 (4) (br) of the statutes is created to read:

2 125.51 (4) (br) The number of reserve “Class B” licenses authorized to be issued
3 by a municipality is 50% of the difference between the number of licenses determined
4 under par. (bm) 1. and under par. (b) 1g., except that if the number so determined is
5 not a whole number the number shall be rounded down to the nearest whole number.

6 **SECTION 2907pp.** 125.51 (4) (v) of the statutes is created to read:

7 125.51 (4) (v) Notwithstanding par. (am), if a municipality has issued a number
8 of licenses equal to or exceeding its quota, the municipal governing body may issue
9 a license for any of the following:

- 10 1. A full-service restaurant that has a seating capacity of 300 or more persons.
11 2. A hotel that has 100 or more rooms of sleeping accommodations and that has
12 either an attached restaurant with a seating capacity of 150 or more persons or a
13 banquet room in which banquets attended by 400 or more persons may be held.

14 **SECTION 2192.** 134.72 (1) (a) of the statutes is amended to read:

15 134.72 (1) (a) “Facsimile machine” means a machine that transmits copies of
16 documents by means of a telephone line, telegraph line, microwave, satellite, ~~cellular~~
17 radio wave, fiber optics, coaxial cable or any other transmission facility or any
18 switching device.

19 **SECTION 2915g.** 137.01 (1) (a) of the statutes is amended to read:

20 137.01 (1) (a) The governor shall appoint notaries public who shall be
21 Wisconsin residents and at least 18 years of age. Applicants who are not attorneys
22 shall file an application with the secretary of state and pay a \$15 \$20 fee.

23 **SECTION 2915r.** 137.01 (2) (a) of the statutes is amended to read:

24 137.01 (2) (a) Any Wisconsin resident who is licensed to practice law in this
25 state is entitled to a permanent commission as a notary public upon application to

1 the secretary of state and payment of a \$15 \$50 fee. The application shall include
2 a certificate of good standing from the supreme court, the signature and post-office
3 address of the applicant and an impression of the applicant's official seal, or imprint
4 of the applicant's official rubber stamp.

5 **SECTION 2193.** 139.01 (2g) of the statutes is created to read:

6 139.01 (2g) "Department" means the department of revenue.

7 **SECTION 2194.** 139.01 (2r) of the statutes is created to read:

8 139.01 (2r) "File" means mail or deliver a document that the department
9 prescribes to the department or, if the department prescribes another method of
10 submitting or another destination, use that other method or submit to that other
11 destination.

12 **SECTION 2195.** 139.01 (5m) of the statutes is created to read:

13 139.01 (5m) "Pay" means mail or deliver funds to the department or, if the
14 department prescribes another method of payment or another destination, use that
15 other method or submit to that other destination.

16 **SECTION 2196.** 139.01 (9m) of the statutes is created to read:

17 139.01 (9m) "Sign" means write one's signature or, if the department
18 prescribes another method of authenticating, use that other method.

19 **SECTION 2197.** 139.03 (2x) (a) of the statutes is amended to read:

20 139.03 (2x) (a) *Floor tax imposed.* On the date tax rate changes become
21 effective under this section a floor tax is imposed upon every manufacturer, rectifier,
22 wholesaler and retailer who is in possession of any intoxicating liquor held for resale
23 on which the intoxicating liquor tax already has been imposed. The person shall
24 determine the volume of that intoxicating liquor and shall file ~~with the department~~
25 ~~of revenue~~ a return by the 15th day of the month following the month in which the

1 new tax rate becomes effective ~~a return, together with~~ and shall pay any tax due on
2 it, as determined under par. (b). ~~The department of revenue shall provide the returns~~
3 ~~required under this subsection.~~

4 **SECTION 2198.** 139.05 (1) of the statutes is amended to read:

5 139.05 (1) The tax imposed in s. 139.02 shall be paid ~~to the department~~ on or
6 before the ~~fifteenth~~ 15th day of the month following the month in which such malt
7 beverages are first sold in this state or shipped into this state.

8 **SECTION 2199.** 139.05 (2a) of the statutes is amended to read:

9 139.05 (2a) ~~For the purposes of subs. (1) and (2), the~~ The payments and returns
10 ~~therein referred to shall be considered~~ under subs. (1) and (2) that are mailed are
11 furnished, filed or made on time, and payments therein referred to ~~shall be~~
12 ~~considered~~ are timely made, if mailed in a properly addressed envelope, with first
13 class postage duly prepaid, which envelope is officially postmarked before midnight
14 on the date prescribed for such furnishing, filing or making of such payment,
15 provided such statement, return or payment is actually received by the secretary of
16 revenue or at the destination that the department prescribes within 5 days of the
17 prescribed date. Payments and returns that are not mailed are timely if they are
18 received on or before the due date by the department or at the destination that the
19 department prescribes.

20 **SECTION 2200.** 139.05 (4) of the statutes is amended to read:

21 139.05 (4) In order to ensure the payment of the tax under s. 139.02 together
22 with all interest and penalties thereon, all persons required to make returns and
23 payment of such tax shall first either deposit with the secretary security in the
24 amount, and of a type, determined by the secretary or enter into a surety bond with
25 corporate surety, both bond and surety to be approved by the secretary. The secretary

1 shall require a bond in total amount equal to twice the taxpayer's estimated
2 maximum monthly tax, ascertained in such manner as the secretary deems proper,
3 and the secretary may increase or reduce the amount of the bond, except that the
4 amount of such bond required of any one taxpayer shall not be less than \$1,000 nor
5 more than \$100,000. These bonds shall be filed ~~with the secretary~~. The state shall
6 not pay interest on security placed with the secretary.

7 **SECTION 2201.** 139.05 (7) (b) of the statutes is amended to read:

8 139.05 (7) (b) Such license shall be issued by the secretary to persons who hold
9 a valid certificate issued under s. 73.03 (50). The application for such license shall
10 be verified and shall contain an agreement on the part of the brewer that the brewer
11 shall observe all laws of this state relating to fermented malt beverages, and such
12 other information and statements as the secretary may require. Any such brewer
13 who has, directly or indirectly, violated any law of this state relating to fermented
14 malt beverages shall not be entitled to such a license. The secretary may require the
15 applicant to furnish and file a bond ~~to be approved by the secretary~~ payable to the
16 state in an amount not less than \$1,000 nor more than \$5,000 conditioned upon the
17 faithful compliance by the applicant with the undertakings set forth in the
18 application for the license.

19 **SECTION 2202.** 139.06 (1) (c) of the statutes is amended to read:

20 139.06 (1) (c) Each person subject to the tax under s. 139.03 shall file an
21 information report ~~prescribed by the secretary~~ on the dates prescribed by the
22 secretary.

23 **SECTION 2203.** 139.06 (2) (a) and (b) of the statutes are amended to read:

24 139.06 (2) (a) The taxes on wine containing not in excess of 21% of alcohol by
25 volume shall be paid to and a monthly return filed ~~with the department~~ on or before

1 the 15th of the month following the month in which tax liability is incurred. Tax
2 liability is incurred by the shipper when wine is shipped into the state. In the case
3 of wine produced or bottled within the state and wine imported directly from a
4 foreign country into the state by a Wisconsin permittee or winery licensee, tax
5 liability is incurred by the permittee or winery licensee at the time of first sale within
6 the state.

7 (b) All persons required to file a return and pay intoxicating liquor taxes shall
8 first provide security in the amount, at the time and of the type required by the
9 department of revenue or enter into a surety bond with a corporate surety to secure
10 payment of the tax with bond and surety to be approved by the department. Such
11 bond shall be twice the department's estimate of the taxpayer's maximum monthly
12 tax liability but shall not be less than \$1,000 nor more than \$100,000. The bonds
13 shall be filed ~~with the department~~.

14 **SECTION 2204.** 139.06 (3) of the statutes is amended to read:

15 139.06 (3) In shipping intoxicating liquor in bulk for the purpose of bottling or
16 rectifying to a rectifier located within the state, the manufacturer shall securely affix
17 thereto a label or statement, in such form as is prescribed by the secretary, reciting
18 that the shipment is made for the purpose of bottling or rectifying. Each
19 manufacturer making such shipments shall file an information report ~~with the~~
20 ~~secretary as the secretary prescribes, showing that shows~~ the dates and quantities
21 of shipments and the name and address of each consignee.

22 **SECTION 2205.** 139.096 of the statutes is amended to read:

23 **139.096 Failure to file.** If any taxpayer required to file any return fails to do
24 so within the time prescribed, the taxpayer shall, on the written demand of the
25 department, file the return within 20 days after ~~the mailing of it~~ the demand and at

1 the same time pay the tax due on its basis. If the taxpayer fails within that time to
2 file the return, the department shall prepare the return from its own knowledge and
3 from the information that it obtains and on that basis shall assess a tax, which shall
4 be paid within 10 days after the department has mailed to the taxpayer a written
5 notice of the amount and a demand for its payment. In any action or proceeding in
6 respect to the assessment, the taxpayer shall have the burden of establishing the
7 incorrectness or invalidity of any return or assessment made by the department
8 because of the failure of the taxpayer to make file a return.

9 **SECTION 2206.** 139.11 (2) of the statutes is amended to read:

10 139.11 (2) REPORT. Each brewer, bottler, manufacturer, rectifier and wholesaler
11 shall on or before the 15th day of each calendar month or the dates prescribed by the
12 secretary make file a verified report ~~to the department of revenue~~ of all fermented
13 malt beverages or intoxicating liquor manufactured, received, sold, delivered or
14 shipped by him or her during the preceding calendar month, except that the
15 department may allow wholesale, winery and out-of-state shipper permittees
16 whose tax liability is less than \$500 per quarter to file on a quarterly basis. Quarterly
17 reports shall be ~~mailed~~ filed on or before the 15th of the next month following the
18 close of the calendar quarter. ~~Such report shall be made upon forms furnished by the~~
19 ~~department of revenue and shall contain the information it deems necessary for the~~
20 ~~collection and enforcement of the tax.~~

21 **SECTION 2207.** 139.30 (4m) of the statutes is created to read:

22 139.30 (4m) "File" means mail or deliver a document that the department
23 prescribes to the department or, if the department prescribes another method of
24 submitting or another destination, use that other method or submit to that other
25 destination.

1 **SECTION 2208.** 139.30 (8m) of the statutes is created to read:

2 139.30 **(8m)** "Pay" means mail or deliver funds to the department or, if the
3 department prescribes another method of submitting or another destination, use
4 that other method or submit to that other destination.

5 **SECTION 2209.** 139.30 (12m) of the statutes is created to read:

6 139.30 **(12m)** "Sign" means write one's signature or, if the department
7 prescribes another method of authenticating, use that other method.

8 **SECTION 2210.** 139.31 (1) (a) of the statutes is amended to read:

9 139.31 **(1)** (a) On cigarettes weighing not more than 3 pounds per thousand,
10 ~~22~~ 30 mills on each cigarette.

11 **SECTION 2211.** 139.31 (1) (b) of the statutes is amended to read:

12 139.31 **(1)** (b) On cigarettes weighing more than 3 pounds per thousand, ~~44~~
13 60 mills on each cigarette.

14 **SECTION 2212.** 139.315 (1) of the statutes is amended to read:

15 139.315 **(1)** INVENTORY TAX IMPOSED. On the effective date of any increase in the
16 sum of the rates under s. 139.31 (1) (a) and (c) or in the sum of the rates under s.
17 139.31 (1) (b) and (d), an inventory tax is imposed upon cigarettes held in inventory
18 for sale or resale on which the cigarette tax has been paid at the prior rate and upon
19 unaffixed stamps in the possession of distributors. Any person who is in possession
20 of any such cigarettes or unaffixed stamps ~~is liable for payment of~~ shall pay the tax
21 imposed under this section. Any person liable for this tax shall determine the
22 number of cigarettes and unaffixed stamps in the person's possession on the effective
23 date of the increase, and by the 15th day after the effective date of the increase the
24 person shall file ~~with the department~~ a return ~~on a form provided by the department~~
25 and shall by that date pay ~~to the department~~ the tax due.

1 **SECTION 2213.** 139.315 (4) of the statutes is amended to read:

2 139.315 (4) LATE FILING FEE. Any person who fails to file a cigarette inventory
3 tax return when due shall pay a late filing fee of \$10. A return that is mailed is timely
4 filed if it is mailed in a properly addressed envelope with 1st class postage prepaid,
5 if the envelope is postmarked on the due date and if the return is actually received
6 by the department or at the destination that the department prescribes within 5 days
7 of the due date. A return that is not mailed is timely if it is received on or before the
8 due date by the department or at the destination that the department prescribes.

9 **SECTION 2214.** 139.32 (1) of the statutes is amended to read:

10 139.32 (1) The tax imposed by s. 139.31 (1) shall be paid ~~by purchase of stamps~~
11 ~~from the department.~~ The department may require any person who makes a
12 payment of \$20,000 or more to do so electronically. To evidence the payment, the
13 department shall provide stamps. A person who has paid the tax shall affix stamps
14 of the proper denomination ~~shall be affixed~~ to each package in which cigarettes are
15 packed, prior to the first sale within this state. First sale does not include a sale by
16 a manufacturer to a distributor or by a distributor to a permittee who has obtained
17 department approval as provided for in s. 139.321 (1) (a) 2. The tax shall be paid only
18 once on each package or container.

19 **SECTION 2962g.** 139.32 (5) of the statutes is amended to read:

20 139.32 (5) Manufacturers and distributors having a permit from the secretary
21 may purchase stamps at a discount of ~~2.0%~~ 1.6%.

22 **SECTION 2962h.** 139.32 (5) of the statutes, as affected by 1997 Wisconsin Act
23 (this act), is repealed and recreated to read:

24 139.32 (5) Manufacturers and distributors having a permit from the secretary
25 shall receive a discount of 1.6% of the tax.

1 **SECTION 2215.** 139.33 (3) of the statutes is amended to read:

2 139.33 (3) No person other than a licensed distributor may import into this
3 state more than 400 cigarettes on which the excise tax imposed by s. 139.31 has not
4 been paid and the container of which does not bear proper stamps. Within 15 days,
5 any such person importing cigarettes shall file ~~with the department~~ a declaration of
6 such cigarettes imported and shall remit therewith the tax on such cigarettes
7 imposed by this section. Members of the armed forces shall not be required to report
8 or pay the tax on cigarettes in their possession if such cigarettes are issued to them
9 by the U.S. government or any of its subdivisions or were purchased in any armed
10 forces post exchange or service store. If the use tax imposed by this section is not paid
11 when due, it shall become delinquent and the person liable for it shall pay, in
12 addition, a penalty of \$25 for each 200 cigarettes. Interest on the delinquent tax and
13 penalty shall accrue at the rate of 1.5% per month or each fraction of a month from
14 the date the tax became due until paid.

15 **SECTION 2216.** 139.34 (1) (a) of the statutes is amended to read:

16 139.34 (1) (a) ~~It is unlawful for any~~ No person to may manufacture cigarettes
17 in this state or sell cigarettes in this state as a distributor, jobber, vending machine
18 operator or multiple retailer and no person shall may operate a warehouse in this
19 state for the storage of cigarettes for another person without first filing an
20 application for and obtaining the proper permit to perform such operations from the
21 department of revenue. ~~The application for a permit and the permit shall be in the~~
22 ~~form prescribed by the department and the application form shall require such~~
23 ~~information as is necessary to administer this section.~~

24 **SECTION 2217.** 139.38 (2) (a) of the statutes is amended to read:

1 139.38 (2) (a) Except as provided in par. (b), every permittee shall render a true
2 and correct invoice of every sale of cigarettes at wholesale and shall on or before the
3 15th day of each calendar month ~~make file~~ file a verified report ~~to the department~~ of all
4 cigarettes purchased, sold, received, warehoused or withdrawn during the preceding
5 calendar month.

6 **SECTION 2218.** 139.38 (5) of the statutes is amended to read:

7 139.38 (5) If any permittee fails to file a report when due the permittee shall
8 be required to pay a late filing fee of \$10. A report ~~shall be considered that is mailed~~
9 is filed in time if it is mailed in a properly addressed envelope with first class postage
10 duly prepaid, which envelope is officially postmarked on the date due, and if the
11 report is actually received by the secretary or at the destination that the department
12 prescribes within 5 days of the due date. A report that is not mailed is timely if it
13 is received on or before the due date by the secretary or at the destination that the
14 department prescribes.

15 **SECTION 2219.** 139.44 (2) of the statutes is amended to read:

16 139.44 (2) Any person who makes or ~~verifies~~ signs any false or fraudulent
17 report or who attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids
18 in or abets the evasion or attempted evasion of that tax shall be fined not less than
19 \$1,000 nor more than \$5,000 or imprisoned not less than 90 days nor more than one
20 year or both.

21 **SECTION 2220.** 139.75 (4m) of the statutes is created to read:

22 139.75 (4m) "File" means mail or deliver a document that the department
23 prescribes to the department or, if the department prescribes another method of
24 submitting or another destination, use that other method or submit to that other
25 destination.

1 **SECTION 2221.** 139.75 (5m) of the statutes is created to read:

2 139.75 **(5m)** "Pay" means mail or deliver funds to the department or, if the
3 department prescribes another method of submitting or another destination, use
4 that other method or submit to that other destination.

5 **SECTION 2222.** 139.77 (1) of the statutes is amended to read:

6 139.77 **(1)** On or before the 15th day of each month, every distributor with a
7 place of business in this state shall file a return ~~with the department~~ showing the
8 quantity and taxable price of each tobacco product brought, or caused to be brought,
9 into this state for sale; or made, manufactured or fabricated in this state for sale in
10 this state, during the preceding month. Every distributor outside this state shall file
11 a return showing the quantity and taxable price of each tobacco product shipped or
12 transported to retailers in this state to be sold by those retailers during the preceding
13 month. ~~Returns shall be made upon forms furnished and prescribed by the~~
14 ~~department and shall contain other information that the department requires. Each~~
15 ~~return shall be accompanied by a remittance for the full tax liability shown~~ At the
16 time that the return is filed, the distributor shall pay the tax.

17 **SECTION 2223.** 139.78 (2) of the statutes is amended to read:

18 139.78 **(2)** On or before the 15th day of each month, every consumer who during
19 the preceding month has acquired title to or possession for use or storage in this state
20 of tobacco products upon which the tax imposed by s. 139.76 (1) has not been paid
21 shall file a return ~~with the department~~ showing the quantity of tobacco products
22 acquired. ~~The return shall be made upon a form furnished and prescribed by the~~
23 ~~department and shall contain the information that the department requires. The~~
24 ~~return shall be accompanied by a remittance for the full unpaid tax liability~~ At the
25 time when the return is filed, the consumer shall pay the tax.

1 **SECTION 2224.** 139.79 (1) of the statutes is amended to read:

2 139.79 (1) No person may engage in the business of a distributor or subjobber
3 of tobacco products at any place of business ~~without first having~~ unless that person
4 has filed an application for and obtained a permit from the department to engage in
5 that business at such place. ~~Every application for a permit shall be made on a form~~
6 ~~prescribed by the department, and the application form shall require the information~~
7 ~~that is necessary to administer this section.~~

8 **SECTION 2225.** 139.81 (1) of the statutes is amended to read:

9 139.81 (1) No person may sell or take orders for tobacco products for resale in
10 this state for any manufacturer or permittee ~~without first obtaining~~ unless the
11 person has filed an application for and obtained a salesperson's permit from the
12 department. No manufacturer or permittee shall authorize any person to sell or take
13 orders for tobacco products in this state ~~without first having such person secure~~
14 unless the person has filed an application for and obtained a salesperson's permit.
15 The fee for the permit is \$2. Each application for a permit shall disclose the name
16 and address of the employer and shall remain effective only while the salesperson
17 represents the named employer. If the salesperson is thereafter employed by another
18 manufacturer or permittee the salesperson shall obtain a new salesperson's permit.
19 Each manufacturer and permittee shall notify the department within 10 days after
20 the resignation or dismissal of any salesperson holding a permit.

21 **SECTION 2226.** 139.82 (2) (a) of the statutes is amended to read:

22 139.82 (2) (a) Except as provided in par. (b), every permittee shall render a true
23 and correct invoice of every sale of tobacco products at wholesale and shall on or
24 before the 15th day of each calendar month ~~make~~ file a verified report ~~to the~~

1 department of all tobacco products purchased, sold, received, warehoused or
2 withdrawn during the preceding calendar month.

3 **SECTION 2227.** 139.82 (5) of the statutes is amended to read:

4 139.82 (5) If any permittee fails to file a report when due the permittee shall
5 be required to pay a late filing fee of \$10. A report that is mailed shall be considered
6 filed in time if it is mailed in a properly addressed envelope with first class postage
7 prepaid, if the envelope is officially postmarked on the date due, and if the report is
8 actually received by the department or at the destination that the department
9 prescribes within 5 days of the due date. A report that is not mailed is timely if it
10 is received on or before the due date by the department or at the destination that the
11 department prescribes.

12 **SECTION 2228.** 145.19 (6) of the statutes is amended to read:

13 145.19 (6) GROUNDWATER FEE. In addition to the fee under sub. (2), the
14 governmental unit responsible for the regulation of private sewage systems shall
15 collect a groundwater fee of \$25 for each sanitary permit. The governmental unit
16 shall forward this fee to the department together with the copy of the sanitary permit
17 and the fee under sub. (3). The moneys collected under this subsection shall be
18 credited to the environmental fund for groundwater environmental management.

19 **SECTION 2229.** 146.0255 (3) (b) of the statutes is amended to read:

20 146.0255 (3) (b) A statement of explanation that the test results must be
21 disclosed to a county department under s. 46.215, 46.22 or 46.23 or, in a county
22 having a population of 500,000 or more, to the county department under s. 51.42 or
23 51.437 in accordance with s. 46.238 if the test results are positive.

24 **SECTION 2230.** 146.183 of the statutes is repealed.

25 **SECTION 2231.** 146.19 (2) (intro.) of the statutes is amended to read:

1 146.19 (2) COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS. (intro.) From
2 the appropriation under s. 20.435 (1) (5) (ek), the department shall award grants for
3 cooperative American Indian health projects in order to promote cooperation among
4 tribes, tribal agencies, inter-tribal organizations and other agencies and
5 organizations in addressing specific problem areas in the field of American Indian
6 health. A tribe, tribal agency or inter-tribal organization may apply, in the manner
7 specified by the department, for a grant of up to \$10,000 to conduct a cooperative
8 American Indian health project, which meets all of the following requirements:

9 **SECTION 2232.** 146.55 (4) (a) of the statutes is amended to read:

10 146.55 (4) (a) From the appropriation under s. 20.435 (1) ~~(rm)~~ (5) (ch), the
11 department shall annually distribute funds for ambulance service vehicles or vehicle
12 equipment, emergency medical services supplies or equipment or emergency
13 medical training for personnel to an ambulance service provider that is a public
14 agency, a volunteer fire department or a nonprofit corporation, under a funding
15 formula consisting of an identical base amount for each ambulance service provider
16 plus a supplemental amount based on the population of the ambulance service
17 provider's primary service or contract area, as established under s. 146.50 (5).

18 **SECTION 2233.** 146.55 (5) of the statutes is amended to read:

19 146.55 (5) EMERGENCY MEDICAL TECHNICIAN TRAINING AND EXAMINATION AID. From
20 the appropriation under s. 20.435 (1) ~~(rm)~~ (5) (ch), the department shall annually
21 distribute funds to entities, including technical college districts, whose courses or
22 instructional programs are approved by the department under s. 146.50 (9), to assist
23 the entities in providing the training required for licensure and renewal of licensure
24 as an emergency medical technician—basic under s. 146.50 (6), and to fund each

1 examination administered by the entity for licensure or renewal of licensure as an
2 emergency medical technician—basic under s. 146.50 (6) (a) 3. and (b) 1.

3 **SECTION 2234.** 146.57 (3) (a) of the statutes is amended to read:

4 146.57 (3) (a) The department shall implement a statewide poison control
5 program. From the appropriation under s. 20.435 (1) ~~(5)~~ (ds), the department shall,
6 if the requirement under par. (b) is met, distribute total funding of not more than
7 \$187,500 \$375,000 in each fiscal year to supplement the operation of the program
8 and to provide for the statewide collection and reporting of poison control data. The
9 department may, but need not, distribute all of the funds in each fiscal year to a single
10 poison control center.

11 **SECTION 2235.** 146.58 (8) of the statutes is amended to read:

12 146.58 (8) Review the annual budget prepared by the department for the
13 expenditures under s. 20.435 (1) ~~(rm)~~ (5) (ch).

14 **SECTION 2236.** 146.81 (1) (hm) of the statutes is amended to read:

15 146.81 (1) (hm) A speech–language pathologist or audiologist licensed under
16 subch. II of ch. 459 or a speech and language pathologist licensed by the department
17 of education public instruction.

18 **SECTION 3010m.** 146.92 of the statutes is created to read:

19 **146.92 Primary health care grant program. (1)** In this section:

20 (a) “Community–based nonprofit corporation” means a nonprofit corporation
21 that is governed by a community–based board of directors and that is organized
22 primarily to provide primary health care services in a geographic area, or to a
23 population, that the department designates as medically underserved.

24 (b) “Nonprofit corporation” means a nonstock, nonprofit corporation organized
25 under ch. 181.

1 **(2)** Prior to implementing the grant program under this section, the
2 department shall consult with representatives of statewide organizations that
3 represent primary health care providers.

4 **(3)** From the appropriation under s. 20.435 (5) (gp), the department shall
5 award \$1,500,000 in grants in each fiscal year to community-based nonprofit
6 corporations under a competitive process established by the department.

7 **(4)** A community-based nonprofit corporation that receives a grant under this
8 section shall do all of the following:

9 (a) Provide comprehensive primary health care services to any person
10 regardless of insurance status or ability to pay.

11 (b) Establish a sliding fee scale for uninsured, low-income persons.

12 **SECTION 3010p.** 146.93 (title) of the statutes is amended to read:

13 **146.93** (title) **Primary Supplemental primary health care program.**

14 **SECTION 2237.** 146.93 (1) (a) of the statutes is amended to read:

15 **146.93 (1)** (a) From the appropriation under s. 20.435 (1) ~~(gp)~~ (5) (kp), the
16 department shall maintain a program for the provision of primary health care
17 services based on the primary health care program in existence on June 30, 1987.
18 The department may promulgate rules necessary to implement the program.

19 **SECTION 3011m.** 146.93 (4) (d) of the statutes is created to read:

20 **146.93 (4)** (d) The individual received health care services under this section
21 on the effective date of this paragraph [revisor inserts date], and cannot be served
22 by an entity that receives a grant under s. 146.92.

23 **SECTION 2238.** 146.99 of the statutes is amended to read:

24 **146.99 Assessments.** The department shall, within 90 days after the
25 commencement of each fiscal year, estimate the total amount of expenditures and the

1 department shall assess the estimated total amount under s. 20.435 ~~(1)~~ (5) (gp) to
2 hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross
3 private-pay patient revenues during the hospital's most recently concluded entire
4 fiscal year. Each hospital shall pay its assessment on or before December 1 for the
5 fiscal year. All payments of assessments shall be deposited in the appropriation
6 under s. 20.435 ~~(1)~~ (5) (gp).

7 **SECTION 2239.** Chapter 149 (title) of the statutes is created to read:

8 **CHAPTER 149**

9 **MANDATORY HEALTH INSURANCE**

10 **RISK-SHARING PLAN**

11 **SECTION 2240.** 149.10 (2f) of the statutes is created to read:

12 149.10 (2f) "Commissioner" means the commissioner of insurance.

13 **SECTION 2241.** 149.10 (2m) of the statutes is created to read:

14 149.10 (2m) "Department" means the department of health and family
15 services.

16 **SECTION 2242.** 149.10 (4c) of the statutes is created to read:

17 149.10 (4c) "Health maintenance organization" has the meaning given in s.
18 609.01 (2).

19 **SECTION 2243.** 149.10 (4p) of the statutes is created to read:

20 149.10 (4p) (a) "Insurance" includes any of the following:

21 1. Risk distributing arrangements providing for compensation of damages or
22 loss through the provision of services or benefits in kind rather than indemnity in
23 money.

24 2. Contracts of guaranty or suretyship entered into by the guarantor or surety
25 as a business and not as merely incidental to a business transaction.

1 3. Plans established and operated under ss. 185.981 to 185.985.

2 (b) “Insurance” does not include a continuing care contract, as defined in s.
3 647.01 (2).

4 **SECTION 2244.** 149.10 (5m) of the statutes is created to read:

5 149.10 (5m) “Limited service health organization” has the meaning given in
6 s. 609.01 (3).

7 **SECTION 2245.** 149.10 (8c) of the statutes is created to read:

8 149.10 (8c) “Policy” means any document other than a group certificate used
9 to prescribe in writing the terms of an insurance contract, including endorsements
10 and riders and service contracts issued by motor clubs.

11 **SECTION 3020p.** 149.10 (8j) of the statutes is created to read:

12 149.10 (8j) “Preexisting condition exclusion” means, with respect to coverage,
13 a limitation or exclusion of benefits relating to a condition of an individual that
14 existed before the individual’s date of enrollment for coverage, whether or not the
15 individual received any medical advice or recommendation, diagnosis, care or
16 treatment related to the condition before that date.

17 **SECTION 2246.** 149.10 (8m) of the statutes is created to read:

18 149.10 (8m) “Preferred provider plan” has the meaning given in s. 609.01 (4).

19 **SECTION 2247.** 149.10 (8p) of the statutes is created to read:

20 149.10 (8p) “Premium” means any consideration for an insurance policy, and
21 includes assessments, membership fees or other required contributions or
22 consideration, however designated.

23 **SECTION 2248.** 149.10 (10) of the statutes is created to read:

24 149.10 (10) “Secretary” means the secretary of health and family services.

25 **SECTION 2249.** 149.10 (11) of the statutes is created to read:

1 149.10 (11) "State" means the same as in s. 990.01 (40) except that it also
2 includes the Panama Canal Zone.

3 **SECTION 3025f.** 149.12 (2) (f) of the statutes is created to read:

4 149.12 (2) (f) No person who is eligible for medical assistance is eligible for
5 coverage under the plan.

6 **SECTION 3026c.** 149.14 (4m) of the statutes is created to read:

7 149.14 (4m) DISCOUNTED PAYMENT IS PAYMENT IN FULL. A provider of a covered
8 service or article shall accept as payment in full for the covered service or article the
9 discounted reimbursement rate determined under ss. 149.143 (2) (a) 3. and (3),
10 149.144 and 149.15 (3) (e) and may not bill an eligible person who receives the service
11 or article for any amount by which the charge for the service or article is reduced
12 under s. 149.143 (2) (a) 3. or (3), 149.144 or 149.15 (3) (e).

13 **SECTION 3026f.** 149.143 of the statutes is created to read:

14 **149.143 Payment of plan costs. (1)** The department shall pay or recover the
15 operating, administrative and subsidy costs of the plan as follows:

16 (a) First from the appropriation under s. 20.435 (5) (af).

17 (b) The remainder of the costs as follows:

18 1. A total of 60% from all of the following:

19 a. The appropriation under s. 20.435 (5) (ah).

20 b. Insurer assessments and provider reimbursement discounts under s.
21 149.144.

22 c. Subject to sub. (2) (a) 1. and s. 149.146 (2) (b), premiums collected from
23 eligible persons.

24 2. A total of 40% as follows:

1 a. Fifty percent from insurer assessments, excluding assessments under s.
2 149.144.

3 b. Fifty percent from discounts to provider reimbursement rates, excluding
4 discounts under ss. 149.144 and 149.15 (3) (e).

5 **(2)** (a) Prior to each plan year, the department shall estimate the operating,
6 administrative and subsidy costs of the plan for the new plan year and, taking into
7 consideration the funds expected to be available under s. 20.435 (5) (af) and (ah), do
8 all of the following:

9 1. By rule set premium rates for the new plan year, including the rates under
10 s. 149.146 (2) (b), by estimating the rates necessary to equal the amount specified in
11 sub. (1) (b) 1. c., except that a rate for coverage under s. 149.14 may not be less than
12 150% nor more than 200% of the rate that a standard risk would be charged under
13 an individual policy providing substantially the same coverage and deductibles as
14 are provided under the plan.

15 2. By rule set the total insurer assessments under s. 149.13 for the new plan
16 year by estimating the amount necessary to equal the amount specified in sub. (1)
17 (b) 2. a. and notify the commissioner of the amount.

18 3. By the same rule set the rate at which provider charges shall be discounted
19 for the new plan year by estimating the rate necessary to equal the amount specified
20 in sub. (1) (b) 2. b.

21 (b) In setting the rates under par. (a) 1. and 3. and the amount under par. (a)
22 2. for the new plan year, the department shall include any increase or decrease
23 necessary to reflect the amount, if any, by which the rates and amount set under par.
24 (a) for the current plan year differed from the rates and amount which would have
25 equaled the amounts specified in sub. (1) in the current plan year.

1 **(3)** (a) If, during a plan year, the department determines that the moneys under
2 s. 20.435 (5) (af) and (ah), the amounts set under sub. (2) (a) and any increases in
3 insurer assessments and provider discounts under s. 149.144 are not sufficient to
4 cover plan costs, the department may by rule increase the premium rates set under
5 sub. (2) (a) 1. for the remainder of the plan year, subject to subs. (1) (b) 1. and (2) (a)
6 1. and s. 149.146 (2) (b), increase the assessments set under sub. (2) (a) 2. for the
7 remainder of the plan year, subject to sub. (1) (b) 2. a., and increase the discount rate
8 set under sub. (2) (a) 3. for the remainder of the plan year, subject to sub. (1) (b) 2.
9 b.

10 (b) If, after increasing premium rates, assessments and discount rates under
11 par. (a), the department determines that there will still be a deficit and that premium
12 rates have been increased to the maximum extent allowable under par. (a), the
13 department shall further increase, in equal proportions, assessments set under sub.
14 (2) (a) 2. and discount rates set under sub. (2) (a) 3., without regard to sub. (1) (b) 2.
15 Insurers and providers affected by this paragraph may recover the assessment
16 increase and the discount rate increase in the normal course of their respective
17 businesses without time limitation, subject to s. 149.14 (4m).

18 **(4)** Using the procedure under s. 227.24, the department may promulgate rules
19 under sub. (2) or (3) for the period before the effective date of any permanent rules
20 promulgated under sub. (2) or (3), but not to exceed the period authorized under s.
21 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) and (3), the department is not
22 required to make a finding of emergency.

23 **(5)** Notwithstanding sub. (2) (a) (intro.), the department shall set premium
24 rates, insurer assessments and provider discount rates for the period beginning on
25 January 1, 1998, and ending on June 30, 1998, in the manner provided in subs. (1),

1 (2) (a), (3) and (4). This subsection applies to policies in effect on January 1, 1998,
2 as well as to policies issued or renewed on or after January 1, 1998.

3 **SECTION 3027m.** 149.15 (2m) of the statutes is created to read:

4 149.15 (2m) Annually, beginning in 1999, the board shall submit a report on
5 or before June 30 to the legislature under s. 13.172 (2) and to the governor on the
6 operation of the plan, including any recommendations for changes to the plan.

7 **SECTION 2250.** 149.16 (title) of the statutes is created to read:

8 **149.16 (title) Plan administrator.**

9 **SECTION 2251.** 149.16 (1) of the statutes is created to read:

10 149.16 (1) The department shall contract with an organization or other person
11 to administer the plan.

12 **SECTION 2252.** 150.21 (1) of the statutes is amended to read:

13 150.21 (1) The construction ~~or total replacement~~ of a new nursing home.

14 **SECTION 2253.** 150.21 (3) of the statutes is amended to read:

15 150.21 (3) A capital expenditure, other than a renovation or replacement, that
16 exceeds \$1,000,000 by or on behalf of a nursing home.

17 **SECTION 2254.** 150.21 (4) of the statutes is amended to read:

18 150.21 (4) An expenditure, other than a renovation or replacement, that
19 exceeds \$600,000 for clinical equipment by or on behalf of a nursing home.

20 **SECTION 3035v.** 150.31 (4) of the statutes is amended to read:

21 150.31 (4) The department may decrease the statewide bed limit in facilities
22 primarily serving the developmentally disabled in order to account for any decreased
23 use of beds at ~~the a state centers~~ center for the developmentally disabled due to the
24 community integration program under s. 46.275.

25 **SECTION 2255.** 150.31 (5t) of the statutes is created to read:

1 150.31 **(5t)** The department shall decrease the statewide bed limits specified
2 in sub. (1) to account for any reduction in the licensed bed capacity of a nursing home
3 that has relinquished use of a bed, as specified in s. 49.45 (6m) (ap) 4.

4 **SECTION 2256.** 150.35 (3m) (a) 3. of the statutes is amended to read:

5 150.35 **(3m)** (a) 3. All applications for activities that are specified in s. 150.21
6 ~~(3), that are renovations with capital expenditures which do not exceed \$1,500,000~~
7 ~~and that do not include additions, the replacement of a nursing home or an increase~~
8 ~~in the bed capacity of a nursing home.~~

9 **SECTION 2257.** 150.39 (2) of the statutes is amended to read:

10 150.39 **(2)** The cost of ~~renovating or~~ providing an equal number of nursing home
11 beds or of an equal expansion would be consistent with the cost at similar nursing
12 homes, and the applicant's per diem rates would be consistent with those of similar
13 nursing homes.

14 **SECTION 2258.** 153.01 (4) of the statutes is created to read:

15 153.01 **(4)** "Department" means the department of health and family services.

16 **SECTION 2259.** 153.01 (4m) of the statutes is repealed.

17 **SECTION 2260.** 153.01 (6) of the statutes is repealed.

18 **SECTION 2261.** 153.05 (1) (c) 1. of the statutes is amended to read:

19 153.05 **(1)** (c) 1. Identification of charges in each hospital's most recent entire
20 fiscal year for up to 100 charge elements, as selected by the ~~office~~ department, and
21 identification of the increase or decrease in charges for each of these charge elements
22 from amounts charged during the hospital's entire fiscal year that is nearest in time
23 to the hospital's most recent entire fiscal year.

24 **SECTION 2262.** 153.05 (1) (e) of the statutes is amended to read:

1 153.05 (1) (e) Final audited financial statements of hospitals that include, for
2 a hospital's most recent entire fiscal year, as dollar amounts, the amounts of revenue
3 and expenditures for the hospital, in categories specified in rules promulgated by the
4 ~~commissioner~~ department.

5 **SECTION 2263.** 153.05 (2) of the statutes is amended to read:

6 153.05 (2) The ~~office~~ department shall provide copies of reports published
7 under ss. 153.10 to 153.35 at no charge to hospitals assessed under s. 153.60 (1) and,
8 if assessed, at no charge to ambulatory surgery centers assessed under s. 153.60 (2).
9 The ~~office~~ department shall provide copies of the reports to any person, upon the
10 person's request, and the board shall advise the ~~office~~ department as to whether the
11 copies shall be provided at no charge or at a charge not to exceed the cost of printing,
12 copying and mailing the report to the person.

13 **SECTION 2264.** 153.05 (3) of the statutes is amended to read:

14 153.05 (3) Upon request of the ~~office~~ department, state agencies shall provide
15 health care information to the ~~office~~ department for use in preparing reports under
16 ss. 153.10 to 153.35.

17 **SECTION 2265.** 153.05 (4) of the statutes is amended to read:

18 153.05 (4) (a) The ~~office~~ department, under rules promulgated by the
19 ~~commissioner~~ department, shall require hospitals to use, and private-pay patients
20 and payers who are insurers to accept, uniform patient billing forms, shall require
21 hospitals to submit to the ~~office~~ department the information provided on the billing
22 forms, including, for an injury, the external cause of the event, and may require
23 payers who are insurers to use a standard set of definitions for base data reporting
24 under a uniform patient billing form.

1 (b) The ~~office~~ department, under rules promulgated by the ~~commissioner~~
2 department, may require ambulatory surgery centers to use uniform patient billing
3 forms and other information, and, if so requiring, shall require ambulatory surgery
4 centers to submit to the ~~office~~ department the information provided on the billing
5 forms, including, for an injury, the external cause of the event, using a standard set
6 of definitions for base data reporting.

7 **SECTION 2266.** 153.05 (5) of the statutes is amended to read:

8 153.05 (5) The ~~office~~ department:

9 (a) Shall require hospitals to submit information regarding medical
10 malpractice, staffing levels and patient case-mix, and expenditures related to labor
11 relations consultants, as specified by the ~~office~~ department.

12 (b) May require hospitals to submit to the ~~office~~ department information from
13 sources identified under sub. (1) (a) to (e) that the ~~office~~ department deems necessary
14 for the preparation of reports, plans and recommendations under ss. 153.10 to 153.35
15 and any other reports required of the ~~office~~ department in the form specified by the
16 ~~office~~ department.

17 (bm) Shall require a hospital to submit to the ~~office~~ department information
18 from sources identified under sub. (1) (e) by the date that is 4 months following the
19 close of the hospital's fiscal year unless the ~~office~~ department grants an extension of
20 time to file the information.

21 **SECTION 2267.** 153.05 (6) of the statutes is amended to read:

22 153.05 (6) If the requirements of s. 153.07 (2) are first met, the ~~office~~
23 department may contract with a public or private entity that is not a major
24 purchaser, payer or provider of health care services in this state for the provision of
25 data processing services for the collection, analysis and dissemination of health care

1 information under sub. (1) or the department of ~~health and family services~~ shall
2 provide the services under s. 153.07 (2).

3 **SECTION 2268.** 153.05 (6m) of the statutes is amended to read:

4 153.05 **(6m)** If the requirements of s. 153.07 (2) are first met, the office
5 department may contract with the group insurance board for the provision of data
6 collection and analysis services related to health maintenance organizations and
7 insurance companies that provide health insurance for state employes or the
8 ~~commissioner~~ department shall provide the services under s. 153.07 (2). The office
9 department shall establish contract fees for the provision of the services. All moneys
10 collected under this subsection shall be credited to the appropriation under s. ~~20.145~~
11 ~~(8)~~ 20.435 (1) (kx).

12 **SECTION 2269.** 153.05 (7) of the statutes is amended to read:

13 153.05 **(7)** The office department may require each insurer authorized to write
14 disability insurance to submit to the office department information obtained on
15 uniform patient billing forms regarding reported claims for health care services
16 which insureds who are residents of this state obtain in another state.

17 **SECTION 2270.** 153.05 (8) of the statutes is amended to read:

18 153.05 **(8)** Beginning April 1, 1992, the office department shall collect, analyze
19 and disseminate, in language that is understandable to lay persons, health care
20 information under the provisions of this chapter, as determined by rules
21 promulgated by the ~~commissioner~~ department, from health care providers, as
22 defined by rules promulgated by the ~~commissioner~~ department, other than hospitals
23 and ambulatory surgery centers. Data from physicians shall be obtained through
24 sampling techniques in lieu of collection of data on all patient encounters and data

1 collection procedures shall minimize unnecessary duplication and administrative
2 burdens.

3 **SECTION 2271.** 153.05 (9) of the statutes is amended to read:

4 153.05 (9) The ~~office~~ department shall provide orientation and training to
5 physicians, hospital personnel and other health care providers to explain the process
6 of data collection and analysis and the procedures for data verification,
7 interpretation and release.

8 **SECTION 2272.** 153.05 (11) of the statutes is amended to read:

9 153.05 (11) In order to elicit public comment concerning the reports required
10 under ss. 153.10 to 153.35, the ~~office~~ department shall, following the release of the
11 reports and by a date that is determined by the board, provide notice of and hold
12 public hearings.

13 **SECTION 2273.** 153.05 (12) of the statutes is amended to read:

14 153.05 (12) The ~~office~~ department shall, to the extent possible and upon
15 request, assist members of the public in interpreting data in health care information
16 disseminated by the ~~office~~ department.

17 **SECTION 2274.** 153.07 (1) of the statutes is amended to read:

18 153.07 (1) The board shall advise the director of the ~~office~~ department with
19 regard to the collection, analysis and dissemination of health care information
20 required by this chapter.

21 **SECTION 2275.** 153.07 (2) of the statutes is amended to read:

22 153.07 (2) The board, upon advice of the ~~office~~ department, shall first
23 determine whether to contract for services pursuant to s. 153.05 (6) or (6m). If the
24 board determines to contract for such services, it shall approve specifications for a
25 contract including the length of the contract and the standards for determining

1 potential contractor conflicts with the purposes of the ~~office~~ department as specified
2 under s. 153.05 (1). In the alternative, the board may direct the ~~office to have the~~
3 ~~department of health and family services~~ department to provide the services under
4 s. 153.05 (6) or (6m). The board may subsequently determine to contract for these
5 services in subsequent years. If the board decides to bid the contract for services
6 under s. 153.05 (6) or (6m), the ~~department of health and family services~~ may offer
7 a bid as would any other potential contractor. The board shall evaluate a contractor's
8 performance 6 months prior to the close of each existing contract.

9 **SECTION 2276.** 153.07 (3) of the statutes is amended to read:

10 153.07 (3) The board shall approve all rules which are proposed by the
11 ~~commissioner~~ department for promulgation to implement this chapter.

12 **SECTION 2277.** 153.08 (2) (b) of the statutes is amended to read:

13 153.08 (2) (b) No sooner than 15 days after a notice is published under par. (a)
14 and no later than 15 days before the date of the proposed rate change, conducts a
15 public hearing on the proposed rate change. The hearing shall be on the expected
16 impact of the proposed rate change on health care costs, the expected improvement,
17 if any, in the local health care delivery system, and any other issue related to the
18 proposed rate change. Management staff, if any, of the hospital proposing the rate
19 change and, if possible, at least 3 members of the governing board of any
20 not-for-profit hospital proposing the rate change shall attend the public hearing to
21 review public testimony. The hospital shall record accurate minutes of the meeting
22 and shall provide copies of the minutes and any written testimony presented at the
23 hearing to the ~~office of health care information in the office of the commissioner of~~
24 insurance department within 10 days after the date of the public hearing.

25 **SECTION 2278.** 153.10 (1) of the statutes is amended to read:

1 153.10 (1) Beginning in 1990 and quarterly thereafter, the office department
2 shall prepare and submit to the governor and the chief clerk of each house of the
3 legislature for distribution to the legislature under s. 13.172 (2), in a manner that
4 permits comparisons among hospitals, a report setting forth all of the following for
5 every hospital for the preceding quarter:

6 (a) The charges for up to 100 health care services or diagnostic-related groups
7 selected by the office department.

8 (b) The utilization and charge information for ambulatory surgery and other
9 outpatient health care services selected by the office department.

10 **SECTION 2279.** 153.15 of the statutes is amended to read:

11 **153.15 Small area analysis reports.** Beginning in 1990 and annually
12 thereafter, the office department shall prepare and submit to the governor and the
13 chief clerk of each house of the legislature for distribution to the legislature under
14 s. 13.172 (2) reports identifying health care services or procedures provided by one
15 or more hospitals in specific areas of the state for which the rate of utilization of the
16 service or procedure is significantly different than the state or area average.

17 **SECTION 2280.** 153.20 of the statutes is amended to read:

18 **153.20 Uncompensated health care services report.** (1) Beginning in
19 1990 and annually thereafter, the office department shall prepare and submit to the
20 governor and to the chief clerk of each house of the legislature for distribution to the
21 legislature under s. 13.172 (2) a report setting forth the number of patients to whom
22 uncompensated health care services were provided by each hospital and the total
23 charges for the uncompensated health care services provided to the patients for the
24 preceding year, together with the number of patients and the total charges that were
25 projected by the hospital for that year in the plan filed under sub. (2).

1 (2) Beginning in 1990 and annually thereafter, every hospital shall file with
2 the office department a plan setting forth the projected number of patients to whom
3 uncompensated health care services will be provided by the hospital and the
4 projected total charges for the uncompensated health care services to be provided to
5 the patients for the ensuing year.

6 **SECTION 2281.** 153.25 of the statutes is amended to read:

7 **153.25 Mortality and morbidity report.** Beginning in 1990 and annually
8 thereafter, the office department shall prepare and submit to the governor and to the
9 chief clerk of each house of the legislature for distribution to the legislature under
10 s. 13.172 (2) reports setting forth mortality and morbidity rates for every hospital.
11 Before the release of a report under this section, the office department shall provide
12 the physicians, hospitals or other health care providers identified in the report with
13 the opportunity to review and comment under s. 153.40 (6).

14 **SECTION 2282.** 153.30 of the statutes is amended to read:

15 **153.30 Health care insurance report.** Beginning in 1990 and annually
16 thereafter, the office department and the office of the commissioner of insurance may
17 jointly prepare and submit to the governor, and to the legislature under s. 13.172 (2),
18 a report specifying, to the extent possible, on a regional basis, the number, nature of
19 coverage and costs of health care coverage plans covering residents of this state
20 during the preceding year.

21 **SECTION 2283.** 153.35 (intro.) of the statutes is amended to read:

22 **153.35 (title) Report by the office department.** (intro.) The office
23 department shall annually, by October 1, under rules promulgated by the
24 ~~commissioner~~ department, submit under s. 13.172 (3) a report to the legislature for

1 distribution to standing committees with jurisdiction over health matters, that shall
2 include all of the following:

3 **SECTION 2284.** 153.35 (1) of the statutes is amended to read:

4 153.35 (1) The range, median and mean of charges and increases or decreases
5 in specific charges by hospitals for up to 100 charge elements, as selected by the office
6 department, as reported to the office department under s. 153.05 (1) (c) 1.

7 **SECTION 2285.** 153.40 (1) of the statutes is amended to read:

8 153.40 (1) Prior to data submission, hospitals, ambulatory surgery centers or
9 other health care providers shall review discharge data for accuracy and shall obtain
10 verification by the physician of the principal and secondary diagnoses and primary
11 and secondary procedures. The verification shall occur within the time specified by
12 rules promulgated by the commissioner department for data submission to the office
13 department. If the verification is not made on a timely basis, the hospital or other
14 health care provider shall submit the data noting the lack of verification.

15 **SECTION 2286.** 153.40 (2) of the statutes is amended to read:

16 153.40 (2) The office department shall be responsible for assuring that
17 appropriate editing is conducted for all submitted data to identify systematic errors,
18 missing data, values beyond an allowed range, illegal codes within a range, illogical
19 sequence of dates, diagnoses and procedures inconsistent with age and sex, other
20 data failing internal consistency checks and other patterns inconsistent with what
21 would be expected. The office department shall notify hospitals, ambulatory surgery
22 centers or, beginning April 1, 1992, other health care providers of missing or incorrect
23 information under this subsection.

24 **SECTION 2287.** 153.40 (3) of the statutes is amended to read:

1 153.40 (3) Hospitals, ambulatory surgery centers or, beginning April 1, 1992,
2 other health care providers shall be responsible for resolving the errors found by the
3 editing under sub. (2) and shall resubmit corrected data within 10 working days after
4 receiving written notification from the office department of the errors.

5 **SECTION 2288.** 153.40 (4) of the statutes is amended to read:

6 153.40 (4) The office department shall send edited and corrected data to
7 hospitals, ambulatory surgery centers or, beginning April 1, 1992, other health care
8 providers for a 10-working-day review period before the data are released.

9 **SECTION 2289.** 153.40 (5) of the statutes is amended to read:

10 153.40 (5) The office department may, by rules promulgated by the
11 ~~commissioner~~ department, require that other forms of data verification, including
12 reabstracting studies and comparisons with information collected from other data
13 systems, be conducted prior to the release of physician-specific data.

14 **SECTION 2290.** 153.40 (6) of the statutes is amended to read:

15 153.40 (6) At least 30 calendar days prior to the release of a report under s.
16 153.25, the office department shall notify a physician, hospital or other health care
17 provider identified in the report of the office's department's intent to release the
18 report. The notification shall include a copy of the draft report and a statement that
19 those identified may submit comments on the report to the office department. If the
20 office department receives comments prior to the release of the report, the office
21 department shall append the comments to the report. If the office department
22 receives comments after the report is released, the office department shall make the
23 comments available to anyone requesting the comments.

24 **SECTION 2291.** 153.45 (1) (intro.) of the statutes is amended to read:

1 153.45 (1) (intro.) After completion of data verification and review procedures
2 under s. 153.40, the ~~office~~ department shall release data in the following forms:

3 **SECTION 2292.** 153.45 (1) (b) of the statutes is amended to read:

4 153.45 (1) (b) Public use tapes which do not permit the identification of specific
5 patients, physicians, employers or other health care providers, as defined by rules
6 promulgated by the ~~commissioner~~ department. The identification of these groups
7 shall be protected by all necessary means, including the deletion of patient
8 identifiers and the use of calculated variables and aggregated variables.

9 **SECTION 2293.** 153.45 (2) of the statutes is amended to read:

10 153.45 (2) The ~~office~~ department shall provide to other entities the data
11 necessary to fulfill their statutory mandates for epidemiological purposes or to
12 minimize the duplicate collection of similar data elements.

13 **SECTION 2294.** 153.45 (3) of the statutes is amended to read:

14 153.45 (3) The ~~office~~ department shall release physician-specific and
15 employer-specific data, except in public use tapes as specified under sub. (1) (b), in
16 a manner that is specified in rules promulgated by the ~~commissioner~~ department.

17 **SECTION 2295.** 153.50 of the statutes is amended to read:

18 **153.50 Protection of patient confidentiality.** Patient-identifiable data
19 obtained under this chapter and contained in the discharge data base of the ~~office~~
20 department is not subject to inspection, copying or receipt under s. 19.35 (1) and may
21 not be released by the ~~office~~ department, except to the patient or to a person granted
22 permission for release by the patient and except that a hospital, a physician, or the
23 agent of a hospital or physician ~~or the commissioner~~ may have access to
24 patient-identifiable data to ensure the accuracy of the information in the discharge
25 data base. ~~The department of health and family services may have access to the~~

1 discharge data base for the purposes of completing epidemiological reports and
2 eliminating the need to maintain a data base that duplicates that of the office, if the
3 department of health and family services does not release or otherwise provide
4 access to the patient-identifiable data.

5 **SECTION 2296.** 153.60 (title) of the statutes is amended to read:

6 **153.60 (title) Assessments to fund operations of office department and**
7 **board.**

8 **SECTION 2297.** 153.60 (1) of the statutes is amended to read:

9 153.60 (1) The office department shall, by the first October 1 after the
10 commencement of each fiscal year, estimate the total amount of expenditures under
11 this chapter for the office department and the board for that fiscal year. The office
12 department shall assess the estimated total amount for that fiscal year less the
13 estimated total amount to be received under s. 20.145 (8) (hi), (hj), (kx) and (mr)
14 20.435 (1) (hi) during the fiscal year and the unencumbered balances balance of the
15 amounts amount received under s. 20.145 (8) (hi), (hj) and (mr) 20.435 (1) (hi) from
16 the prior fiscal year, to hospitals in proportion to each hospital's respective gross
17 private-pay patient revenues during the hospital's most recently concluded entire
18 fiscal year. Each hospital shall pay the assessment on or before December 1. All
19 payments of assessments shall be deposited in the appropriation under s. 20.145 (8)
20 20.435 (1) (hg).

21 **SECTION 2298.** 153.60 (2) of the statutes is amended to read:

22 153.60 (2) The office department may assess ambulatory surgery centers under
23 this section, using as the basis for individual ambulatory surgery center assessments
24 the methods and criteria promulgated by rule by the commissioner department
25 under s. 153.75 (1) (k).

1 **SECTION 2299.** 153.65 of the statutes is amended to read:

2 **153.65 Provision of special information; user fees.** The office department
3 may provide, upon request from a person, a data compilation or a special report based
4 on the information collected by the office department under s. 153.05 (1), (3), (4) (b),
5 (5), (7) or (8) or 153.08. The office department shall establish user fees for the
6 provision of these compilations or reports, payable by the requester, which shall be
7 sufficient to fund the actual necessary and direct cost of the compilation or report.
8 All moneys collected under this section shall be credited to the appropriation under
9 s. ~~20.145 (8)~~ 20.435 (1) (hi).

10 **SECTION 2300.** 153.75 (1) (intro.) of the statutes is amended to read:

11 153.75 (1) (intro.) Following approval by the board, the ~~commissioner~~
12 department shall promulgate the following rules:

13 **SECTION 2301.** 153.75 (1) (b) of the statutes is amended to read:

14 153.75 (1) (b) Establishing procedures under which hospitals and health care
15 providers are permitted to review and verify patient-related information prior to its
16 submission to the office department.

17 **SECTION 2302.** 153.75 (2) (intro.) of the statutes is amended to read:

18 153.75 (2) (intro.) With the approval of the board, the ~~commissioner~~
19 department may promulgate all of the following rules:

20 **SECTION 2303.** 153.75 (2) (c) of the statutes is amended to read:

21 153.75 (2) (c) Providing for the efficient collection, analysis and dissemination
22 of health care information which the office department may require under this
23 chapter.

24 **SECTION 2304.** 153.90 (3) of the statutes is amended to read:

1 153.90 (3) The ~~commissioner~~ department may directly assess forfeitures under
2 sub. (2). If the ~~commissioner~~ department determines that a forfeiture should be
3 assessed for a particular violation or for failure to correct the violation, the
4 ~~commissioner~~ department shall send a notice of assessment to the alleged violator.
5 The notice shall specify the alleged violation of the statute or rule and the amount
6 of the forfeiture assessed and shall inform the alleged violator of the right to contest
7 the assessment under s. 227.44.

8 **SECTION 2305.** 165.25 (3r) of the statutes is amended to read:

9 165.25 (3r) AVOID CONFLICT OF INTEREST. Require that attorneys in different
10 organizational subunits in the department prosecute violations of chs. ~~561~~ 562 to 569
11 or Indian gaming compacts entered into under s. 14.035 and defend any department,
12 agency, official, employe or agent under subs. (1), (4) (a) and (6).

13 **SECTION 3096m.** 165.30 (1m) of the statutes is created to read:

14 165.30 (1m) GENERALLY. The department of justice shall represent the
15 interests of and furnish legal services to departments relating to the collection of
16 obligations.

17 **SECTION 2306.** 165.70 (3m) of the statutes is amended to read:

18 165.70 (3m) The attorney general shall establish a separate bureau in the
19 division of criminal investigation in which all of the department's gaming law
20 enforcement responsibilities under chs. ~~561~~ 562 to 569 and 945 shall be performed.

21 **SECTION 2307.** 165.72 (7) of the statutes is amended to read:

22 165.72 (7) PUBLICITY. The department shall cooperate with the department of
23 ~~education~~ public instruction in publicizing, in public schools, the use of the toll-free
24 telephone number under sub. (2).

25 **SECTION 2308.** 165.755 of the statutes is created to read:

1 **165.755 Crime laboratories and drug law enforcement assessment. (1)**

2 (a) Except as provided in par. (b), beginning on October 1, 1997, a court shall impose
3 a crime laboratories and drug law enforcement assessment of \$4 if the court imposes
4 a sentence, places a person on probation or imposes a forfeiture for a violation of state
5 law or for a violation of a municipal or county ordinance.

6 (b) A court may not impose the crime laboratories and drug law enforcement
7 assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1. or (bm) or (5) (b)
8 or for a violation of a state law or municipal or county ordinance involving a
9 nonmoving traffic violation or a safety belt use violation under s. 347.48 (2m).

10 (2) If the court under sub. (1) (a) imposes a sentence or forfeiture for multiple
11 offenses or places a person on probation for multiple offenses, a separate crime
12 laboratories and drug law enforcement assessment shall be imposed for each
13 separate offense.

14 (3) Except as provided in sub. (4), after the court determines the amount due
15 under sub. (1) (a), the clerk of the court shall collect and transmit the amount to the
16 county treasurer under s. 59.40 (2) (m). The county treasurer shall then make
17 payment to the state treasurer under s. 59.25 (3) (f) 2.

18 (4) If a municipal court imposes a forfeiture, after determining the amount due
19 under sub. (1) (a) the court shall collect and transmit such amount to the treasurer
20 of the county, city, town or village, and that treasurer shall make payment to the state
21 treasurer as provided in s. 66.12 (1) (b).

22 (5) If any deposit of bail is made for a noncriminal offense to which sub. (1) (a)
23 applies, the person making the deposit shall also deposit a sufficient amount to
24 include the assessment prescribed in sub. (1) (a) for forfeited bail. If bail is forfeited,
25 the amount of the assessment under sub. (1) (a) shall be transmitted monthly to the

1 state treasurer under this section. If bail is returned, the assessment shall also be
2 returned.

3 **(6)** If an inmate in a state prison or a person sentenced to a state prison has
4 not paid the crime laboratories and drug law enforcement assessment under sub. (1)
5 (a), the department shall assess and collect the amount owed from the inmate's
6 wages or other moneys. Any amount collected shall be transmitted to the state
7 treasurer.

8 **(7)** All moneys collected from crime laboratories and drug law enforcement
9 assessments under this section shall be deposited by the state treasurer and used as
10 specified in s. 20.455 (2) (kd) and (Lm).

11 **SECTION 3116m.** 166.03 (2) (a) 5. of the statutes is amended to read:

12 166.03 **(2)** (a) 5. Provide assistance to the Wisconsin wing of the civil air patrol
13 from the appropriation under s. 20.465 (3) ~~(q)~~ (f) for the purpose of enabling the patrol
14 to perform its assigned missions and duties as prescribed by U.S. air force
15 regulations. Expenses eligible for assistance are aircraft acquisition and
16 maintenance, communications equipment acquisition and maintenance and office
17 staffing and operational expenses. The civil air patrol shall submit vouchers for
18 expenses eligible for assistance to the division.

19 **SECTION 3116s.** 166.20 (2) (bg) of the statutes is amended to read:

20 166.20 **(2)** (bg) Promulgate rules establishing an amount not to exceed \$6,000
21 that may be an eligible cost for computers in an emergency planning grant under s.
22 166.21 (2) ~~(bm)~~ (br).

23 **SECTION 2309.** 166.20 (7) (a) (intro.) of the statutes is amended to read:

1 166.20 (7) (a) (intro.) The board shall establish, by rule, the following fees at
2 levels designed to fund the board's administrative expenses and the grants under s.
3 166.21 and to repay the amount expended under s. 20.465 (3) (d):

4 **SECTION 3117d.** 166.21 (2) (bm) of the statutes is repealed.

5 **SECTION 3117f.** 166.21 (2) (br) of the statutes is amended to read:

6 166.21 (2) (br) Subject to sub. (2m), ~~for grant applications submitted during the~~
7 ~~period after May 31, 1995, and before September 1, 1997,~~ 80% of the costs of
8 computers and emergency response equipment, but not to exceed \$10,000. In-kind
9 contributions may be used to meet the committee's contribution under this
10 paragraph.

11 **SECTION 3117h.** 166.21 (2m) (intro.) of the statutes is amended to read:

12 166.21 (2m) STRATEGIC PLAN. (intro.) A committee is eligible for grant funds
13 under sub. (2) ~~(bm)~~ (br) for emergency response equipment only if it submits to the
14 board a strategic plan for emergency response to hazardous substance releases that
15 includes all of the following:

16 **SECTION 3117m.** 166.215 (1) of the statutes is amended to read:

17 166.215 (1) The board shall contract with no fewer than 7 and no more than
18 9 regional emergency response teams, each of which will assist in the emergency
19 response to level A releases in a region of this state designated by the board. The
20 board shall contract with at least one regional emergency response team in each area
21 designated under s. 166.03 (2) (b) 1. The board may only contract with a local agency,
22 as defined in s. 166.22 (1) (c), under this subsection. A member of a regional
23 emergency response team shall meet the standards for a hazardous materials
24 specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire protection association
25 standards NFPA 471 and 472. ~~A contract under this subsection may provide for~~

1 payments to the regional emergency response team in addition to the reimbursement
2 provided in sub. (2). Payments to regional emergency response teams under this
3 subsection shall be made from the appropriation account under s. 20.465 (3) (dd).

4 **SECTION 3117p.** 166.215 (2) of the statutes is amended to read:

5 166.215 (2) The board shall reimburse a regional emergency response team for
6 costs incurred by the team in responding to a level A release under sub. (1).
7 Reimbursement under this subsection is limited to amounts collected under sub. (3)
8 and the amounts appropriated under s. 20.465 (3) ~~(rg)~~ and ~~(rt)~~ (dr). Reimbursement
9 is available under s. 20.465 (3) ~~(rt)~~ (dr) only if the regional emergency response team
10 has made a good faith effort to identify the person responsible under sub. (3) and that
11 person cannot be identified, or, if that person is identified, the team has received
12 reimbursement from that person to the extent that the person is financially able or
13 has determined that the person does not have adequate money or other resources to
14 reimburse the regional emergency response team.

15 **SECTION 3117r.** 166.215 (5) of the statutes is created to read:

16 166.215 (5) The board shall notify the joint committee on finance in writing,
17 before entering into a new contractual agreement under sub. (1) or renewing or
18 extending a contractual agreement under sub. (1), of the specific funding
19 commitment involved in that proposed new, renewed or extended contract. The
20 board shall include in that notification information regarding any anticipated
21 contractual provisions that involve state fiscal commitments for each fiscal year in
22 the proposed new, renewed or extended contract. The board may enter into a new
23 contractual agreement or renew or extend a contractual agreement, as proposed in
24 the notification to the joint committee on finance, if within 14 working days after
25 notification the committee does not schedule a meeting to review the board's

1 proposed action. If, within 14 working days after notification to the joint committee
2 on finance, the committee notifies the board that the committee has scheduled a
3 meeting to review the board's proposed action, the board may enter into the proposed
4 new contact or renew or extend the contract as proposed only if the committee
5 approves that action. Notwithstanding s. 13.10, the board may include in its
6 notification to the joint committee on finance a request for approval of any increase
7 in the amount of money in the appropriation account under s. 20.465 (3) (dd)
8 necessary to provide sufficient money for the proposed new, renewed or extended
9 contracts under sub. (1).

10 **SECTION 3117t.** 166.22 (3m) of the statutes is amended to read:

11 166.22 (3m) The board shall reimburse a local emergency response team for
12 costs incurred by the team in responding to a hazardous substance discharge under
13 sub. (3). Reimbursement under this subsection is limited to the amount
14 appropriated under s. 20.465 (3) (~~rt~~) (dr). Reimbursement is available under s.
15 20.465 (3) (~~rt~~) (dr) only if the local emergency response team has made a good faith
16 effort to identify the person responsible under sub. (4) and that person cannot be
17 identified, or, if that person is identified, the team has received reimbursement from
18 that person to the extent that the person is financially able or has determined that
19 the person does not have adequate money or other resources to reimburse the local
20 emergency response team.

21 **SECTION 2310.** 168.01 of the statutes is renumbered 168.01 (intro.) and
22 amended to read:

23 **168.01** (title) **Definition Definitions.** (intro.) In this chapter "department":

24 **(1)** "Department" means the department of commerce.

25 **SECTION 2311.** 168.01 (2) of the statutes is created to read:

1 168.01 (2) “Supplier” includes a person who imports, or acquires immediately
2 upon import, petroleum products by pipeline or marine vessel from a state, territory
3 or possession of the United States or from a foreign country into a terminal and who
4 is registered under 26 USC 4101 for tax-free transactions in gasoline. “Supplier”
5 also includes a person who produces in this state; or imports into a terminal or bulk
6 plant; or acquires immediately upon import by truck, railcar or barge into a terminal;
7 alcohol or alcohol derivative products. “Supplier” also includes a person who
8 produces, manufactures or refines petroleum products in this state. “Supplier” also
9 includes a person who acquires petroleum products pursuant to an industry terminal
10 exchange agreement. “Supplier” does not include a retail dealer or wholesaler who
11 merely blends alcohol with gasoline before the sale or distribution of the product and
12 does not include a terminal operator who merely handles in a terminal petroleum
13 products consigned to the terminal operator.

14 **SECTION 3119m.** 168.11 (1) (b) 2. of the statutes is amended to read:

15 168.11 (1) (b) 2. A device that dispenses, for sale at retail, a reformulated
16 gasoline, as defined in s. 285.37 (1), that contains an oxygenate other than ethanol
17 shall be marked or labeled with the identity of the oxygenate at all times when the
18 product is offered for sale. The label shall identify the oxygenate as “methyl tertiary
19 butyl ether (MTBE)” or “ethyl tertiary butyl ether (ETBE)” or, if the reformulated
20 gasoline contains another oxygenate or a combination of oxygenates, the label shall
21 identify the oxygenate or oxygenates in the manner specified by the department by
22 rule.

23 **SECTION 2312.** 168.12 (1) of the statutes is amended to read:

24 168.12 (1) Except as provided in subs. (1g) and (1r), there is imposed a
25 petroleum inspection fee at the rate of 3 cents per gallon on all petroleum products

1 that are received, ~~as defined in s. 78.07~~, by a supplier, ~~as defined in s. 78.005 (14)~~, for
2 sale in this state or for sale for export to this state. The department of revenue shall
3 determine when a petroleum product is received under this subsection in the same
4 manner that it determines under s. 78.07 when motor vehicle fuel is received. The
5 fee shall be paid under s. 168.125 and shall be based on the number of gallons
6 reported under s. 168.125.

7 **SECTION 2313.** 168.12 (6) of the statutes is created to read:

8 168.12 (6) (a) Any person who purchases in this state general aviation fuel, as
9 defined in s. 78.55 (3), from a supplier is eligible for an allowance of 2 cents for each
10 gallon of general aviation fuel purchased in excess of 1,000,000 gallons per month.
11 A person who purchases general aviation fuel for resale is not eligible for the
12 allowance.

13 (b) To receive an allowance, an eligible purchaser under par. (a) shall complete
14 a claim upon a form that the department of revenue prescribes and furnishes and file
15 the claim with the department of revenue not later than 12 months after the date of
16 purchase of the general aviation fuel.

17 (c) The department of revenue shall investigate the correctness and veracity
18 of the representations in the claim and may require a claimant to submit records to
19 substantiate the claim. The department of revenue shall either allow or deny a claim
20 under this subsection not later than 60 days after the filing of the claim. If the
21 department of revenue allows the claim, it shall pay the claimant the amount allowed
22 from the moneys appropriated under s. 20.855 (4) (r). If the department of revenue
23 does not pay the allowance by the 90th day after the date on which the purchaser files
24 the claim, the department of revenue shall also pay interest on the unpaid claim

1 beginning on that day, at the rate of 9% per year, from the moneys appropriated
2 under s. 20.855 (4) (r).

3 (d) If a purchaser negligently files a claim under this subsection that is
4 inaccurate in whole or in part, the department of revenue shall:

5 1. If the department of revenue has not paid the claim but has allowed a portion
6 of the claim, reduce the allowance by 25%.

7 2. If the department of revenue has paid the claim, require the purchaser to
8 refund to the department of revenue that portion of the amount paid under par. (c)
9 to which the purchaser is not entitled and impose a penalty on the purchaser equal
10 to 25% of the allowance, plus interest on the sum of the unpaid penalty and the
11 amount required to be refunded, accruing from the date that the penalty is imposed,
12 at the rate of 12% per year.

13 (e) If a purchaser files a fraudulent claim under this subsection, the
14 department of revenue shall:

15 1. If the claim has not been paid and the department of revenue allows no
16 portion of the claim, impose a penalty on the purchaser equal to 50% of the amount
17 claimed by the purchaser, plus interest on the unpaid penalty, accruing from the date
18 that the penalty is imposed, at the rate of 12% per year.

19 2. If the claim has not been paid and the department of revenue allows a portion
20 of the claim, reduce the allowance by 50%.

21 3. If the claim has been paid, require the purchaser to refund to the department
22 of revenue that portion of the amount paid under par. (c) that the department of
23 revenue determines was fraudulently obtained and impose a penalty on the
24 purchaser equal to 50% of the amount claimed by the purchaser, plus interest on the

1 sum of the unpaid penalty and the amount required to be refunded, accruing from
2 the date that the penalty is imposed, at the rate of 12% per year.

3 (f) Any person who knowingly signs or verifies a fraudulent claim under par.
4 (e) may be fined not more than \$500 or imprisoned for not more than 30 days or both.

5 (g) Any person who knowingly aids, abets or assists another in making a
6 fraudulent claim under par. (e) or in signing or verifying a fraudulent claim under
7 par. (f) may be fined not more than \$500 or imprisoned for not more than 30 days or
8 both.

9 (h) With respect to imposing a penalty and requiring a refund under par. (d),
10 the department of revenue shall give notice to the purchaser within 4 years after the
11 date that the claim was filed. The department of revenue may impose a penalty and
12 require a refund under par. (e) when the department of revenue discovers the fraud
13 committed.

14 **SECTION 3121g.** 170.12 (1) (b) of the statutes is amended to read:

15 170.12 (1) (b) "Log" means a portion of the trunk of a felled tree which has not
16 been further processed for any end use, including any portion of a trunk of a tree
17 previously used in substantially its natural state as part of a dock or crib but that
18 is no longer part of a dock, a crib or any discernible structure, or is part of the debris
19 field of a dock or crib.

20 **SECTION 3121r.** 170.12 (3) (intro.) of the statutes is amended to read:

21 170.12 (3) (title) APPLICATION TO REMOVE SUNKEN LOGS IN LAKE MICHIGAN OR
22 LAKE SUPERIOR. (intro.) A person wishing to raise and remove logs in Lake Michigan
23 or Lake Superior that are resting on submerged lands owned by the state shall make
24 application to the board for a permit to do so. Unless the applicant has received a
25 permit under this section prior to the effective date of this subsection [revisor

1 inserts date], the applicant shall include with the application a performance bond in
2 the amount of at least \$10,000. The application shall do all of the following:

3 **SECTION 2314.** 170.12 (3) (d) of the statutes is amended to read:

4 170.12 (3) (d) Describe, in detail, the applicant's plans for the use and
5 disposition of any logs raised, ~~including any information necessary for or related to~~
6 ~~sub. (5).~~

7 **SECTION 3122m.** 170.12 (3) (dm) of the statutes is created to read:

8 170.12 (3) (dm) If the applicant was not engaged in commercial log raising prior
9 to the date of application, include a business plan approved by the department of
10 commerce under s. 560.03 (23).

11 **SECTION 3123m.** 170.12 (3) (g) of the statutes is amended to read:

12 170.12 (3) (g) Be accompanied by a \$50 \$500 application fee.

13 **SECTION 2315.** 170.12 (5) (intro.) of the statutes is renumbered 170.12 (5) and
14 amended to read:

15 170.12 (5) (title) ~~RESERVATION OF VALUE; OFFSET.~~ The state reserves to itself 30%
16 20% of the appraised market value of any log raised pursuant to a permit issued
17 under this section. ~~Any applicant may, as part of the application under sub. (3),~~
18 ~~propose projects for the use of logs raised, and for the use of proceeds from logs raised~~
19 ~~and sold, as an offset to the state's share of the value of any logs raised. Any project~~
20 ~~proposed as the basis for an offset shall have demonstrated potential to do 2 or more~~
21 ~~of the following:~~

22 **SECTION 2316.** 170.12 (5) (a) to (c) of the statutes are repealed.

23 **SECTION 3125g.** 170.12 (6) (intro.) of the statutes is amended to read:

24 170.12 (6) PERMIT. (intro.) Within 60 days after receipt of an application under
25 sub. (3), the board shall either approve, modify and approve or deny the application

1 for a permit. A permit issued under this subsection shall be effective for a specified
2 period, ~~not to exceed one year,~~ 5 years and shall specify all of the following:

3 **SECTION 3125r.** 170.12 (6) (a) of the statutes is amended to read:

4 170.12 (6) (a) The boundaries of the location where sunken logs may be raised
5 pursuant to the permit. The area covered by the permit shall be contiguous and may
6 not exceed 160 acres. A permit may not cover submerged lands that are not
7 contained within Lake Michigan or Lake Superior. No location may be covered by
8 more than one permit under this section.

9 **SECTION 2317.** 170.12 (6) (d) of the statutes is repealed.

10 **SECTION 3126e.** 170.12 (6) (dm) of the statutes is created to read:

11 170.12 (6) (dm) That the applicant shall implement procedures to determine
12 whether a raised log bears an American Indian tribal mark or brand, to identify the
13 tribal mark or brand, and to track the value realized from the sale of logs separately
14 for logs that bear a particular tribal mark or brand.

15 **SECTION 3126m.** 170.12 (6) (e) of the statutes is amended to read:

16 170.12 (6) (e) The procedure and times when the permit holder shall tender to
17 the board, on behalf of the state, ~~any~~ amounts due the state for its net share of the
18 value of any logs raised. The amounts due the state for its net share of the value of
19 logs described under par. (dm) shall be separately identified by tribal mark or brand.

20 **SECTION 3126p.** 170.12 (6) (g) of the statutes is amended to read:

21 170.12 (6) (g) Any requirements ~~imposed~~ recommended under s. 44.47 (5r) (b)
22 that the board determines should be a condition of the permit.

23 **SECTION 3126s.** 170.12 (7) of the statutes is repealed and recreated to read:

24 170.12 (7) PERMIT RENEWAL. If a permit holder wishes to renew a permit issued
25 under this section, the permit holder shall submit a request for renewal, together

1 with a \$500 renewal fee, to the board at least 30 days before the expiration date of
2 the permit. The board shall renew the permit for a 5-year period unless the board
3 determines, after notice to the permit holder and an opportunity for the permit
4 holder to be heard, that the permit holder has knowingly or wilfully violated the
5 terms, conditions or requirements of the permit; this section; s. 44.47; or rules
6 promulgated under this section or s. 44.47. If the board determines that there are
7 environmental or archaeological facts affecting the location specified in the permit
8 that were unknown at the time that the original permit was granted, the board may
9 attach additional conditions or restrictions to the permit. If the board determines
10 that the permit holder has knowingly or wilfully violated the terms, conditions or
11 requirements of the permit or a provision under this section or s. 44.47, the board
12 may deny the renewal or may attach conditions or restrictions to the renewal
13 necessary to ensure compliance with the requirements of the original permit.

14 **SECTION 3128m.** 170.12 (8m) of the statutes is created to read:

15 170.12 (8m) DUTIES OF PERMIT HOLDERS. (a) A holder of a permit issued under
16 this section shall do all of the following:

17 1. At the written request of the historical society, provide directly to the
18 historical society a representative sample of company logging marks by sawing off
19 the ends of the logs bearing the marks and by delivering them to the historical
20 society.

21 2. Allow a historical society designee to observe log recovery activities under
22 the permit.

23 (b) A person may not do any of the following while engaging in log recovery
24 activities pursuant to a permit issued under this section:

25 1. Remove any object, as defined in s. 44.47 (1) (f).

1 2. Disturb any discernible archaeological site, as defined in s. 44.47 (1) (b).

2 3. Disturb any crib or dock.

3 **SECTION 2318.** 170.12 (9) of the statutes is amended to read:

4 170.12 (9) TRANSFER OF TITLE. At such times as a permit holder tenders to the
5 board ~~any the~~ amounts due under the state's reservation of value, pursuant to the
6 terms and conditions of the permit, title to any logs covered by such tender shall pass
7 to the permit holder. ~~If the permit provides for an offset under sub. (6) (d), the board~~
8 ~~shall issue written findings at the conclusion of the term of the permit which describe~~
9 ~~the board's findings regarding compliance with the term of the permit and establish~~
10 ~~the proportion of the authorized offset to which the permit holder is entitled.~~

11 **SECTION 3129c.** 170.12 (9m) of the statutes is created to read:

12 170.12 (9m) USE OF REVENUE FROM PROGRAM. (a) The board shall credit the
13 amounts due the state for its net share of the value of logs described under sub. (6)
14 (dm) to the appropriation account under s. 20.507 (1) (j). For each type of tribal mark
15 or brand, the board shall identify the American Indian tribe or band which made the
16 tribal mark or brand and shall distribute the moneys received for the state's net
17 share of the value of those logs to that American Indian tribe or band.

18 (b) The application fee under sub. (3) (g), the renewal fee under sub. (7) and all
19 amounts due the state for its net share of the value of logs not described under sub.
20 (6) (dm) shall be deposited in the general fund as follows:

21 1. The first \$100,000 in a fiscal year, as general purpose revenue — earned.

22 2. The next \$300,000 in a fiscal year, as a credit to the appropriation account
23 under s. 20.245 (4) (j).

24 3. Any remaining money in a fiscal year, as general purpose revenue — earned.

25 **SECTION 3129g.** 170.12 (10) (title) of the statutes is amended to read:

1 170.12 (10) (title) ~~FORFEITURE~~ FORFEITURES AND REMEDIES.

2 **SECTION 3129m.** 170.12 (10) of the statutes is renumbered 170.12 (10) (a) and
3 amended to read:

4 170.12 (10) (a) Any logs subject to this section which are ~~raised~~ removed in
5 violation of this section, or in violation of a permit issued under this section, shall be
6 returned to the lakebed as directed by the board or shall be confiscated by the board
7 and forfeited to the state.

8 **SECTION 3129r.** 170.12 (10) (b) of the statutes is created to read:

9 170.12 (10) (b) Any person who removes for commercial gain sunken logs on
10 submerged state lands without a permit issued under this section may be required
11 to forfeit \$500 or an amount equal to 2 times the gross value of the removed logs,
12 whichever is greater, plus the reasonably incurred costs of investigation and
13 prosecution.

14 **SECTION 3129w.** 170.12 (10) (c) of the statutes is created to read:

15 170.12 (10) (c) Any person who intentionally interferes with a log recovery
16 operation for which a permit has been issued under this section is liable to the permit
17 holder for any actual losses resulting from the interference and may be required to
18 forfeit not less than \$100 nor more than \$500.

19 **SECTION 3131b.** 180.0122 (1) (r) of the statutes is amended to read:

20 180.0122 (1) (r) Application for reinstatement following administrative
21 dissolution, ~~\$10~~ \$90.

22 **SECTION 3131bm.** 180.0722 (8) (b) of the statutes is amended to read:

23 180.0722 (8) (b) Shall be solicited and appointed apart from the sale of or offer
24 to purchase shares of the issuing ~~public~~ resident domestic corporation, as defined in
25 s. ~~180.1150 (1) (a)~~ 180.1150 (1) (c).

1 **SECTION 3131bs.** 180.0722 (8) (c) of the statutes is amended to read:

2 180.0722 (8) (c) May not be solicited sooner than 30 days before the meeting
3 called under s. 180.1150 (5), unless otherwise agreed in writing by the person acting
4 under s. 180.1150 and the directors of the ~~issuing public~~ resident domestic
5 corporation, as defined in s. 180.1150 (1) ~~(a)~~ (c).

6 **SECTION 3131c.** 180.1130 (1) (a) of the statutes is amended to read:

7 180.1130 (1) (a) An organization, other than the ~~issuing public~~ resident
8 domestic corporation or a subsidiary of the ~~issuing public~~ resident domestic
9 corporation, of which the person is an officer, director, manager or partner or is,
10 directly or indirectly, the beneficial owner of 10% or more of a class of voting
11 securities.

12 **SECTION 3131cm.** 180.1130 (1) (c) of the statutes is amended to read:

13 180.1130 (1) (c) A relative or spouse of the person, or a relative of the spouse,
14 who has the same principal residence as the person who is a director or officer of the
15 ~~issuing public~~ resident domestic corporation or of an affiliate of the ~~issuing public~~
16 resident domestic corporation.

17 **SECTION 3131d.** 180.1130 (2) (b) of the statutes is amended to read:

18 180.1130 (2) (b) The existence of an option from, or other arrangement with,
19 ~~an issuing public~~ a resident domestic corporation to acquire securities of the ~~issuing~~
20 public resident domestic corporation.

21 **SECTION 3131e.** 180.1130 (3) (a) (intro.) of the statutes is amended to read:

22 180.1130 (3) (a) (intro.) Unless the merger or share exchange is subject to s.
23 180.1104, does not alter the contract rights of the shares as set forth in the articles
24 of incorporation or does not change or convert in whole or in part the outstanding
25 shares of the ~~issuing public~~ resident domestic corporation, a merger or share

1 exchange of the ~~issuing public~~ resident domestic corporation or a subsidiary of the
2 ~~issuing public~~ resident domestic corporation with any of the following:

3 **SECTION 3131em.** 180.1130 (3) (b) of the statutes is amended to read:

4 180.1130 (3) (b) A sale, lease, exchange or other disposition, other than a
5 mortgage or pledge if not made to avoid the requirements of ss. 180.1130 to 180.1134,
6 to a significant shareholder, other than the ~~issuing public~~ resident domestic
7 corporation or a subsidiary of the ~~issuing public~~ resident domestic corporation, or to
8 an affiliate of the significant shareholder, of all or substantially all of the property
9 and assets, with or without goodwill, of an ~~issuing public~~ a resident domestic
10 corporation, if not made in the usual and regular course of its business.

11 **SECTION 3131f.** 180.1130 (8) of the statutes is repealed.

12 **SECTION 3131g.** 180.1130 (9) (a) 4. of the statutes is amended to read:

13 180.1130 (9) (a) 4. If no report or quote is available under subd. 1., 2. or 3., the
14 fair market value as determined in good faith by the board of directors of the ~~issuing~~
15 ~~public~~ resident domestic corporation.

16 **SECTION 3131gm.** 180.1130 (10m) of the statutes is created to read:

17 180.1130 (10m) “Resident domestic corporation” means a resident domestic
18 corporation, as defined in s. 180.1140 (9), if that corporation does not have a class of
19 voting stock that is registered or traded on a national securities exchange or that is
20 registered under section 12 (g) of the Securities Exchange Act.

21 **SECTION 3131h.** 180.1130 (11) of the statutes is amended to read:

22 180.1130 (11) “Significant shareholder”, with respect to an ~~issuing public~~ a
23 resident domestic corporation, means a person that is the beneficial owner, directly
24 or indirectly, of 10% or more of the voting power of the outstanding voting shares of
25 the ~~issuing public~~ resident domestic corporation; or is an affiliate of the ~~issuing~~

1 ~~public~~ resident domestic corporation and within the 2-year period immediately
2 before the date in question was the beneficial owner, directly or indirectly, of 10% or
3 more of the voting power of the then outstanding voting shares of the ~~issuing public~~
4 resident domestic corporation. For the purpose of determining whether a person is
5 a significant shareholder, the number of voting shares considered to be outstanding
6 includes shares considered to be owned by the person as the beneficial owner but does
7 not include any other voting shares which may be issuable under an agreement,
8 arrangement or understanding, or upon exercise of conversion rights, warrants or
9 options, or otherwise. In this paragraph, “person” includes 2 or more individuals or
10 persons acting as a group for the purpose of acquiring, holding or voting securities
11 of an ~~issuing public~~ a resident domestic corporation.

12 **SECTION 3131i.** 180.1130 (13) (intro.) of the statutes is amended to read:

13 180.1130 (13) (intro.) “Take-over offer” means the offer to acquire or the
14 acquisition of any equity security, as defined in s. 552.01 (2), of an ~~issuing public~~ a
15 resident domestic corporation, pursuant to a tender offer or request or invitation for
16 tenders, if after the acquisition thereof the offer or, as defined in s. 552.01 (3), would
17 be directly or indirectly a beneficial owner of more than 5% of any class of the
18 outstanding equity securities of the issuer. “Take-over offer” does not include an
19 offer or acquisition of any equity security of an ~~issuing public~~ a resident domestic
20 corporation pursuant to:

21 **SECTION 3131im.** 180.1130 (13) (d) of the statutes is amended to read:

22 180.1130 (13) (d) An offer made to all the shareholders of the ~~issuing public~~
23 resident domestic corporation, if the number of its shareholders does not exceed 100
24 at the time of the offer.

25 **SECTION 3131j.** 180.1130 (13) (f) of the statutes is amended to read:

1 180.1130 (13) (f) An offer by the ~~issuing public~~ resident domestic corporation
2 to acquire its own equity securities.

3 **SECTION 3131k.** 180.1131 (intro.) of the statutes is amended to read:

4 **180.1131 Shareholder vote.** (intro.) In addition to a vote otherwise required
5 by law or the articles of incorporation of the ~~issuing public~~ resident domestic
6 corporation, a business combination must be approved by the affirmative vote of at
7 least all of the following, except as provided in s. 180.1132:

8 **SECTION 3131km.** 180.1132 (1) (a) (intro.) of the statutes is amended to read:

9 180.1132 (1) (a) (intro.) The aggregate amount of the cash and the market value
10 as of the valuation date of consideration other than cash to be received per share by
11 shareholders of the ~~issuing public~~ resident domestic corporation in the business
12 combination is at least equal to the highest of the following:

13 **SECTION 3131L.** 180.1132 (2) (c) of the statutes is amended to read:

14 180.1132 (2) (c) ~~An issuing public~~ A resident domestic corporation whose
15 shareholders adopt an amendment to the articles of incorporation on or after April
16 24, 1984, by a vote of at least 80% of the votes entitled to be cast by outstanding shares
17 of voting shares of the ~~issuing public~~ resident domestic corporation, voting together
18 as a single voting group and by two-thirds of the votes entitled to be cast by persons,
19 if any, who are not significant shareholders of the ~~issuing public~~ resident domestic
20 corporation, voting together as a single voting group, expressly electing not to be
21 governed by ss. 180.1130 to 180.1134.

22 **SECTION 3131m.** 180.1132 (3) of the statutes is amended to read:

23 180.1132 (3) OPT-IN FOR CERTAIN CORPORATIONS. A corporation that is not an
24 ~~issuing public~~ a resident domestic corporation may elect, by express provision in its
25 articles of incorporation, to be subject to ss. 180.1130 to 180.1134 as if it were an

1 ~~issuing public~~ a resident domestic corporation unless its articles of incorporation
2 contain a provision stating that the corporation is a close corporation under ss.
3 180.1801 to 180.1837.

4 **SECTION 3131n.** 180.1134 (intro.) of the statutes is amended to read:

5 **180.1134 Actions during take-over offer.** (intro.) In addition to a vote
6 otherwise required by law or the articles of incorporation of the ~~issuing public~~
7 resident domestic corporation, approval by vote of holders of a majority of the shares
8 of the ~~issuing public~~ resident domestic corporation entitled to vote on the proposal
9 is required at a shareholders' meeting held in conformance with ss. 180.0705 and
10 180.0725 before any of the following actions may be taken by the officers or board of
11 directors of the ~~issuing public~~ resident domestic corporation, while a take-over offer
12 is being made, or after a take-over offer has been publicly announced and before it
13 is concluded, for the ~~issuing public~~ resident domestic corporation's voting shares:

14 **SECTION 3131nm.** 180.1134 (1) of the statutes is amended to read:

15 180.1134 (1) Acquiring more than 5% of the ~~issuing public~~ resident domestic
16 corporation's voting shares at a price above the market value from any individual
17 who or organization which holds more than 3% of the voting shares and has held the
18 shares for less than 2 years, unless the ~~issuing public~~ resident domestic corporation
19 makes at least an equal offer to acquire all voting shares and all securities which may
20 be converted into voting shares.

21 **SECTION 3131o.** 180.1134 (2) of the statutes is amended to read:

22 180.1134 (2) Selling or optioning assets of the ~~issuing public~~ resident domestic
23 corporation which amount to at least 10% of the market value of the ~~issuing public~~
24 resident domestic corporation. This subsection does not apply to an ~~issuing public~~
25 a resident domestic corporation if all of the following are satisfied:

1 (a) ~~The issuing public~~ resident domestic corporation has at least 3 directors who
2 are not either officers or employes of the ~~issuing public~~ resident domestic
3 corporation.

4 (b) A majority of the directors who are not either officers or employes of the
5 ~~issuing public~~ resident domestic corporation vote to not be governed by this
6 subsection.

7 **SECTION 3131p.** 180.1150 (1) (a) of the statutes is repealed.

8 **SECTION 3131pm.** 180.1150 (1) (b) of the statutes is amended to read:

9 180.1150 (1) (b) "Person" includes 2 or more individuals or persons acting as
10 a group for the purpose of acquiring or holding securities of ~~an issuing public a~~
11 resident domestic corporation, but does not include a bank, broker, nominee, trustee
12 or other person that acquires or holds shares in the ordinary course of business for
13 others in good faith and not for the purpose of avoiding this section unless the person
14 may exercise or direct the exercise of votes with respect to the shares at a meeting
15 of shareholders without further instruction from another.

16 **SECTION 3131r.** 180.1150 (1) (c) of the statutes is created to read:

17 180.1150 (1) (c) "Resident domestic corporation" has the meaning given in s.
18 180.1130 (10m).

19 **SECTION 3131s.** 180.1150 (2) of the statutes is amended to read:

20 180.1150 (2) Unless otherwise provided in the articles of incorporation of ~~an~~
21 ~~issuing public a~~ resident domestic corporation and except as provided in sub. (3) or
22 as restored under sub. (5), the voting power of shares of ~~an issuing public a resident~~
23 domestic corporation held by any person, including shares issuable upon conversion
24 of convertible securities or upon exercise of options or warrants, in excess of 20% of

1 the voting power in the election of directors shall be limited to 10% of the full voting
2 power of those shares.

3 **SECTION 3131sm.** 180.1150 (3) (intro.) of the statutes is amended to read:

4 180.1150 (3) (intro.) Shares of ~~an issuing public~~ a resident domestic corporation
5 held, acquired or to be acquired in any of the following circumstances are excluded
6 from the application of this section:

7 **SECTION 3131t.** 180.1150 (3) (e) of the statutes is amended to read:

8 180.1150 (3) (e) Shares acquired under s. 180.1101, 180.1102, 180.1104 or
9 180.1107 if the ~~issuing public~~ resident domestic corporation is a party to the merger
10 or share exchange.

11 **SECTION 3131u.** 180.1150 (3) (f) of the statutes is amended to read:

12 180.1150 (3) (f) Shares acquired from the ~~issuing public~~ resident domestic
13 corporation.

14 **SECTION 3131um.** 180.1150 (3) (g) of the statutes is amended to read:

15 180.1150 (3) (g) Shares acquired under an agreement entered into at a time
16 when the ~~issuing public~~ resident domestic corporation was ~~not~~ neither a resident
17 domestic corporation nor an issuing public corporation under s. 180.1150 (1) (a), 1995
18 stats.

19 **SECTION 3131v.** 180.1150 (3) (i) of the statutes is amended to read:

20 180.1150 (3) (i) Shares acquired in a transaction incident to which the
21 shareholders of the ~~issuing public~~ resident domestic corporation have voted under
22 sub. (5) to approve the person's resolution delivered under sub. (4) to restore the full
23 voting power of all of that person's shares.

24 **SECTION 3131w.** 180.1150 (4) (intro.) of the statutes is amended to read:

1 180.1150 (4) (intro.) A person desiring a shareholder vote under sub. (5) shall
2 deliver to the ~~issuing public~~ resident domestic corporation at its principal office a
3 form of shareholder resolution with an accompanying notice containing all of the
4 following:

5 **SECTION 3131x.** 180.1150 (4) (c) of the statutes is amended to read:

6 180.1150 (4) (c) The number of shares of the ~~issuing public~~ resident domestic
7 corporation owned by the person of record and beneficially under the meaning
8 prescribed in rule 13d-3 under the securities exchange act of 1934.

9 **SECTION 3131xm.** 180.1150 (4) (f) of the statutes is amended to read:

10 180.1150 (4) (f) If shares representing in excess of 20% of the voting power were
11 acquired or are proposed to be acquired for the purpose of gaining control of the
12 ~~issuing public~~ resident domestic corporation, the terms of the proposed acquisition,
13 including but not limited to the source of funds or other consideration and the
14 material terms of the financial arrangements for the acquisition, any plans or
15 proposals of the person to liquidate the ~~issuing public~~ resident domestic corporation,
16 to sell all or substantially all of its assets, or merge it or exchange its shares with any
17 other person, to change the location of its principal office or of a material portion of
18 its business activities, to change materially its management or policies of
19 employment, to alter materially its relationship with suppliers or customers or the
20 communities in which it operates, or make any other material change in its business,
21 corporate structure, management or personnel, and such other material information
22 as would affect the decision of a shareholder with respect to voting on the resolution.

23 **SECTION 3131y.** 180.1150 (5) (a) of the statutes is amended to read:

24 180.1150 (5) (a) Within 10 days after receipt of a resolution and notice under
25 sub. (4), the directors of the ~~issuing public~~ resident domestic corporation shall fix a

1 date for a special meeting of the shareholders to vote on the resolution. The meeting
2 shall be held no later than 50 days after receipt of the resolution and notice under
3 sub. (4), unless the person agrees to a later date, and no sooner than 30 days after
4 receipt of the resolution and notice, if the person so requests in writing when
5 delivering the resolution and notice.

6 **SECTION 3131ym.** 180.1150 (5) (d) of the statutes is amended to read:

7 180.1150 (5) (d) ~~An issuing public~~ A resident domestic corporation is not
8 required to hold more than 2 meetings under par. (a) in any 12-month period with
9 respect to resolutions and notices presented by the same person unless the person
10 pays to the ~~issuing public~~ corporation, in advance of the 3rd or subsequent such
11 meeting the reasonable expenses of the meeting including, without limitation, fees
12 and expenses of counsel, as estimated in good faith by the board of directors of the
13 ~~issuing public~~ resident domestic corporation and communicated in writing to the
14 person within 10 days after receipt of a 3rd or subsequent resolution and notice from
15 the person. In such event, notwithstanding par. (a), the directors may fix a date for
16 the meeting within 10 days after receipt of payment in full of such estimated
17 expenses rather than within 10 days after receipt of the resolution and notice.

18 **SECTION 3131yn.** 180.1150 (7) of the statutes is amended to read:

19 180.1150 (7) A corporation that is not ~~an issuing public~~ a resident domestic
20 corporation may elect, by express provision in its articles of incorporation, to be
21 subject to this section as if it were ~~an issuing public~~ a resident domestic corporation
22 unless its articles of incorporation contain a provision stating that the corporation
23 is a close corporation under ss. 180.1801 to 180.1837.

24 **SECTION 3131yp.** 180.1422 (1) (intro.) of the statutes is amended to read:

1 180.1422 (1) (intro.) A corporation that is administratively dissolved may
2 apply to the department for reinstatement ~~within 2 years after the later of January~~
3 ~~1, 1991, or the effective date of dissolution.~~ The application shall include all of the
4 following:

5 **SECTION 3131yq.** 180.1422 (1) (b) of the statutes is amended to read:

6 180.1422 (1) (b) ~~That~~ A statement that each ground for dissolution either did
7 not exist or has been ~~eliminated~~ cured.

8 **SECTION 3131yr.** 180.1422 (1) (c) of the statutes is amended to read:

9 180.1422 (1) (c) ~~That~~ A statement that the corporation's name satisfies s.
10 180.0401.

11 **SECTION 3131ys.** 180.1422 (2) (a) (intro.) of the statutes is amended to read:

12 180.1422 (2) (a) (intro.) The department shall cancel the certificate of
13 dissolution and ~~prepare~~ issue a certificate of reinstatement that complies with par.
14 (b) if the department determines all of the following:

15 **SECTION 3131yt.** 180.1422 (2) (a) 2. of the statutes is amended to read:

16 180.1422 (2) (a) 2. That all fees and penalties owed by the corporation to the
17 department under this chapter have been paid.

18 **SECTION 3131yu.** 180.1422 (2) (b) of the statutes is amended to read:

19 180.1422 (2) (b) The certificate of reinstatement shall state the department's
20 determination under par. (a) and the effective date of reinstatement. The
21 department shall file ~~the original of the certificate and return~~ provide a copy to the
22 corporation or its representative.

23 **SECTION 3131z.** 180.1602 (2) (c) of the statutes is amended to read:

24 180.1602 (2) (c) A person that has delivered the resolution under s. 180.1150
25 (4) may, by giving written notice to the ~~issuing public~~ resident domestic corporation,

1 as defined in s. 180.1150 (1) ~~(a)~~ (c), that complies with s. 180.0141, inspect and copy
2 the record of shareholders of the ~~issuing public~~ resident domestic corporation, in
3 person or by agent or attorney at any reasonable time for the purpose of
4 communicating with the shareholders in connection with the special shareholders'
5 meeting under s. 180.1150 (5).

6 **SECTION 3131zc.** 180.1708 (7) (bm) of the statutes is amended to read:

7 180.1708 (7) (bm) ~~Section~~ Sections 180.1422 ~~applies~~ and 180.1423 apply to an
8 administrative dissolution before, on or after January 1, 1991.

9 **SECTION 3131zf.** 181.563 (1) (intro.) of the statutes is amended to read:

10 181.563 (1) (intro.) A corporation that is administratively dissolved may apply
11 to the department for reinstatement ~~within 2 years after the later of January 1, 1994,~~
12 ~~or the effective date of dissolution.~~ The application shall include all of the following:

13 **SECTION 3131zm.** 181.563 (1) (b) of the statutes is amended to read:

14 181.563 (1) (b) ~~That~~ A statement that each ground for dissolution either did not
15 exist or has been eliminated cured.

16 **SECTION 3131zn.** 181.563 (1) (c) of the statutes is amended to read:

17 181.563 (1) (c) ~~That~~ A statement that the corporation's name satisfies s. 181.06.

18 **SECTION 3131zo.** 181.563 (2) (a) (intro.) of the statutes is amended to read:

19 181.563 (2) (a) (intro.) The department shall cancel the certificate of dissolution
20 and ~~prepare~~ issue a certificate of reinstatement that complies with par. (b) if the
21 department determines all of the following:

22 **SECTION 3131zp.** 181.563 (2) (a) 2. of the statutes is amended to read:

23 181.563 (2) (a) 2. That all fees and penalties owed by the corporation to the
24 department under this chapter have been paid.

25 **SECTION 3131zq.** 181.563 (2) (b) of the statutes is amended to read:

1 181.563 (2) (b) The certificate of reinstatement shall state the department's
2 determination under par. (a) and the effective date of reinstatement. The
3 department shall file ~~the original of the certificate and serve~~ provide a copy ~~on~~ to the
4 corporation under ~~s. 181.10~~ or its representative.

5 **SECTION 3131zr.** 181.68 (1) (L) of the statutes is amended to read:

6 181.68 (1) (L) Application for reinstatement following administrative
7 dissolution, \$~~10~~ \$35.

8 **SECTION 3131zs.** 181.76 (6) of the statutes is created to read:

9 181.76 (6) Sections 181.563 and 181.564 apply to a corporation
10 administratively dissolved before, on or after January 1, 1994.

11 **SECTION 2319.** 182.028 of the statutes is amended to read:

12 **182.028 School corporations.** Any corporation formed for the establishment
13 and maintenance of schools, academies, seminaries, colleges or universities or for the
14 cultivation and practice of music shall have power to enact bylaws for the protection
15 of its property, and provide fines as liquidated damages upon its members and
16 patrons for violating the bylaws, and may collect the same in tort actions, and to
17 prescribe and regulate the courses of instruction therein, and to confer such degrees
18 and grant such diplomas as are usually conferred by similar institutions or as shall
19 be appropriate to the courses of instruction prescribed, except that no corporation
20 shall operate or advertise a school that is subject to s. ~~38.51~~ 39.51 (10) without
21 complying with the requirements of s. ~~38.51~~ 39.51. Any stockholder may transfer his
22 or her stock to the corporation for its use; and if the written transfer so provides the
23 stock shall be perpetually held by the board of directors with all the rights of a
24 stockholder, including the right to vote.

1 **SECTION 3132m.** 183.0802 (3) of the statutes is renumbered 183.0802 (3) (a)
2 and amended to read:

3 183.0802 (3) (a) ~~Unless~~ Except as provided in par. (b), unless an operating
4 agreement provides that a member does not have the power to withdraw by
5 voluntary act from a limited liability company, the member may do so at any time by
6 giving written notice to the other members, or on any other terms as are provided in
7 an operating agreement. If the member has the power to withdraw but the
8 withdrawal is a breach of an operating agreement or the withdrawal occurs as a
9 result of otherwise wrongful conduct of the member, the limited liability company
10 may recover from the withdrawing member damages for breach of the operating
11 agreement or as a result of the wrongful conduct and may offset the damages against
12 the amount otherwise distributable to the member, in addition to pursuing any
13 remedies provided for in an operating agreement or otherwise available under
14 applicable law. Unless otherwise provided in an operating agreement, in the case of
15 a limited liability company for a definite term or particular undertaking, a
16 withdrawal by a member before the expiration of that term or completion of that
17 undertaking is a breach of the operating agreement.

18 **SECTION 3132p.** 183.0802 (3) (b) of the statutes is created to read:

19 183.0802 (3) (b) If a member acquired an interest in a limited liability company
20 for no or nominal consideration, the member may withdraw from the limited liability
21 company only in accordance with the operating agreement and only at the time or
22 upon the occurrence of an event specified in the operating agreement. If the
23 operating agreement does not specify the time or the event upon the occurrence of
24 which the member may withdraw, a member who acquired an interest in the limited
25 liability company for no or nominal consideration may not withdraw prior to the time

1 for the dissolution and commencement of winding up of the limited liability company
2 without the written consent of all members of the limited liability company.

3 **SECTION 2320.** 185.981 (4t) of the statutes, as affected by 1995 Wisconsin Act
4 289, is amended to read:

5 185.981 (4t) A sickness care plan operated by a cooperative association is
6 subject to ss. 252.14, 631.89, 632.72 (2), 632.745, 632.747, 632.749, 632.87 (2m), (3),
7 (4) and (5), 632.895 (10) to (12) and 632.897 (10) and ~~ch. 149 and 155~~.

8 **SECTION 2321.** 185.983 (1) (intro.) of the statutes, as affected by 1995 Wisconsin
9 Act 289, is amended to read:

10 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
11 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
12 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
13 (2), 632.745, 632.747, 632.749, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and (5),
14 632.895 (5), ~~(9) and (10)~~ and (9) to (12), 632.896 and 632.897 (10), ~~subch. II of ch. 619~~
15 and chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:

16 **SECTION 2322.** 196.20 (5) (d) of the statutes is amended to read:

17 196.20 (5) (d) If the commission does not conduct a hearing under this
18 subsection, a proposed rate increase or change in a rate schedule becomes effective
19 as proposed and any rates, tolls or charges under review under s. 196.215 (6) or (7)
20 may not be altered unless the commission issues a final order no later than 150 days
21 after the commission receives the application or receives the information under par.
22 (b) 1g. and 1r. If the commission conducts a hearing, a proposed rate increase or
23 change in a rate schedule becomes effective as proposed and any rates, tolls or
24 charges under review under s. 196.215 (6) or (7) may not be altered unless the
25 commission issues the final order no later than 180 days after the commission

1 receives the application or receives the information under par. (b) 1g. and 1r. If the
2 commission conducts a hearing, the hearing examiner may extend the time for
3 issuing a final order up to 30 additional days. The commission and the small
4 telecommunications utility may agree in writing to extend the time for issuing a final
5 order. ~~Notwithstanding ss. 196.34 and 196.36 (2), the commission may require the~~
6 ~~small telecommunications utility to bear the expense of producing a transcript of a~~
7 ~~hearing conducted under this section.~~

8 **SECTION 2323.** 196.20 (6) of the statutes is amended to read:

9 196.20 (6) If a telecommunications utility that is not a small
10 telecommunications utility and that has 150,000 or less access lines in use in this
11 state files with the commission an application for a rate change that constitutes an
12 increase in rates, the rate change becomes effective as proposed unless the
13 commission issues the final order on the application no later than 180 days after the
14 commission receives the application. The hearing examiner may extend the time for
15 issuing a final order up to 30 additional days. The commission and the
16 telecommunications utility may agree in writing to extend the time for issuing a final
17 order. ~~Notwithstanding ss. 196.34 and 196.36 (2), the commission may require the~~
18 ~~telecommunications utility to bear the expense of producing a transcript of a hearing~~
19 ~~conducted under this subsection.~~

20 **SECTION 3143m.** 196.202 (1) of the statutes is amended to read:

21 196.202 (1) DEFINITION. In this section, “cellular mobile radio
22 telecommunications utility” means a person authorized by the federal
23 communications commission to provide domestic public commercial mobile cellular
24 radio telecommunications service under 47 USC 154 (i).

25 **SECTION 2324.** 196.202 (2) of the statutes is amended to read:

1 196.202 (2) SCOPE OF REGULATION. A cellular mobile radio telecommunications
2 utility is not subject to ch. 184 or this chapter, except a cellular mobile radio
3 telecommunications utility is subject to s. 196.218 (3) to the extent not preempted by
4 federal law. If the application of s. 196.218 (3) to a cellular mobile radio
5 telecommunications utility is not preempted, a cellular mobile radio
6 telecommunications utility shall respond, subject to the protection of the cellular
7 mobile radio telecommunications utility's competitive information, to all reasonable
8 requests for information about its operations in this state from the commission
9 necessary to establish and administer the universal service fund.

10 **SECTION 2325.** 196.218 (1) of the statutes is renumbered 196.218 (1) (intro.)
11 and amended to read:

12 196.218 (1) (title) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, ~~“universal~~
13 “Universal service” includes the availability of a basic set of essential
14 telecommunications services and access to advanced service capabilities of a modern
15 telecommunications infrastructure anywhere in this state.

16 **SECTION 2326.** 196.218 (1) (a) and (b) of the statutes are created to read:

17 196.218 (1) (a) “Board” means the technology for educational achievement in
18 Wisconsin board.

19 (b) “Department” means the department of administration.

20 **SECTION 2327.** 196.218 (1) (d) of the statutes is created to read:

21 196.218 (1) (d) “Universal service fund” means the trust fund established
22 under s. 25.95.

23 **SECTION 2328.** 196.218 (2) (a) and (b) of the statutes are repealed.

24 **SECTION 2329.** 196.218 (3) (a) 3. of the statutes is amended to read:

1 196.218 (3) (a) 3. The commission shall designate the method by which the
2 contributions under this paragraph shall be calculated and collected. The method
3 shall ensure that the contributions are sufficient to generate the amounts
4 appropriated under ss. 20.155 (1) (q), 20.275 (1) (s) and (t) and 20.285 (1) (q).
5 Contributions may be based only on the gross operating revenues from the provision
6 of broadcast services identified by the commission under subd. 2. and on intrastate
7 telecommunications services in this state of the telecommunications providers
8 subject to the contribution.

9 **SECTION 3149g.** 196.218 (3) (a) 4. of the statutes is created to read:

10 196.218 (3) (a) 4. In calculating contribution amounts that must be paid into
11 the universal service fund by telecommunications utilities that provide basic local
12 exchange service, the commission shall determine the portion of the contributions
13 that are used for the purposes specified in sub. (5) (a) 5. and 6.

14 **SECTION 3149r.** 196.218 (3) (f) of the statutes is created to read:

15 196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5)
16 and (6), 196.213 and 196.215, a telecommunications utility that provides basic local
17 exchange service may make adjustments to basic local exchange rates for the
18 purpose of recovering the portion of its contributions to the universal service fund
19 that is determined by the commission under par. (a) 4.

20 **SECTION 2330.** 196.218 (4r) of the statutes is created to read:

21 196.218 (4r) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM. (a) In this
22 subsection:

23 1. "Data line" means a data circuit that provides direct access to the internet.

1 2. "Private college" means a private, regionally accredited, 4-year, nonprofit
2 college or university that is incorporated in this state or that has its regional
3 headquarters and principal place of business in this state.

4 3. "Video link" means a 2-way interactive video circuit.

5 (b) The commission, in consultation with the department and the board, shall
6 promulgate rules establishing an educational telecommunications access program
7 to provide school districts, technical college districts, private colleges and public
8 library boards with access to data lines and video links.

9 (c) The rules promulgated under par. (b) shall do all of the following:

10 1. Allow a school district, technical college district, private college and public
11 library board to make a request to the board for access to either one data line or one
12 video link, except that if a school district operates more than one high school the rules
13 shall allow the school district to request access to both a data line and a video link
14 and to request access to more than one data line or video link. The board shall
15 forward requests received under this subdivision to the commission and the
16 department.

17 2. Establish eligibility requirements for a school district, technical college
18 district, private college and public library board to participate in the program
19 established under par. (b). The requirements shall prohibit a participant in the
20 program from receiving assistance from the universal service fund for the purpose
21 specified in sub. (5) (a) 3. for educational telecommunications access that is
22 substantially similar to the access provided to the participant under the program.

23 3. Establish specifications for a data line or video link that is provided to a
24 school district, technical college district, private college and public library board
25 under the program established under par. (b).

1 4. Require a school district, technical college district, private college and public
2 library board to pay the department not more than \$250 per month for each data line
3 or video link that is provided to the school district, technical college district, private
4 college and public library board under the program established under par. (b).

5 5. Include the protections specified in s. 196.209 (4) (a) and (b). Before
6 promulgating the rules required under this subdivision, the commission shall
7 consult with the telecommunications privacy council appointed under s. 196.209 (5)
8 (a).

9 (d) The commission shall submit an annual report to the board on the status
10 of providing data lines and video links that are requested under par. (c) 1. and the
11 impact on the universal service fund of any payment under sub. (5) (a) 5.

12 (e) If the federal communications commission promulgates or modifies rules
13 that provide rate discounts for telecommunications services to school districts,
14 technical college districts, private colleges or public library boards under 47 USC
15 254, the governor shall submit a report to the joint committee on finance that
16 includes any recommended changes to statutes or rules with respect to funding the
17 program established under par. (b).

18 (f) Notwithstanding pars. (b) and (c), technical college districts are not eligible
19 to participate in the program established under par. (b) before April 1, 1998. In
20 consultation with the commission, the board shall determine by April 1, 1998,
21 whether there are sufficient moneys in the appropriation under s. 20.275 (1) (s) to
22 include technical college districts in the program established under par. (b). If the
23 board determines that there are sufficient moneys, technical college districts are
24 eligible to participate in the program established under par. (b) beginning on April
25 1, 1998.

1 (g) From the appropriation under s. 20.275 (1) (s), the board may award an
2 annual grant to a school district that had in effect on May 1, 1997, a contract for
3 access to a data line or video link, as documented by the commission. The board shall
4 determine the amount of the grant, which shall be equal to the cost incurred by the
5 state to provide telecommunications access to a school district under a contract
6 entered into under s. 16.974 (7) (a) less the amount that the school district would be
7 paying under par. (c) 4. if the school district were participating in the program
8 established under par. (b). A school district receiving a grant under this paragraph
9 is not eligible to participate in the program under par. (b). No grant may be awarded
10 under this paragraph after June 30, 2002.

11 **SECTION 2331.** 196.218 (5) (a) (intro.) of the statutes is amended to read:

12 196.218 (5) (a) (intro.) The commission shall require that use the moneys in the
13 universal service fund ~~be used~~ only for any of the following purposes:

14 **SECTION 2332.** 196.218 (5) (a) 5. of the statutes is created to read:

15 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
16 the extent that these costs are not paid under sub. (4r) (c) 4.

17 **SECTION 3152p.** 196.218 (5) (a) 6. of the statutes is created to read:

18 196.218 (5) (a) 6. To pay the department of administration for
19 telecommunications services provided under s. 16.973 (1) to the campuses of the
20 University of Wisconsin System at River Falls, Stout, Superior and Whitewater.

21 **SECTION 2333.** 196.218 (5) (b) of the statutes is amended to read:

22 196.218 (5) (b) The commission shall promulgate rules to determine whether
23 a telecommunications provider, the customers of a telecommunications provider or
24 another person shall be assisted by the universal service fund for any use under par.
25 (a) 1. to 4.

1 **SECTION 2334.** 196.218 (5m) of the statutes is amended to read:

2 196.218 **(5m)** RULE REVIEW. ~~At Except for rules promulgated under sub. (4r) (b),~~
3 at least biennially, the commission shall review and revise as appropriate rules
4 promulgated under this section.

5 **SECTION 2335.** 196.218 (6) (b) of the statutes is amended to read:

6 196.218 **(6)** (b) The universal service fund council shall advise the commission
7 concerning the administration of this section and the content of rules promulgated
8 under this section. This paragraph does not apply to the administration of sub. (4r)
9 and rules promulgated under sub. (4r) (b).

10 **SECTION 2336.** 196.36 (1r) of the statutes is created to read:

11 196.36 **(1r)** PRODUCTION EXPENSES. The commission may require any party to
12 an investigation or hearing to bear the expense of producing a transcript, audiotape
13 or videotape that is related to the investigation or hearing.

14 **SECTION 2337.** 196.36 (2) of the statutes is amended to read:

15 196.36 **(2)** COPIES. ~~A Upon request, the commission shall furnish a copy of a~~
16 ~~transcript under this section shall be furnished on demand free of cost to any party~~
17 ~~to the investigation or hearing from which the transcript is taken. Upon request, the~~
18 ~~commission and shall furnish a copy of an audiotape or videotape to any party to the~~
19 ~~investigation or hearing from which the audiotape or videotape is taken. The~~
20 ~~commission may charge a reasonable price for the transcript or tape.~~

21 **SECTION 3157m.** 196.491 (4) of the statutes is created to read:

22 196.491 **(4)** EXEMPTIONS. (a) Subsection (2) does not apply to a person that
23 constructs, owns or operates electric generating equipment and associated facilities
24 if all of the following are satisfied:

1 1. The person is not a public utility or a cooperative association organized under
2 ch. 185 for the purpose of generating, distributing or furnishing electric energy at
3 retail or wholesale to its members only.

4 2. The person reasonably anticipates, at the time that construction of the
5 equipment or facilities commences, that on each day that the equipment and
6 facilities are in operation the person will consume no less than 70% of the aggregate
7 kilowatt hours output from the equipment and facilities in manufacturing processes
8 at the site where the equipment and facilities are located.

9 3. The person consumes no less than 70% of the aggregate kilowatt hours
10 output from the equipment and facilities, calculated on a monthly basis for each
11 month of the biennial period preceding the date on which the plan under sub. (2)
12 must be filed, in manufacturing processes at the site where the equipment and
13 facilities are located.

14 (b) Subsection (3) does not apply to a person that constructs electric generating
15 equipment and associated facilities if the person satisfies the requirements specified
16 in par. (a) 1. and 2.

17 **SECTION 2338.** 196.499 (1) of the statutes is amended to read:

18 196.499 (1) SCOPE. Notwithstanding any other provisions of this chapter, a
19 telecommunications carrier is not subject to regulation under this chapter, except
20 that a telecommunications carrier shall comply with the requirements of this
21 section, shall be treated under ss. 196.209, 196.218 (8) and 196.219 (4d) as a
22 telecommunications provider, under s. 196.85 as a telecommunications utility and
23 under s. 196.858 as an interexchange telecommunications utility, may be assessed
24 under s. 196.218 (3) as a telecommunications provider and shall respond, subject to
25 the protection of the telecommunications carrier's competitive information, to all

1 reasonable requests for information about its operations in this state from the
2 commission necessary to ~~establish and~~ administer the universal service fund. A
3 telecommunications carrier may not be assessed in a manner that is inconsistent
4 with this section.

5 **SECTION 2339.** 196.856 of the statutes is repealed.

6 **SECTION 2340.** 196.857 (1m) (b) of the statutes is amended to read:

7 196.857 (**1m**) (b) The amount appropriated under s. 20.115 (~~8~~) (3) (j), less any
8 fees received from farmers under sub. (2g) and credited to the appropriation account
9 under s. 20.115 (~~8~~) (3) (j). The amounts received under this paragraph shall be
10 credited to the appropriation ~~made in~~ account under s. 20.115 (~~8~~) (3) (j).

11 **SECTION 2341.** 196.857 (2g) of the statutes is amended to read:

12 196.857 (**2g**) FARM SERVICE FEES. The commission may charge reasonable fees
13 not to exceed \$300 per farm for services provided to farmers under this section. The
14 fees shall be in accordance with a standardized schedule of fees established by the
15 commission by rule. The fees collected under this subsection shall be credited to the
16 appropriation account under s. 20.115 (~~8~~) (3) (j) in each fiscal year.

17 **SECTION 2342.** 198.12 (2) of the statutes is amended to read:

18 198.12 (**2**) SERVICE OF PROCESS ON, PERSONAL INJURY CLAIMS, VENUE. The district
19 shall sue or be sued in its corporate name and service of process upon the district
20 shall be by service upon the chairperson of the board and the clerk of the district, but
21 no action shall be brought or maintained against a district upon a claim or cause of
22 action unless the claimant complies with s. 893.80. Compliance with s. 893.80 is not
23 required under this subsection in actions commenced under s. 19.37 ~~or~~, 19.97 or
24 281.99. All actions by or against the district, except condemnation proceedings and
25 actions to which the state or any officer or commission thereof is a party, shall be

1 brought in the circuit court for the county in which its principal administrative office
2 is located.

3 **SECTION 2343.** 214.37 (4) (k) 1. of the statutes is amended to read:

4 214.37 (4) (k) 1. An affidavit stating that the person has standing under s.
5 867.01 (3) or 867.02 (2) to petition for summary settlement or assignment of a
6 decedent's estate or that the person is an heir who of the decedent, or was guardian,
7 as defined in s. 880.01 (3), of the decedent at the time of the decedent's death, and
8 may obtain transfer of property of a decedent under s. 867.03.

9 **SECTION 2344.** 214.495 (1) of the statutes is amended to read:

10 214.495 (1) A mortgage taken and recorded by a savings bank shall have
11 priority over all liens, except tax and special assessment liens and liens under ss.
12 292.31 (8) (i), ~~292.41 (6) (d)~~ and 292.81, upon the mortgaged premises and the
13 buildings and improvements thereon, that are filed after the recording of the
14 mortgage.

15 **SECTION 2345.** 215.21 (4) (a) of the statutes is amended to read:

16 215.21 (4) (a) All mortgages described in this section shall have priority over
17 all liens, except tax and special assessment liens and liens under ss. 292.31 (8) (i),
18 ~~292.41 (6) (d)~~ and 292.81, upon the mortgaged premises and the buildings and
19 improvements thereon, which shall be filed subsequent to the recording of such
20 mortgage.

21 **SECTION 2346.** 215.26 (8) (e) 1. of the statutes is amended to read:

22 215.26 (8) (e) 1. Submits an affidavit stating that the person has standing
23 under s. 867.01 (3) or 867.02 (2) to petition for summary settlement or assignment
24 of a decedent's estate or that the person is an heir who of the decedent, or was

1 guardian, as defined in s. 880.01 (3), of the decedent at the time of the decedent's
2 death, and may obtain transfer of property of a decedent under s. 867.03; and

3 **SECTION 2347.** 218.01 (7a) (a) of the statutes is amended to read:

4 218.01 **(7a)** (a) A motor vehicle may not be offered for sale by any motor vehicle
5 dealer or motor vehicle salesperson unless the mileage on the motor vehicle is
6 disclosed in writing by the transferor on the certificate of title or on a form or in an
7 automated format authorized by the department of transportation to reassign the
8 title to the dealer and the disclosure is subsequently shown to the retail purchaser
9 by the dealer or salesperson prior to sale. The department of transportation may
10 promulgate rules to exempt types of motor vehicles from this mileage disclosure
11 requirement and shall promulgate rules for making the disclosure requirement on
12 a form or in an automated format other than the certificate of title.

13 **SECTION 2348.** 218.33 (2) (b) of the statutes is amended to read:

14 218.33 **(2)** (b) For each motor vehicle offered for sale by a motor vehicle dealer,
15 the transferring dealer shall provide the motor vehicle auction dealer with clear title
16 or shall furnish title insurance at the time of the sale. For each motor vehicle sold
17 at an auction, the motor vehicle auction dealer shall enter on the certificate of title,
18 or on the form or in the automated format used to reassign the title, any information
19 that the department requires to indicate that ownership of the vehicle was
20 transferred through an auction sale.

21 **SECTION 2349.** 218.52 (3) of the statutes is amended to read:

22 218.52 **(3)** For each motor vehicle sold by a motor vehicle salvage pool, the
23 motor vehicle salvage pool shall enter on the certificate of title, or on the form or in
24 the automated format used to reassign the title, any information that the

1 department requires to indicate that ownership of the vehicle was transferred by a
2 motor vehicle salvage pool.

3 **SECTION 3254m.** 221.0102 (4) (bm) of the statutes is created to read:

4 221.0102 (4) (bm) The bank's surplus.

5 **SECTION 2350.** 221.0303 (2) of the statutes is amended to read:

6 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS
7 TERMINALS. A bank may, directly or indirectly, acquire, place and operate, or
8 participate in the acquisition, placement and operation of, at locations other than its
9 main or branch offices, customer bank communications terminals, in accordance
10 with rules established by the division. The rules of the division shall provide that
11 any such customer bank communications terminal shall be available for use, on a
12 nondiscriminatory basis, by any state or national bank and by all customers
13 designated by a bank using the terminal. This subsection does not authorize a bank
14 which has its principal place of business outside this state to conduct banking
15 business in this state. The customer bank communications terminals also shall be
16 available for use, on a nondiscriminatory basis, by any credit union, savings and loan
17 association or savings bank, if the credit union, savings and loan association or
18 savings bank requests to share its use, subject to rules jointly established by the
19 division of banking, the office of credit unions and the division of savings and loan.
20 The division by order may authorize the installation and operation of a customer
21 bank communications terminal in a mobile facility, after notice and hearing upon the
22 proposed service stops of the mobile facility.

23 **SECTION 3266b.** 224.71 (1r) (b) 1. of the statutes is amended to read:

24 224.71 (1r) (b) 1. ~~The Wisconsin housing and economic development authority,~~
25 ~~or a~~ A bank, trust company, savings bank, savings and loan association, insurance

1 company, or a land mortgage or farm loan association organized under the laws of
2 this state or of the United States, when engaged in the transaction of business within
3 the scope of its corporate powers as provided by law.

4 **SECTION 3266e.** 224.71 (1r) (b) 1m. of the statutes is created to read:

5 224.71 (1r) (b) 1m. A community-based organization, as defined in s. 16.30 (1),
6 or a housing authority, as defined in s. 16.30 (2).

7 **SECTION 3266g.** 224.71 (1r) (b) 3. of the statutes is amended to read:

8 224.71 (1r) (b) 3. Employees of persons described in subds. 1. and to 2. if the
9 employe is performing his or her duties as an employe.

10 **SECTION 3266j.** 224.71 (2) (b) 1. of the statutes is amended to read:

11 224.71 (2) (b) 1. ~~The Wisconsin housing and economic development authority,~~
12 ~~or a~~ A bank, trust company, savings bank, savings and loan association, insurance
13 company, or a land mortgage or farm loan association organized under the laws of
14 this state or of the United States, when engaged in the transaction of business within
15 the scope of its corporate powers as provided by law.

16 **SECTION 3266L.** 224.71 (2) (b) 1m. of the statutes is created to read:

17 224.71 (2) (b) 1m. A community-based organization, as defined in s. 16.30 (1),
18 or a housing authority, as defined in s. 16.30 (2).

19 **SECTION 3266p.** 224.71 (2) (b) 3. of the statutes is amended to read:

20 224.71 (2) (b) 3. Employees of persons described in subds. 1. and to 2. if the
21 employe is performing his or her duties as an employe.

22 **SECTION 3266r.** 224.71 (3) (b) 1. of the statutes is amended to read:

23 224.71 (3) (b) 1. ~~The Wisconsin housing and economic development authority,~~
24 ~~or a~~ A bank, trust company, savings bank, savings and loan association, insurance
25 company, or a land mortgage or farm loan association organized under the laws of

1 this state or of the United States, when engaged in the transaction of business within
2 the scope of its corporate powers as provided by law.

3 **SECTION 3266u.** 224.71 (3) (b) 1m. of the statutes is created to read:

4 224.71 (3) (b) 1m. A community-based organization, as defined in s. 16.30 (1),
5 or a housing authority, as defined in s. 16.30 (2).

6 **SECTION 3266y.** 224.71 (3) (b) 3. of the statutes is amended to read:

7 224.71 (3) (b) 3. Employes of persons described in subds. 1. ~~and~~ to 2. if the
8 employe is performing his or her duties as an employe.

9 **SECTION 3268m.** 224.72 (5) (b) 1. of the statutes is amended to read:

10 224.72 (5) (b) 1. Upon receiving a properly completed application for
11 registration as a mortgage banker, the fee specified in sub. (8) (b) and, ~~except as~~
12 ~~provided in s. 224.85 (2),~~ satisfactory evidence of compliance with sub. (4), the
13 department shall issue to the applicant a temporary certificate of registration as a
14 mortgage banker. A temporary certificate of registration is valid for 6 months after
15 the date of issuance.

16 **SECTION 3270m.** 224.72 (7) of the statutes is amended to read:

17 224.72 (7) RENEWAL OF REGISTRATION. A loan originator, loan solicitor or
18 mortgage banker shall renew a certificate of registration by submitting to the
19 department a renewal application and the applicable renewal fee specified under
20 sub. (8) (c) on or before the applicable renewal date specified under sub. (8) (c).
21 ~~Except as provided in s. 224.85 (2), an~~ An applicant for renewal of a certificate of
22 registration as a mortgage banker shall, as part of the application, refile a bond that
23 satisfies sub. (4) (b) or resubmit evidence that satisfies sub. (4) (a) or (c).

24 **SECTION 3273m.** 224.85 of the statutes is repealed.

25 **SECTION 3273r.** 227.01 (13) (ys) of the statutes is created to read:

1 227.01 (13) (ys) Establishes a technical standard for abating nonpoint source
2 water pollution under s. 281.16 (2) (c) or (3) (c).

3 **SECTION 3273s.** 227.01 (13) (zi) of the statutes is amended to read:

4 227.01 (13) (zi) Lists responsible units, as defined in s. 287.01 (9), and
5 out-of-state units, as defined in s. 287.01 (5), with an effective recycling program
6 registered under s. ~~287.11 (3)~~ 287.115.

7 **SECTION 2351.** 227.116 (4) (intro.) of the statutes is amended to read:

8 227.116 (4) (intro.) If an agency fails to review and make a determination on
9 a permit application within the time period specified in a rule or law, for each such
10 failure the agency shall prepare a report and submit it to the ~~permit information and~~
11 ~~regulatory assistance bureau~~ business development assistance center within 5
12 business days of the last day of the time period specified, setting forth all of the
13 following:

14 **SECTION 2352.** 227.116 (5) of the statutes is amended to read:

15 227.116 (5) If an agency fails to review and make a determination on a permit
16 application within the time period specified in a rule or law, upon completion of the
17 review and determination for that application, the agency shall notify the ~~permit~~
18 ~~information and regulatory assistance bureau~~ business development assistance
19 center.

20 **SECTION 2353.** 227.43 (1m) of the statutes is created to read:

21 227.43 (1m) Upon the request of an agency that is not prohibited from
22 contracting with a 3rd party for contested case hearing services, the administrator
23 of the division of hearings and appeals in the department of administration may
24 contract with the agency to provide the contested case hearing services and may

1 assign a hearing examiner to preside over any hearing performed under such a
2 contract.

3 **SECTION 3279m.** 227.43 (3) (b) of the statutes is amended to read:

4 227.43 (3) (b) The administrator of the division of hearings and appeals may
5 set the fees to be charged for any services rendered to the department of
6 transportation by a hearing examiner under this section. The fee shall cover the total
7 cost of the services less any costs covered by the appropriation under s. 20.505 (4) ~~(g)~~
8 (f).

9 **SECTION 2354.** 227.43 (3) (e) of the statutes is created to read:

10 227.43 (3) (e) The administrator of the division of hearings and appeals may
11 set the fees to be charged for any services contracted for under sub. (1m).

12 **SECTION 2355.** 227.43 (4) (e) of the statutes is created to read:

13 227.43 (4) (e) The agency contracting out for contested case hearing services
14 under sub. (1m) shall pay all costs of the services of a hearing examiner, including
15 support services, assigned under sub. (1m), according to the fees set under sub. (3)
16 (e).

17 **SECTION 3281m.** 227.485 (2) (e) of the statutes is amended to read:

18 227.485 (2) (e) "State agency" does not include the ~~public intervenor or~~ citizens
19 utility board.

20 **SECTION 2356.** 227.54 of the statutes is amended to read:

21 **227.54 Stay of proceedings.** The institution of the proceeding for review
22 shall not stay enforcement of the agency decision. The reviewing court may order a
23 stay upon such terms as it deems proper, except as otherwise provided in ss. 196.43,
24 253.06 (7) and 551.62.

25 **SECTION 3286m.** 229.46 (1) (a) of the statutes is amended to read:

1 229.46 (1) (a) "Minority business" has the meaning given in s. ~~66.905 (1) (a)~~
2 560.036 (2m) (a) 1.

3 **SECTION 2357.** 230.08 (2) (e) 1. of the statutes is amended to read:

4 230.08 (2) (e) 1. Administration — ~~11~~ 12.

5 **SECTION 2358.** 230.08 (2) (e) 3g. of the statutes is renumbered 230.08 (2) (e) 9.
6 and amended to read:

7 230.08 (2) (e) 9. ~~Education~~ Public instruction — 5.

8 **SECTION 2359.** 230.08 (2) (e) 4m. of the statutes is repealed.

9 **SECTION 2360.** 230.08 (2) (e) 6m. of the statutes is repealed.

10 **SECTION 2361.** 230.08 (2) (e) 8. of the statutes is amended to read:

11 230.08 (2) (e) 8. Natural resources — ~~4~~ 6.

12 **SECTION 3298m.** 230.08 (2) (fp) of the statutes is created to read:

13 230.08 (2) (fp) The director and personnel of the integrated legislative
14 information system staff.

15 **SECTION 2362.** 230.08 (2) (gm) of the statutes is repealed.

16 **SECTION 2363.** 230.08 (2) (L) 4. of the statutes is created to read:

17 230.08 (2) (L) 4. Higher educational aids board, created under s. 15.67.

18 **SECTION 2364.** 230.08 (2) (m) 2m. of the statutes is repealed.

19 **SECTION 3303m.** 230.08 (2) (om) of the statutes is amended to read:

20 230.08 (2) (om) The executive director of and legal counsel to the ethics board.

21 **SECTION 2365.** 230.08 (2) (t) of the statutes is repealed.

22 **SECTION 3304m.** 230.08 (2) (tv) of the statutes is created to read:

23 230.08 (2) (tv) The director of the office of urban development in the
24 department of health and family services, appointed under s. 48.48 (16m).

25 **SECTION 2366.** 230.08 (2) (xe) of the statutes is created to read:

1 230.08 (2) (xe) The director of Indian gaming in the department of
2 administration, and the attorney in the department of administration, appointed
3 under s. 569.015 (2).

4 **SECTION 2367.** 230.08 (2) (ym) of the statutes is repealed.

5 **SECTION 2368.** 230.08 (4) (a) of the statutes is amended to read:

6 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
7 includes all administrator positions specifically authorized by law to be employed
8 outside the classified service in each department, board or commission and the
9 historical society. In this paragraph, “department” has the meaning given under s.
10 15.01 (5), “board” means the educational communications board, investment board,
11 public defender board, ~~gaming board~~ and technical college system board and
12 “commission” means the public service commission. Notwithstanding sub. (2) (z), no
13 division administrator position exceeding the number authorized in sub. (2) (e) may
14 be created in the unclassified service.

15 **SECTION 3308m.** 230.125 of the statutes is created to read:

16 **230.125 Investigations relating to code of ethics violations. (1)** In this
17 section, “code of ethics” means the code of ethics promulgated by rule under s. 19.45
18 (11) (a).

19 **(2)** The administrator shall establish by rule procedures that each agency shall
20 follow in investigating any alleged violation of the code of ethics. The administrator
21 shall specify by rule appropriate discipline for a violation of the code of ethics, except
22 that such discipline may not include a fine, forfeiture or term of imprisonment.

23 **(3)** If an employe is alleged by his or her appointing authority to have violated
24 the code of ethics, the administrator, at his or her own initiative or at the request of
25 the appointing authority, may suspend with pay the employe pending investigation

1 of the alleged violation of the code of ethics. Any employe who is determined to have
2 violated a provision of the code of ethics may be disciplined by the appointing
3 authority or the administrator as provided in rules promulgated under sub. (2).

4 (4) If an appointing authority is investigating an alleged violation of the code
5 of ethics and the administrator determines that the appointing authority is not
6 following procedures established by rule under sub. (2), the administrator may
7 assume control of the investigation.

8 (5) Any information contained in records obtained or prepared by the
9 appointing authority or administrator in connection with an investigation of an
10 alleged violation of the code of ethics may not be disclosed to the public, unless the
11 alleged violation is referred to a district attorney or the attorney general and the
12 information is used by a district attorney or the attorney general in the course of any
13 civil or criminal action arising out of a violation of the code of ethics. Upon request,
14 the administrator shall disclose the outcome of any such investigation, including any
15 discipline imposed on the employe.

16 **SECTION 2369.** 230.30 of the statutes is amended to read:

17 **230.30 Employing units; establishment and revision.** (1) Each agency
18 shall constitute an employing unit for purposes of personnel transactions, except
19 where appropriate functional, organizational or geographic breakdowns exist within
20 the agency and except as provided in sub. (2). These breakdowns may constitute a
21 separate employing unit for one or more types of personnel transactions under an
22 overall employing unit plan if requested by the appointing authority of that agency
23 and approved by the administrator. If the administrator determines, after
24 conferring with the appointing authority of the employing agency, that an employing
25 unit is or has become inappropriate to carry out sound personnel management

1 practices due to factors including, but not limited to, the size or isolated location of
2 portions of the employing unit, the administrator may revise the employing unit
3 structure of the agency to effect the remedy required.

4 **SECTION 2370.** 230.30 (2) of the statutes is created to read:

5 230.30 (2) The division of gaming in the department of administration shall
6 constitute a separate employing unit for purposes of personnel transactions.

7 **SECTION 3318j.** 231.01 (4m) of the statutes is amended to read:

8 231.01 (4m) “Educational facility” means a regionally accredited, private,
9 ~~nonprofit~~, postsecondary educational institution described in section 501 (c) (3) of the
10 Internal Revenue Code, as defined in s. 71.22 (4), that is exempt from federal
11 taxation under section 501 (a) of the Internal Revenue Code.

12 **SECTION 3318m.** 231.01 (5) (a) (intro.) of the statutes is amended to read:

13 231.01 (5) (a) (intro.) “Health facility” means a governmental facility or a
14 facility described in section 501 (c) (3) of the Internal Revenue Code, as defined in s.
15 71.22 (4), that is exempt from federal taxation under section 501 (a) of the Internal
16 Revenue Code, and which is one of the following:

17 **SECTION 3319g.** 231.01 (5) (a) 4. (intro.) and a. of the statutes are consolidated,
18 renumbered 231.01 (5) (a) 4. and amended to read:

19 231.01 (5) (a) 4. Any institution, place, building or agency ~~which conforms to~~
20 ~~all of the following:~~ a. Provides that provides medical services, nursing services or
21 personal care services, as defined in s. 647.01 (6) to (8), in addition to maintenance
22 services, as defined in s. 647.01 (5), to a person under a contract for the duration of
23 the person’s life for a term of more than 12 months.

24 **SECTION 3319j.** 231.01 (5) (a) 4. b. and c. of the statutes are repealed.

25 **SECTION 3319k.** 231.01 (5) (a) 5. of the statutes is amended to read:

1 231.01 (5) (a) 5. Any institution, place, building or agency that is engaged in
2 providing health education and that is not operated for profit.

3 **SECTION 3321m.** 231.02 (6) (b) of the statutes is repealed and recreated to read:

4 231.02 (6) (b) No member, officer, agent or employe of the authority may receive
5 any compensation, direct or indirect, from a participating health institution,
6 participating educational institution or participating child care provider.

7 **SECTION 2371.** 233.40 (4) (d) of the statutes is amended to read:

8 233.40 (4) (d) Any pupil referred to the hospitals or their clinics by the secretary
9 of education state superintendent of public instruction under s. 115.53 (4).

10 **SECTION 2372.** Subchapter I (title) of chapter 234 [precedes 234.01] of the
11 statutes is created to read:

12 **CHAPTER 234**

13 **SUBCHAPTER I**

14 **GENERAL PROVISIONS;**

15 **HOUSING AND ECONOMIC**

16 **DEVELOPMENT PROGRAMS**

17 **SECTION 2373.** 234.01 (4n) (a) 3m. e. of the statutes is created to read:

18 234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined
19 by the authority after considering the factors set out in s. 560.605 (2m) (a) to (h).

20 **SECTION 2374.** 234.01 (4n) (d) of the statutes is repealed.

21 **SECTION 2375.** 234.03 (2m) of the statutes is amended to read:

22 234.03 (2m) To issue notes and bonds in accordance with ss. 234.08, 234.40,
23 234.50, 234.60, 234.61, 234.626, 234.65, and 234.66 and ~~234.70~~.

24 **SECTION 3330p.** 234.18 (1) of the statutes is amended to read:

1 234.18 (1) ~~Except as provided in sub. (2), the~~ The authority shall not have
2 outstanding at any one time notes and bonds for any of its corporate purposes in an
3 aggregate principal amount exceeding ~~\$500,000,000~~ \$325,000,000, excluding bonds
4 and notes issued to refund outstanding notes and bonds ~~authorized under this~~
5 ~~subsection. Not more than \$45,000,000 in bonds and notes authorized under this~~
6 ~~subsection may be issued on or after July 1, 1982, except bonds or notes issued to~~
7 ~~refund outstanding bonds or notes authorized under this subsection.~~

8 **SECTION 3330q.** 234.18 (2) of the statutes is repealed.

9 **SECTION 2376.** 234.265 (2) of the statutes is amended to read:

10 234.265 (2) Records or portions of records consisting of personal or financial
11 information provided by a person seeking a grant or loan under s. 234.08, 234.49,
12 234.59, 234.61, 234.65, 234.67, ~~234.68, 234.69, 234.70, 234.765, 234.82, 234.83,~~
13 ~~234.84, 234.87~~ 234.88, 234.90, 234.905, 234.907 or 234.91, seeking a loan under ss.
14 234.621 to 234.626, seeking financial assistance under s. 234.66 ~~or under ss. 234.75~~
15 ~~to 234.802~~, seeking investment of funds under s. 234.03 (18m) or in which the
16 authority has invested funds under s. 234.03 (18m), unless the person consents to
17 disclosure of the information.

18 **SECTION 2377.** 234.40 (4) of the statutes is amended to read:

19 234.40 (4) The limitations established in s. ss. 234.18 (1) ~~and (2)~~, 234.50,
20 234.60, 234.61, 234.65, and 234.66 ~~or 234.70~~ are not applicable to bonds issued under
21 the authority of this section. The authority may not have outstanding at any one
22 time bonds for veterans housing loans in an aggregate principal amount exceeding
23 \$61,945,000, excluding bonds being issued to refund outstanding bonds.

24 **SECTION 2378.** 234.50 (4) of the statutes is amended to read:

1 234.50 (4) The limitations established in ~~s. ss.~~ ss. 234.18 (1) ~~and (2)~~, 234.40,
2 234.60, 234.61, 234.65, and 234.66 ~~or~~ 234.70 are not applicable to bonds issued under
3 the authority of this section. The authority may not have outstanding at any one
4 time bonds for housing rehabilitation loans in an aggregate principal amount
5 exceeding \$100,000,000, excluding bonds being issued to refund outstanding bonds.
6 The authority shall consult with and coordinate the issuance of bonds with the
7 building commission prior to the issuance of bonds.

8 **SECTION 2379.** 234.60 (2) of the statutes is amended to read:

9 234.60 (2) The limitations in ss. 234.18 (1) ~~and (2)~~, 234.40, 234.50, 234.61,
10 234.65, and 234.66 ~~and~~ 234.70 do not apply to bonds or notes issued under this
11 section.

12 **SECTION 2380.** 234.622 (intro.) of the statutes is amended to read:

13 **234.622 Definitions.** (intro.) In ~~this subchapter~~ ss. 234.621 to 234.626:

14 **SECTION 2381.** 234.65 (1) (b) of the statutes is amended to read:

15 234.65 (1) (b) The limits in ss. 234.18 (1) ~~and (2)~~, 234.40, 234.50, 234.60, 234.61
16 and 234.66 ~~and~~ 234.70 do not apply to bonds or notes issued under this section.

17 **SECTION 2382.** 234.65 (1) (c) of the statutes is amended to read:

18 234.65 (1) (c) The authority may not issue more than \$200,000,000 in aggregate
19 principal amount of bonds and notes under this section, excluding ~~bonds or notes~~
20 secured by a capital reserve fund pursuant to sub. (6) (am) and excluding bonds and
21 notes issued to refund outstanding bonds or notes issued under this section.

22 **SECTION 2383.** 234.65 (1) (d) of the statutes is amended to read:

23 234.65 (1) (d) ~~Except as provided in sub. (6), s. Section~~ Section 234.15 does not apply
24 to bonds or notes issued under this section, and any bond or note issued under this
25 section shall contain on its face a statement to that effect.

1 **SECTION 2384.** 234.65 (1) (gm) of the statutes is amended to read:

2 234.65 (1) (gm) The authority may not grant a loan in an amount greater than
3 4% of the amount of bonds and notes authorized under par. (c) for the benefit of a
4 business that, together with all of its affiliates and subsidiaries and its parent
5 company, has current gross annual sales in excess of \$5,000,000. ~~This paragraph~~
6 ~~does not apply to an economic development loan to finance a project described in s.~~
7 ~~234.01 (4n) (d).~~

8 **SECTION 2385.** 234.65 (1) (gp) of the statutes is amended to read:

9 234.65 (1) (gp) The authority may not refinance a loan to a business ~~which~~ that
10 has been a participant in a tax incremental financing district. ~~This paragraph does~~
11 ~~not apply to an economic development loan to finance a project described in s. 234.01~~
12 ~~(4n) (d).~~

13 **SECTION 2386.** 234.65 (1) (h) of the statutes is repealed.

14 **SECTION 2387.** 234.65 (1) (hm) of the statutes is repealed.

15 **SECTION 2388.** 234.65 (3) (d) of the statutes is amended to read:

16 234.65 (3) (d) The business receiving the benefits of the loan proceeds, together
17 with all of its affiliates and subsidiaries and its parent company, has current gross
18 annual sales of \$35,000,000 or less. ~~This paragraph does not apply to an economic~~
19 ~~development loan to finance a project described in s. 234.01 (4n) (d).~~

20 **SECTION 2389.** 234.65 (3) (e) of the statutes is amended to read:

21 234.65 (3) (e) The economic development loan will not be used to refinance
22 existing debt, unless it is in conjunction with an expansion of the business or job
23 creation. This paragraph does not apply to an economic development loan to finance
24 an economic development project described under s. 234.01 (4n) (c) ~~or~~ (d).

25 **SECTION 2390.** 234.65 (6) of the statutes is repealed.

1 **SECTION 2391.** 234.65 (7) of the statutes is repealed.

2 **SECTION 2392.** 234.65 (8) of the statutes is repealed.

3 **SECTION 2393.** 234.65 (10) of the statutes is repealed.

4 **SECTION 2394.** 234.66 (3) (b) of the statutes is amended to read:

5 234.66 (3) (b) The limits in ss. 234.18 (1) ~~and (2)~~, 234.40, 234.50, 234.60, 234.61
6 and 234.65 ~~and 234.70~~ do not apply to bonds or notes issued under this section.

7 **SECTION 2395.** 234.66 (3) (c) of the statutes is amended to read:

8 234.66 (3) (c) The authority may not issue more than \$10,000,000 \$17,500,000
9 in aggregate principal amount of bonds and notes under this section, excluding bonds
10 and notes issued to refund outstanding bonds and notes issued under this section.

11 **SECTION 3351r.** Subchapter II (title) of chapter 234 [precedes 234.67] of the
12 statutes is created to read:

13 **CHAPTER 234**

14 SUBCHAPTER II

15 LOAN GUARANTEE PROGRAMS

16 **SECTION 2396.** 234.68 of the statutes is repealed.

17 **SECTION 2397.** 234.69 of the statutes is repealed.

18 **SECTION 3355c.** 234.70 of the statutes is renumbered 234.61, and 234.61 (1),
19 as renumbered, is amended to read:

20 234.61 (1) Upon the authorization of the department of health and family
21 services, the authority may issue bonds or notes and make loans for the financing of
22 housing projects which are residential facilities as defined in s. 46.28 (1) (d) and the
23 development costs of those housing projects, if the department of health and family
24 services has approved the residential facilities for financing under s. 46.28 (2). The
25 limitations in ss. 234.18 (1) ~~and (2)~~, 234.40, 234.50, 234.60, 234.65 and 234.66 do not

1 apply to bonds or notes issued under this section. The definition of “nonprofit
2 corporation” in s. 234.01 (9) does not apply to this section.

3 **SECTION 2398.** 234.75 of the statutes is repealed.

4 **SECTION 2399.** 234.76 of the statutes is repealed.

5 **SECTION 2400.** 234.765 of the statutes is repealed.

6 **SECTION 2401.** 234.80 of the statutes is repealed.

7 **SECTION 2402.** 234.802 of the statutes is renumbered 234.92.

8 **SECTION 2403.** 234.82 of the statutes is repealed.

9 **SECTION 2404.** 234.83 (title) of the statutes is amended to read:

10 **234.83** (title) **Targeted Small business development loan guarantee**
11 **program.**

12 **SECTION 2405.** 234.83 (1) (c) of the statutes is amended to read:

13 234.83 (1) (c) The lender ~~is a financial institution that~~ enters into an agreement
14 under s. 234.93 (2) (a).

15 **SECTION 2406.** 234.83 (2) (a) of the statutes is renumbered 234.83 (2) (a) (intro.)
16 and amended to read:

17 234.83 (2) (a) (intro.) A business, as defined in s. 560.60 (2), to which all of the
18 following apply:

19 **SECTION 2407.** 234.83 (2) (a) 1. to 3. of the statutes are created to read:

20 234.83 (2) (a) 1. The owner of the business is actively engaged in the business.

21 2. The business employs 50 or fewer employees on a full-time basis.

22 3. The authority has not received a certification under s. 49.855 (7) that the
23 owner of the business is delinquent in making child support or maintenance
24 payments.

1 **SECTION 2408.** 234.83 (3) (a) (intro.) of the statutes is renumbered 234.83 (3)
2 (intro.).

3 **SECTION 2409.** 234.83 (3) (a) 1. of the statutes is renumbered 234.83 (3) (a)
4 (intro.) and amended to read:

5 234.83 (3) (a) (intro.) The borrower uses the loan proceeds for a business
6 development project ~~in a targeted area~~. Loan proceeds may be used for direct or
7 related expenses associated with any of the following:

8 1. The expansion or acquisition of a business, including the purchase or
9 improvement of land, buildings, machinery, equipment or inventory.

10 **SECTION 2410.** 234.83 (3) (a) 2. to 9. of the statutes are renumbered 234.83 (3)
11 (b) to (i), and 234.83 (3) (b), (d), (e), (f), (g), (h) and (i), as renumbered, are amended
12 to read:

13 234.83 (3) (b) Loan proceeds are not used to refinance existing debt or for
14 ~~operating or entertainment expenses~~, expenses related to the production of an
15 agricultural commodity, as defined in s. 94.67 (2), or expenses related to a
16 community-based residential facility.

17 (d) The loan term does not extend beyond 15 years after the date on which the
18 ~~financial institution lender~~ lender disburses the loan unless ~~the loan is extended by the~~
19 ~~authority~~ agrees to an extension of the loan term.

20 (e) The total principal amount of all loans to the borrower that are guaranteed
21 under this section does not exceed ~~\$250,000~~ \$750,000.

22 (f) ~~The financial institution lender~~ lender obtains a security interest in the physical
23 plant, equipment, machinery or other assets.

24 (g) ~~The financial institution lender~~ lender believes that it is reasonably likely that the
25 borrower will be able to repay the loan in full with interest.

1 (h) The ~~financial institution~~ lender agrees to the percentage of guarantee
2 established for the loan by the authority.

3 (i) The authority believes that the loan will have a positive ~~economic~~ impact ~~on~~
4 ~~the targeted area~~ in terms of job creation and or retention.

5 **SECTION 2411.** 234.83 (3) (a) 2. of the statutes is created to read:

6 234.83 (3) (a) 2. The start-up, expansion or acquisition of a day care business,
7 including the purchase or improvement of land, buildings, machinery, equipment or
8 inventory.

9 **SECTION 2412.** 234.83 (3) (b) of the statutes is repealed.

10 **SECTION 2413.** 234.83 (4) (title) and (a) of the statutes are amended to read:

11 234.83 (4) (title) GUARANTEE OF COLLECTION REPAYMENT. (a) Subject to par. (b),
12 the authority shall may guarantee collection repayment of a percentage, ~~not~~
13 ~~exceeding 90%,~~ portion of the principal of any loan eligible for a guarantee under sub.
14 (1). That portion may not exceed 80% of the principal of the loan or \$200,000,
15 whichever is less. The authority shall establish the percentage portion of the
16 principal of an eligible loan that will be guaranteed, using the procedures described
17 in the agreement under s. 234.93 (2) (a). The authority may establish a single
18 percentage portion for all guaranteed loans that do not exceed \$250,000 and a single
19 portion for all guaranteed loans that exceed \$250,000 or establish on an individual
20 basis different percentages portions for eligible loans on an individual basis that do
21 not exceed \$250,000 and different portions for eligible loans that exceed \$250,000.

22 **SECTION 2414.** 234.83 (4) (b) of the statutes is amended to read:

23 234.83 (4) (b) Except as provided in s. 234.93 (3), the total outstanding
24 guaranteed principal amount of all loans that the authority may guarantee under
25 par. (a) may not exceed ~~\$10,000,000~~ \$9,900,000.

1 **SECTION 2415.** 234.85 of the statutes is renumbered 234.35.

2 **SECTION 2416.** 234.86 of the statutes is created to read:

3 **234.86 Drinking water loan guarantee program. (1) DEFINITIONS.** In this
4 section:

5 (a) “Community water system” means a public water system that serves at
6 least 15 service connections used by year-round residents or that regularly serves
7 at least 25 year-round residents.

8 (b) “Department” means the department of natural resources.

9 (c) “Local governmental unit” has the meaning given in s. 281.61 (1) (a).

10 (d) “Noncommunity water system” means a public water system that is not a
11 community water system.

12 (e) “Public water system” has the meaning given in s. 281.61 (1) (c).

13 **(2) GUARANTEE REQUIREMENTS.** The authority may use money from the
14 Wisconsin drinking water reserve fund under s. 234.933 to guarantee a loan under
15 this section if all of the following apply:

16 (a) The borrower is not a local governmental unit and is one of the following:

17 1. The owner of a community water system.

18 2. The owner of a noncommunity water system and is not operated for profit.

19 (b) The loan qualifies as an eligible loan under sub. (3).

20 (c) The lender is a financial institution that enters into an agreement under s.
21 234.933 (3) (a).

22 **(3) ELIGIBLE LOANS.** A loan is an eligible loan if all of the following apply:

23 (a) The department determines that the loan will facilitate compliance with
24 national primary drinking water regulations under 42 USC 300g-1 or otherwise

1 significantly further the health protection objectives of the Safe Drinking Water Act,
2 42 USC 300f to 300j-26.

3 (b) The department determines that the loan satisfies the requirements under
4 s. 281.625 (2).

5 **(4) GUARANTEE OF COLLECTION.** (a) Subject to par. (b), the authority may
6 guarantee collection of a percentage, not exceeding 80%, of the principal of any loan
7 eligible for a guarantee under this section. The authority shall establish the
8 percentage of the unpaid principal of an eligible loan that will be guaranteed using
9 the procedures described in the guarantee agreement under s. 234.933 (3) (a). The
10 authority may establish a single percentage for all guaranteed loans or establish
11 different percentages for eligible loans on an individual basis.

12 (b) Except as provided in s. 234.933 (4), the total outstanding principal amount
13 of all guaranteed loans under par. (a) may not exceed \$3,000,000.

14 **SECTION 2417.** 234.87 of the statutes is repealed.

15 **SECTION 2418.** 234.88 of the statutes is created to read:

16 **234.88 Brownfields remediation loan guarantee program. (1)**

17 **DEFINITIONS.** In this section:

18 (a) "Brownfields" means abandoned, idle or underused industrial or
19 commercial facilities or sites, the expansion or redevelopment of which is adversely
20 affected by actual or perceived environmental contamination.

21 (b) "Guaranteed loan" means a loan for which the authority guarantees
22 repayment under sub. (3).

23 (c) "Participating lender" means a bank, savings bank, credit union, credit
24 association, savings and loan association or other person that makes loans and that
25 has entered into an agreement with the authority under s. 234.93 (2) (a).

1 (d) "Security interest" means an interest in property or other assets that
2 secures payment or other performance of a guaranteed loan.

3 (2) ELIGIBLE LOANS. A loan made by a participating lender is eligible for
4 guarantee of repayment from the Wisconsin development reserve fund under s.
5 234.93 if all of the following apply:

6 (a) The borrower is a business in this state.

7 (b) The borrower uses the loan proceeds for direct or related expenses, as
8 determined by the authority, that are associated with remediation of contamination
9 at a brownfields site.

10 (c) The loan proceeds are not applied to the outstanding balance of any other
11 loan.

12 (d) The authority approves the interest rate on the loan, including any
13 origination fees or other charges.

14 (e) The participating lender obtains a security interest in any equipment,
15 machinery, physical plant or other assets to secure repayment of the loan.

16 (f) The loan term does not extend beyond 15 years after the date on which the
17 participating lender disburses the loan unless the authority agrees to an extension
18 of the loan term.

19 (g) The participating lender considers the borrower's assets, cash flow and
20 managerial ability sufficient to preclude voluntary or involuntary liquidation for the
21 loan term granted by the participating lender.

22 (h) The participating lender agrees to the percentage of guarantee established
23 for the loan by the authority.

24 (i) The principal amount of the loan does not exceed \$500,000.

1 **(3) GUARANTEE OF REPAYMENT.** (a) Subject to par. (b), beginning on July 1, 1998,
2 the authority may guarantee repayment of a percentage, not exceeding 80%, of the
3 principal of any loan eligible for a guarantee under sub. (2). The authority shall
4 establish the percentage of the unpaid principal of an eligible loan that will be
5 guaranteed by using the procedures described in the guarantee agreement under s.
6 234.93 (2) (a). The authority may establish a single percentage for all guaranteed
7 loans or establish different percentages for eligible loans on an individual basis.

8 (b) Except as provided in s. 234.93 (3), the total outstanding principal amount
9 of all guaranteed loans under par. (a) may not exceed \$22,500,000.

10 **SECTION 2419.** 234.93 (1) (e) of the statutes is created to read:

11 234.93 (1) (e) To be used for guaranteeing loans under s. 234.88, moneys
12 appropriated to the authority under s. 20.490 (5) (t) and (tm).

13 **SECTION 2420.** 234.93 (2) (a) (intro.) of the statutes is amended to read:

14 234.93 (2) (a) (intro.) The authority shall may enter into a guarantee
15 agreement with any bank, production credit association, credit union, savings bank,
16 savings and loan association or other person who wishes to participate in a loan
17 program guaranteed by the Wisconsin development reserve fund. The authority may
18 determine all of the following, consistent with the terms of the specific loan
19 guarantee program:

20 **SECTION 2421.** 234.93 (2) (bm) of the statutes is created to read:

21 234.93 (2) (bm) A guarantee agreement between the authority and a bank,
22 production credit association, credit union, savings and loan association or other
23 person under par. (a) with respect to a loan guaranteed under s. 234.68, 1995 stats.,
24 s. 234.69, 1995 stats., s. 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.83, 1995
25 stats., or s. 234.87, 1995 stats., that is in effect immediately before the effective date

1 of this paragraph [revisor inserts date], shall continue in full force and effect until
2 the termination or expiration of the agreement according to its terms.

3 **SECTION 2422.** 234.93 (4) (a) 2. of the statutes is amended to read:

4 234.93 (4) (a) 2. To fund guarantees under all of the programs guaranteed by
5 funds from the Wisconsin development reserve fund, except for the program under
6 s. 234.935, at a ratio of \$1 of reserve funding to \$4 \$4.50 of total outstanding principal
7 and outstanding guaranteed principal that the authority may guarantee under all
8 of those programs.

9 **SECTION 2423.** 234.93 (4) (a) 3. of the statutes is created to read:

10 234.93 (4) (a) 3. To fund guarantees under the program under s. 234.935 at a
11 ratio of \$1 of reserve funding to \$4 of total principal and outstanding guaranteed
12 principal that the authority may guarantee under that program.

13 **SECTION 2424.** 234.93 (4) (b) (intro.) of the statutes is amended to read:

14 234.93 (4) (b) (intro.) Annually on ~~June 30~~ August 31, the executive director
15 of the authority shall provide to the secretary of administration and to the joint
16 committee on finance a signed statement that includes all of the following:

17 **SECTION 2425.** 234.932 (3) (d) of the statutes is amended to read:

18 234.932 (3) (d) The authority shall ensure that the cash balance in the
19 Wisconsin job training reserve fund is sufficient to ~~fund guarantees under the job~~
20 ~~training loan guarantee program at a ratio of \$1 of reserve funding to \$4 of total~~
21 ~~outstanding guaranteed principal that the authority may guarantee under the~~
22 ~~program and to pay all outstanding claims under the job training loan guarantee~~
23 program. The authority shall regularly monitor the cash balance in the Wisconsin
24 job training reserve fund to ensure that the cash balance is sufficient for the purposes
25 specified in this paragraph.

1 **SECTION 2426.** 234.932 (4m) of the statutes is created to read:

2 234.932 (4m) BALANCE TRANSFER. Annually on August 31, until no balance
3 remains, the authority shall transfer to the general fund any balance remaining in
4 the Wisconsin job training reserve fund on that date, after deducting an amount
5 sufficient to pay all outstanding claims under the job training loan guarantee
6 program.

7 **SECTION 2427.** 234.933 of the statutes is created to read:

8 **234.933 Wisconsin drinking water reserve fund. (1) DEFINITION.** In this
9 section, “drinking water loan guarantee program” means the program under s.
10 234.86.

11 **(2) ESTABLISHMENT OF FUND.** There is established under the jurisdiction and
12 control of the authority, for the purpose of providing funds for guaranteeing loans
13 under s. 234.86, a Wisconsin drinking water reserve fund, consisting of all of the
14 following:

15 (a) Moneys transferred to the authority from the appropriation accounts under
16 s. 20.320 (2) (s) and (x) or received by the authority for the Wisconsin drinking water
17 reserve fund from any other source.

18 (b) Any income from investment of money in the Wisconsin drinking water
19 reserve fund by the authority under s. 234.03 (18).

20 **(3) PROGRAM ADMINISTRATION.** (a) The authority shall enter into a guarantee
21 agreement with any bank, production credit association, credit union, savings bank,
22 savings and loan association or other person who wishes to participate in the
23 drinking water loan guarantee program. The authority may determine all of the
24 following, consistent with the terms of the loan guarantee program:

25 1. The form of the agreement.

1 2. Any conditions upon which the authority may refuse to enter into such an
2 agreement.

3 3. Any procedures required to carry out the agreement, including default
4 procedures and procedures for determining the guaranteed percentage of each loan.

5 (b) The authority may not use any moneys other than those in the Wisconsin
6 drinking water reserve fund for the drinking water loan guarantee program, and
7 may not use moneys in the Wisconsin drinking water reserve fund for any programs
8 other than the drinking water loan guarantee program.

9 (c) The authority may establish an eligibility criteria review panel, consisting
10 of experts in finance and in the subject area of the drinking water loan guarantee
11 program, to provide advice about lending requirements and issues related to the
12 drinking water loan guarantee program.

13 (d) The authority shall ensure that the cash balance in the Wisconsin drinking
14 water reserve fund is sufficient to fund guarantees under the drinking water loan
15 guarantee program at a ratio of \$1 of reserve funding to \$4.50 of total outstanding
16 guaranteed principal that the authority may guarantee under the program and to
17 pay all outstanding claims under the program. The authority shall regularly
18 monitor the cash balance in the Wisconsin drinking water reserve fund to ensure
19 that the cash balance is sufficient for the purposes specified in this paragraph.

20 **(4) INCREASES OR DECREASES IN LOAN GUARANTEES.** The authority may request
21 the joint committee on finance to take action under s. 13.10 to permit the authority
22 to increase or decrease the total outstanding guaranteed principal amount of loans
23 that it may guarantee under the drinking water loan guarantee program. Included
24 with its request, the authority shall provide a projection, for the next June 30, that
25 compares the amounts required on that date to pay outstanding claims and to fund

1 guarantees under the drinking water loan guarantee program, and the balance
2 remaining in the Wisconsin drinking water reserve fund on that date after deducting
3 such amounts, if the increase or decrease is approved, with such amounts and the
4 balance remaining, if the increase or decrease is not approved.

5 (5) ANNUAL REPORT. Annually, the authority shall report on the number and
6 total dollar amount of guaranteed loans under the drinking water loan guarantee
7 program, the default rate on the loans and any other information on the program that
8 the authority determines is significant.

9 (6) MORAL OBLIGATION. Recognizing its moral obligation, the legislature
10 expresses its expectation that, if called upon to do so, it shall make an appropriation
11 to meet all demands for funds guaranteed by the Wisconsin drinking water reserve
12 fund.

13 **SECTION 2428.** Subchapter III (title) of chapter 234 [precedes 234.94] of the
14 statutes is created to read:

15 **CHAPTER 234**

16 **SUBCHAPTER III**

17 **COMMUNITY DEVELOPMENT**

18 **FINANCE COMPANY**

19 **SECTION 2429.** 234.94 (intro.) of the statutes is amended to read:

20 **234.94** (title) **~~Community development finance company~~ Definitions.**

21 (intro.) In ss. ~~234.94 to 234.98~~ this subchapter:

22 **SECTION 2430.** 236.02 (4) of the statutes is amended to read:

23 236.02 (4) "Department" means the department of ~~commerce~~ administration.

24 **SECTION 2431.** 236.12 (2) (a) of the statutes is amended to read:

1 236.12 (2) (a) Two copies for each of the state agencies required to review the
2 plat to the department which shall examine the plat for compliance with ss. 236.13
3 ~~(1) (d) and (2m)~~, 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the subdivision
4 abuts or adjoins a state trunk highway or connecting highway, the department shall
5 transmit 2 copies to the department of transportation so that agency may determine
6 whether it has any objection to the plat on the basis of its rules as provided in s.
7 236.13. If the subdivision is not served by a public sewer and provision for that
8 service has not been made, the department shall transmit 2 copies to the department
9 of commerce so that that agency may determine whether it has any objection to the
10 plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the
11 agencies may designate local officials to act as their agents in examining the plats
12 for compliance with the statutes or their rules by filing a written delegation of
13 authority with the approving body.

14 **SECTION 2432.** 236.13 (1) (d) of the statutes is amended to read:

15 236.13 (1) (d) The rules of the department of commerce relating to lot size and
16 lot elevation necessary for proper sanitary conditions in a subdivision not served by
17 a public sewer, where provision for public sewer service has not been made;

18 **SECTION 2433.** 250.04 (3m) of the statutes is created to read:

19 250.04 (3m) The department may charge a reasonable fee for the analysis and
20 provision of data under this section.

21 **SECTION 2434.** 250.08 of the statutes is repealed.

22 **SECTION 2435.** 250.10 of the statutes is amended to read:

23 **250.10 Grant for dental services.** From the appropriation under s. 20.435
24 ~~(1) (5)~~ (de), the department shall provide funding in each fiscal year to the Marquette
25 University School of Dentistry for the provision of dental services by the Marquette

1 University School of Dentistry in correctional centers in Milwaukee County and
2 clinics in the city of Milwaukee.

3 **SECTION 3401m.** 252.08 (3) of the statutes is amended to read:

4 252.08 (3) Inpatient care for quarantined pulmonary tuberculosis patients,
5 and inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who
6 are not eligible for federal medicare benefits, for medical assistance under subch. V
7 of ch. 49 or for health care services funded by a relief block grant under subch. II of
8 ch. 49 may be reimbursed if provided by a facility contracted by the department. If
9 the patient has private health insurance, the state shall pay the difference between
10 health insurance payments and total charges.

11 **SECTION 2436.** 252.10 (6) (g) of the statutes is amended to read:

12 252.10 (6) (g) The reimbursement by the state under pars. (a) to (f) shall apply
13 only to funds that the department allocates for the reimbursement under the
14 appropriation under s. 20.435 ~~(1)~~ (5) (e).

15 **SECTION 2437.** 252.10 (7) of the statutes is amended to read:

16 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
17 shall be purchased by the department from the appropriation under s. 20.435 ~~(1)~~ (5)
18 (e) and dispensed to patients through the public health dispensaries or through
19 health care providers, as defined in s. 146.81 (1), other than social workers, marriage
20 and family therapists or professional counselors certified under ch. 457,
21 speech-language pathologists or audiologists licensed under subch. II of ch. 459,
22 speech and language pathologists licensed by the department of ~~education~~ public
23 instruction or, on or after July 1, 1995, and no later than June 30, 1999, dietitians
24 certified under subch. IV of ch. 448.

25 **SECTION 2438.** 252.12 (2) (a) (intro.) of the statutes is amended to read:

1 252.12 (2) (a) *Acquired immunodeficiency syndrome services.* (intro.) From the
2 appropriations under s. 20.435 (1) (a) and (5) (am), the department shall distribute
3 funds for the provision of services to individuals with or at risk of contracting
4 acquired immunodeficiency syndrome, as follows:

5 **SECTION 2439.** 252.12 (2) (a) 8. of the statutes is amended to read:

6 252.12 (2) (a) 8. 'Life care and early intervention services.' The department
7 shall award not more than ~~\$1,647,700~~ \$1,894,900 in each year in grants to applying
8 organizations for the provision of needs assessments; assistance in procuring
9 financial, medical, legal, social and pastoral services; counseling and therapy;
10 homecare services and supplies; advocacy; and case management services. These
11 services shall include early intervention services. The department shall also award
12 not more than \$74,000 in each year from the appropriation under s. 20.435 (7) (md)
13 for the services under this subdivision. The state share of payment for case
14 management services that are provided under s. 49.45 (25) (be) to recipients of
15 medical assistance shall be paid from the appropriation under s. 20.435 ~~(1)~~ (5) (am).

16 **SECTION 2440.** 252.12 (2) (b) of the statutes is repealed.

17 **SECTION 2441.** 252.12 (2) (c) (intro.) of the statutes is amended to read:

18 252.12 (2) (c) *HIV prevention grants.* (intro.) From the appropriation under
19 s. 20.435 ~~(7)~~ (3) (md), the department shall award to applying nonprofit corporations
20 or public agencies up to \$75,000 in each fiscal year, on a competitive basis, as grants
21 for services to prevent HIV. Criteria for award of the grants shall include all of the
22 following:

23 **SECTION 2442.** 252.14 (1) (ar) 8. of the statutes is amended to read:

1 252.14 (1) (ar) 8. A speech-language pathologist or audiologist licensed under
2 subch. II of ch. 459 or a speech and language pathologist licensed by the department
3 of education public instruction.

4 **SECTION 2443.** 252.16 (title) of the statutes is amended to read:

5 **252.16** (title) ~~Continuation coverage~~ **Health insurance premium**
6 **subsidies.**

7 **SECTION 2444.** 252.16 (1) (a) of the statutes is repealed.

8 **SECTION 2445.** 252.16 (1) (ar) of the statutes is created to read:

9 252.16 (1) (ar) “Dependent” has the meaning given in s. 635.02 (3c).

10 **SECTION 2446.** 252.16 (1) (b) of the statutes is amended to read:

11 252.16 (1) (b) “Group health plan” means an insurance policy or a partially or
12 wholly uninsured plan or program, that provides hospital, medical or other health
13 coverage to members of a group, whether or not dependents of the members are also
14 covered. The term includes a medicare supplement policy, as defined in s. 600.03
15 (28r), but does not include a medicare replacement policy, as defined in s. 600.03
16 (28p), or a long-term care insurance policy, as defined in s. 600.03 (28g).

17 **SECTION 2447.** 252.16 (1) (c) of the statutes is created to read:

18 252.16 (1) (c) “Individual health policy” means an insurance policy or a
19 partially or wholly uninsured plan or program, that provides hospital, medical or
20 other health coverage to an individual on an individual basis and not as a member
21 of a group, whether or not dependents of the individual are also covered. The term
22 includes a medicare supplement policy, as defined in s. 600.03 (28r), but does not
23 include a medicare replacement policy, as defined in s. 600.03 (28p), or a long-term
24 care insurance policy, as defined in s. 600.03 (28g).

25 **SECTION 2448.** 252.16 (1) (d) of the statutes is created to read:

1 252.16 (1) (d) "Medicare" has the meaning given in s. 49.498 (1) (f).

2 **SECTION 2449.** 252.16 (2) of the statutes is amended to read:

3 252.16 (2) SUBSIDY PROGRAM. From the appropriation under s. 20.435 (1) (5)
4 (am), the department shall distribute funding in each fiscal year to subsidize the
5 premium costs under s. 252.17 (2) and, under this subsection, the premium costs for
6 ~~continuation~~ health insurance coverage available to an individual who has HIV
7 infection and who is unable to continue his or her employment or must reduce his or
8 her hours because of an illness or medical condition arising from or related to HIV
9 infection.

10 **SECTION 2450.** 252.16 (3) (b) of the statutes is amended to read:

11 252.16 (3) (b) Has a family income, as defined by rule under sub. (6), that does
12 not exceed ~~200%~~ 300% of the federal poverty line, as defined under 42 USC 9902 (2),
13 for a family the size of the individual's family.

14 **SECTION 2451.** 252.16 (3) (d) of the statutes is repealed.

15 **SECTION 2452.** 252.16 (3) (dm) of the statutes is created to read:

16 252.16 (3) (dm) Has, or is eligible for, health insurance coverage under a group
17 health plan or an individual health policy.

18 **SECTION 2453.** 252.16 (3) (e) 1. of the statutes is amended to read:

19 252.16 (3) (e) 1. Contact the individual's employer or former employer or the
20 administrator of the group health plan under which the individual is covered, health
21 insurer to verify the individual's eligibility for ~~continuation~~ coverage under the group
22 health plan or individual health policy and the premium and any other conditions
23 of coverage, to make premium payments as provided in sub. (4) and for other
24 purposes related to the administration of this section.

25 **SECTION 2454.** 252.16 (3) (e) 1m. of the statutes is created to read:

1 252.16 (3) (e) 1m. Contact the individual's employer or former employer to
2 verify that the individual's employment has been terminated or that his or her hours
3 have been reduced and for other purposes related to the administration of this
4 section.

5 **SECTION 2455.** 252.16 (3) (e) 2. of the statutes is amended to read:

6 252.16 (3) (e) 2. Make any necessary disclosure to the individual's employer or
7 former employer or ~~the administrator of the group health plan under which the~~
8 individual is covered health insurer regarding the individual's HIV status.

9 **SECTION 2456.** 252.16 (3) (f) of the statutes is repealed.

10 **SECTION 2457.** 252.16 (3) (g) of the statutes is repealed.

11 **SECTION 2458.** 252.16 (3) (h) of the statutes is repealed.

12 **SECTION 2459.** 252.16 (4) (a) of the statutes is amended to read:

13 252.16 (4) (a) Except as provided in pars. (b) and ~~(e)~~ (d), if an individual satisfies
14 sub. (3), the department shall pay the full amount of each premium payment for
15 continuation coverage that is due from the individual under s. 632.897 (2) (d), 29 USC
16 ~~1162 (3) or 42 USC 300bb-2 (3), whichever is applicable~~ the individual's health
17 insurance coverage under the group health plan or individual health policy under
18 sub. (3) (dm), on or after the date on which the individual becomes eligible for a
19 subsidy under sub. (3). ~~The~~ Except as provided in pars. (b) and (d), the department
20 ~~may not refuse to~~ shall pay the full amount of each premium payment because the
21 continuation coverage that is available to the individual who satisfies sub. (3)
22 regardless of whether the individual's health insurance coverage under sub. (3) (dm)
23 includes coverage of the individual's spouse and dependents. Except as provided in
24 par. (b), the department shall terminate the payments under this section when the
25 individual's continuation health insurance coverage ceases, or when the individual

1 no longer satisfies sub. (3) ~~or upon the expiration of 29 months after the continuation~~
2 ~~coverage began~~, whichever occurs first. The department may not make payments
3 under this section for premiums for a ~~conversion policy or plan that is available to~~
4 ~~an individual under s. 632.897 (4) or (6), 29 USC 1162 (5) or 42 USC 300bb-2 (5)~~
5 medicare.

6 **SECTION 2460.** 252.16 (4) (b) of the statutes is amended to read:

7 252.16 (4) (b) The obligation of the department to make payments under this
8 section is subject to the availability of funds in the appropriation under s. 20.435 (1)
9 (5) (am).

10 **SECTION 2461.** 252.16 (4) (c) of the statutes is repealed.

11 **SECTION 2462.** 252.16 (4) (d) of the statutes is created to read:

12 252.16 (4) (d) For an individual who satisfies sub. (3) and who has a family
13 income, as defined by rule under sub. (6) (a), that exceeds 200% but does not exceed
14 300% of the federal poverty line, as defined under 42 USC 9902 (2), for a family the
15 size of the individual's family, the department shall pay a portion of the amount of
16 each premium payment for the individual's health insurance coverage. The portion
17 that the department pays shall be determined according to a schedule established
18 by the department by rule under sub. (6) (c). The department shall pay the portion
19 of the premium determined according to the schedule regardless of whether the
20 individual's health insurance coverage under sub. (3) (dm) includes coverage of the
21 individual's dependents.

22 **SECTION 2463.** 252.16 (5) of the statutes is amended to read:

23 252.16 (5) APPLICATION PROCESS. The department may establish, by rule, a
24 procedure under which an individual who does not satisfy sub. (3) (b), (c) 2. or ~~(d)~~ (dm)
25 may submit to the department an application for a premium subsidy under this

1 section that the department shall hold until the individual satisfies each
2 requirement of sub. (3), if the department determines that the procedure will assist
3 the department to make premium payments in a timely manner once the individual
4 satisfies each requirement of sub. (3). If an application is submitted by an employed
5 individual under a procedure established by rule under this subsection, the
6 department may not contact the individual's employer or ~~the administrator of the~~
7 ~~group health plan under which the individual is covered,~~ health insurer unless the
8 individual authorizes the department, in writing, to make that contact and to make
9 any necessary disclosure to the individual's employer or ~~the administrator of the~~
10 ~~group health plan under which the individual is covered~~ health insurer regarding the
11 individual's HIV status.

12 **SECTION 2464.** 252.16 (6) (b) of the statutes is amended to read:

13 252.16 (6) (b) Establish a procedure for making payments under this section
14 that ensures that the payments are actually used to pay premiums for ~~continuation~~
15 health insurance coverage available to individuals who satisfy sub. (3).

16 **SECTION 2465.** 252.16 (6) (c) of the statutes is created to read:

17 252.16 (6) (c) Establish a premium contribution schedule for individuals who
18 have a family income, as defined by rule under par. (a), that exceeds 200% but does
19 not exceed 300% of the federal poverty line, as defined under 42 USC 9902 (2), for
20 a family the size of the individual's family. In establishing the schedule under this
21 paragraph, the department shall take into consideration both income level and
22 family size.

23 **SECTION 2466.** 252.17 (2) of the statutes is amended to read:

24 252.17 (2) **SUBSIDY PROGRAM.** The department shall establish and administer
25 a program to subsidize, from the appropriation under s. 20.435 (1) ~~(5)~~ (am), as

1 provided in s. 252.16 (2), the premium costs for coverage under a group health plan
2 that are paid by an individual who has HIV infection and who is on unpaid medical
3 leave from his or her employment because of an illness or medical condition arising
4 from or related to HIV infection.

5 **SECTION 2467.** 252.17 (4) (b) of the statutes is amended to read:

6 252.17 (4) (b) The obligation of the department to make payments under this
7 section is subject to the availability of funds in the appropriation under s. 20.435 ~~(1)~~
8 (5) (am).

9 **SECTION 2468.** 253.06 of the statutes is renumbered 253.06 (2) and amended
10 to read:

11 253.06 (2) From the appropriation under s. 20.435 ~~(1)~~ (5) (em), the department
12 shall supplement the provision of supplemental foods, nutrition education and other
13 services, including nutritional counseling, to low-income women, infants and
14 children who meet the eligibility criteria under the federal special supplemental food
15 program for women, infants and children authorized under 42 USC 1786. To the
16 extent that funds are available under this section and to the extent that funds are
17 available under 42 USC 1786, the department shall provide the supplemental food,
18 nutrition education and other services authorized under this section and shall
19 administer that provision in every county. The department may enter into contracts
20 for this purpose.

21 **SECTION 2469.** 253.06 (1) of the statutes is created to read:

22 253.06 (1) DEFINITIONS. In this section:

23 (a) "Authorized food" means food identified by the department in accordance
24 with 7 CFR 246.10 as acceptable for use under the federal special supplemental food
25 program for women, infants and children under 42 USC 1786.

1 (b) "Authorized vendor" means a vendor that has been authorized by the
2 department to accept drafts from participants and have the drafts redeemed by the
3 department.

4 (c) "Draft" means the negotiable instrument distributed by the department for
5 use by a participant to purchase authorized food.

6 (cm) "Food distribution center" means an entity, other than a vendor, that is
7 under contract with the department under sub. (3m) to distribute authorized food to
8 participants.

9 (d) "Participant" means a person who is eligible for services under this section
10 and who receives services under this section.

11 (dm) "Proxy" means a person who has been designated in writing by a
12 participant or by the department to obtain and exchange drafts for authorized food
13 on behalf of the participant.

14 (e) "Vendor" means a grocery store or pharmacy that sells authorized food.

15 (f) "Vendor stamp" means a rubber stamp provided to a vendor or food
16 distribution center by the department for the purpose of validating drafts.

17 **SECTION 2470.** 253.06 (2) (title) of the statutes is created to read:

18 253.06 (2) (title) USE OF FUNDS.

19 **SECTION 2471.** 253.06 (3) of the statutes is created to read:

20 253.06 (3) AUTHORIZATION OF VENDORS. (a) The department may authorize a
21 vendor to accept drafts only if the vendor meets all of the following conditions:

22 1. The vendor submits to the department a completed application.

23 2. The vendor meets the minimum requirements for authorization, as
24 established by the department by rule under sub. (5) (a) 1.

1 3. The vendor does not have any outstanding fines, forfeitures, recoupment
2 assessments or enforcement assessments that were levied against that vendor for a
3 violation of this section or for a violation of rules promulgated under this section.
4 This subdivision does not apply if the vendor has contested the fine, forfeiture,
5 recoupment assessment or enforcement assessment and has not exhausted
6 administrative or judicial review.

7 4. The vendor is fit and qualified, as determined by the department. In
8 determining whether a vendor is fit and qualified, the department shall consider any
9 relevant conviction of the vendor or any of the vendor's employes for civil or criminal
10 violations substantially related to the operation of a grocery store or pharmacy.

11 (bg) The department may limit the number of vendors that it authorizes under
12 this subsection if the department determines that the number of vendors already
13 authorized under this subsection is sufficient to permit participants to obtain
14 authorized food conveniently.

15 (bm) The department shall approve or deny initial authorization within 90
16 days after the receipt of a completed application. If the application is denied, the
17 department shall give the applicant reasons, in writing, for the denial and shall
18 inform the applicant of the right to appeal that decision under sub. (6).

19 (c) The department may not redeem drafts submitted by a person who is not
20 an authorized vendor except as provided in sub. (3m).

21 **SECTION 2472.** 253.06 (3m) of the statutes is created to read:

22 **253.06 (3m) FOOD DISTRIBUTION CENTERS.** (a) The department may contract for
23 an alternative system of authorized food distribution with an entity other than a
24 vendor only if the entity meets all of the following requirements:

1 1. The entity meets the minimum requirements established by the department
2 by rule under sub. (5) (a) 1.

3 2. The entity does not have any outstanding fines, forfeitures, recoupment
4 assessments or enforcement assessments that were levied against that entity for a
5 violation of this section or for a violation of rules promulgated under this section.
6 This subdivision does not apply if the entity has contested the fine, forfeiture,
7 recoupment assessment or enforcement assessment and has not exhausted
8 administrative or judicial review.

9 3. The entity is fit and qualified, as determined by the department.

10 (b) The department shall redeem valid drafts submitted by a food distribution
11 center.

12 **SECTION 2473.** 253.06 (4) of the statutes is created to read:

13 253.06 (4) PROHIBITED PRACTICES. (a) No person may do any of the following:

14 1. Accept drafts or submit drafts to the department for redemption without
15 authorization.

16 2. Provide cash or commodities, other than authorized food, in exchange for
17 drafts or in exchange for authorized food purchased with a draft.

18 3. Accept a draft other than in exchange for authorized food that is provided
19 by the person.

20 3m. Provide authorized food or other commodities to a participant or proxy in
21 exchange for a draft accepted by a 3rd party.

22 4. Enter on a draft a dollar amount that is higher than the actual retail price
23 of the item for which the draft was used.

24 5. Require a participant or proxy to sign a draft before entering the dollar
25 amount on the draft in permanent ink.

1 6. Accept a draft except during the period specified on the draft.

2 7. Provide materially false information to the department or fail to provide in
3 a timely manner material information that the department requests.

4 8. Duplicate a vendor stamp or use a stamp other than a vendor stamp for any
5 purpose for which a vendor stamp is required.

6 9. Submit for redemption a draft to someone other than the department.

7 10. Accept a draft from someone other than a participant or proxy, except that
8 the department shall accept for redemption valid drafts from vendors and food
9 distribution centers.

10 (b) A person who violates any provision of this subsection may be fined not more
11 than \$10,000 or imprisoned for not more than 2 years, or both, for the first offense
12 and may be fined not more than \$10,000 or imprisoned for not more than 5 years, or
13 both, for the 2nd or subsequent offense.

14 (c) 1. Whenever a court imposes a fine, forfeiture or recoupment for a violation
15 of this subsection or imposes a forfeiture or recoupment for a violation of rules
16 promulgated under sub. (5), the court shall also impose an enforcement assessment
17 in an amount of 50% of the fine, forfeiture or recoupment imposed. If multiple
18 offenses are involved, the court shall base the enforcement assessment upon the total
19 fine, forfeiture and recoupment amounts for all offenses. When a fine, forfeiture or
20 recoupment is suspended in whole or in part, the court shall reduce the enforcement
21 assessment in proportion to the suspension.

22 2. If a fine or forfeiture is imposed by a court of record, after a determination
23 by the court of the amount due, the clerk of the court shall collect and transmit such
24 amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer
25 shall then make payment to the state treasurer as provided in s. 59.25 (3) (f) 2.

1 **SECTION 2474.** 253.06 (5) of the statutes is created to read:

2 253.06 (5) RULES AND PENALTIES. (a) The department shall promulgate rules
3 to establish all of the following:

4 1. Minimum qualification standards for the authorization of vendors and for
5 the awarding of a contract to an entity under sub. (3m).

6 2. Standards of operation for authorized vendors and food distribution centers,
7 including prohibited practices.

8 3. Minimum requirements for participants, including prohibited practices.

9 4. Procedures for approving or denying an application to be a participant,
10 including appeal procedures.

11 (b) A person who violates any rule promulgated under this subsection may be
12 subject to any of the following:

13 1. Denial of the application to be a participant or authorized vendor.

14 2. Suspension or termination of authorization for an authorized vendor or, in
15 the case of a food distribution center, termination of the contract.

16 3. Disqualification from the program under this section for a participant.

17 4. Forfeiture of not less than \$10 nor more than \$1,000.

18 5. Recoupment.

19 (c) Whenever the department imposes a forfeiture or recoupment for a violation
20 of rules promulgated under this subsection, the department shall also impose an
21 enforcement assessment in an amount of 50% of the forfeiture or recoupment
22 imposed. If multiple offenses are involved, the department shall base the
23 enforcement assessment upon the total forfeiture and recoupment amounts for all
24 offenses. When a forfeiture or recoupment is suspended in whole or in part, the

1 department shall reduce the enforcement assessment in proportion to the
2 suspension.

3 (d) The department may directly assess a forfeiture provided for under par. (b)
4 4., recoupment provided for under par. (b) 5. and an enforcement assessment
5 provided for under par. (c). If the department determines that a forfeiture,
6 recoupment or enforcement assessment should be levied, or that authorization or
7 eligibility should be suspended or terminated, for a particular violation or for failure
8 to correct it, the department shall send a notice of assessment, suspension or
9 termination to the vendor, food distribution center or participant. The notice shall
10 inform the vendor, food distribution center or participant of the right to a hearing
11 under sub. (6) and shall specify all of the following:

- 12 1. The amount of the forfeiture assessed, if any.
- 13 2. The amount of the recoupment assessed, if any.
- 14 3. The amount of the enforcement assessment, if any.
- 15 4. The violation.
- 16 5. The statute or rule alleged to have been violated.
- 17 6. If applicable, that the suspension or termination of authorization of the
18 vendor or eligibility of the participant is effective beginning on the 15th day after
19 receipt of the notice of suspension or termination.

20 (e) The suspension or termination of authorization of a vendor or eligibility of
21 a participant shall be effective beginning on the 15th day after receipt of the notice
22 of suspension or termination. All forfeitures, recoupments and enforcement
23 assessments shall be paid to the department within 15 days after receipt of notice
24 of assessment or, if the forfeiture, recoupment or enforcement assessment is
25 contested under sub. (6), within 10 days after receipt of the final decision after

1 exhaustion of administrative review, unless the final decision is adverse to the
2 department or unless the final decision is appealed and the decision is stayed by
3 court order under sub. (7). The department shall remit all forfeitures paid to the
4 state treasurer for deposit in the school fund. The department shall deposit all
5 enforcement assessments in the appropriation under s. 20.435 (1) (gr).

6 (f) The attorney general may bring an action in the name of the state to collect
7 any forfeiture or recoupment imposed under par. (b) or enforcement assessment
8 imposed under par. (c), if the forfeiture, recoupment or enforcement assessment has
9 not been paid following the exhaustion of all administrative and judicial reviews.
10 The only issue that may be contested in any such action is whether the forfeiture or
11 enforcement assessment has been paid.

12 **SECTION 2475.** 253.06 (6) of the statutes is created to read:

13 253.06 (6) APPEAL PROCEDURE. (a) Any hearing under s. 227.42 granted by the
14 department under this section may be conducted before the division of hearings and
15 appeals in the department of administration.

16 (b) A person may contest an assessment of forfeiture, recoupment or
17 enforcement assessment, a denial, suspension or termination of authorization or a
18 suspension or termination of eligibility by sending a written request for hearing
19 under s. 227.44 to the division of hearings and appeals in the department of
20 administration within 10 days after the receipt of the notice issued under sub. (3)
21 (bm) or (5) (d). The administrator of the division of hearings and appeals may
22 designate a hearing examiner to preside over the case and recommend a decision to
23 the administrator under s. 227.46. The decision of the administrator of the division
24 of hearings and appeals shall be the final administrative decision. The division of
25 hearings and appeals shall commence the hearing and issue a final decision within

1 60 days after receipt of the request for hearing unless all of the parties consent to a
2 later date. Proceedings before the division of hearings and appeals are governed by
3 ch. 227. In any petition for judicial review of a decision by the division of hearings
4 and appeals, the department, if not the petitioner who was in the proceeding before
5 the division of hearings and appeals, shall be the named respondent.

6 **SECTION 2476.** 253.06 (7) of the statutes is created to read:

7 253.06 (7) INJUNCTION PROCEDURE. No injunction may be issued in any
8 proceeding for review under ch. 227 of a decision of the division of hearings and
9 appeals under sub. (6), suspending or staying the decision except upon application
10 to the circuit court or presiding judge thereof, notice to the department and any other
11 party and hearing. No injunction that delays or prevents a decision of the division
12 of hearings and appeals from becoming effective may be issued in any other
13 proceeding or action in any court unless the parties to the proceeding before the
14 division of hearings and appeals in which the order was made are also parties to the
15 proceeding or action before the court.

16 **SECTION 2477.** 253.06 (8) of the statutes is created to read:

17 253.06 (8) INSPECTION OF PREMISES. The department may visit and inspect each
18 authorized vendor and each food distribution center, and for such purpose shall be
19 given unrestricted access to the premises described in the authorization or contract.

20 **SECTION 2478.** 253.07 (4) (intro.) of the statutes is amended to read:

21 253.07 (4) FAMILY PLANNING SERVICES. (intro.) From the appropriation under
22 s. 20.435 ~~(1)~~ (5) (f), the department shall allocate funds in the following amounts, for
23 the following services:

24 **SECTION 2479.** 253.08 of the statutes is amended to read:

1 **253.08 Pregnancy counseling services.** The department shall make grants
2 from the appropriation under s. 20.435 (1) (5) (eg) to individuals and organizations
3 to provide pregnancy counseling services. For a program to be eligible under this
4 section, an applicant must demonstrate that moneys provided in a grant under s.
5 20.435 (1) (5) (eg) will not be used to perform an abortion.

6 **SECTION 2480.** 253.085 (2) of the statutes is amended to read:

7 253.085 (2) In addition to the amounts appropriated under s. 20.435 (1) (5) (ev),
8 the department shall allocate \$250,000 for each fiscal year from moneys received
9 under the maternal and child health services block grant program, 42 USC 701 to
10 709, for the outreach program under this section.

11 **SECTION 2481.** 253.10 (3) (d) (intro.) of the statutes is amended to read:

12 253.10 (3) (d) *Printed information.* (intro.) By the date that is 60 days after
13 May 16, 1996, the department shall cause to be published in English, Spanish, and
14 other languages spoken by a significant number of state residents, as determined by
15 the department, materials that are in an easily comprehensible format and are
16 printed in type of not less than 12-point size. The department shall distribute a
17 reasonably adequate number of the materials to county departments as specified
18 under s. 46.245 (1) and upon request, annually review the materials for accuracy and
19 exercise reasonable diligence in providing materials that are accurate and current.
20 The department may charge a fee not to exceed the actual cost of the preparation and
21 distribution of the materials. The materials shall be all of the following:

22 **SECTION 2482.** 253.12 of the statutes is repealed.

23 **SECTION 2483.** 254.151 (intro.) of the statutes is amended to read:

24 **254.151 Lead poisoning or lead exposure prevention grants.** (intro.)
25 From the appropriation under s. 20.435 (1) (5) (ef), the department shall award the

1 following grants under criteria that the department shall establish in rules
2 promulgated under this section:

3 **SECTION 3455m.** 254.151 (7) of the statutes is created to read:

4 254.151 (7) In each fiscal year, \$125,000 to fund lead screening and outreach
5 activities at a community-based human service agency that provides primary health
6 care, health education and social services to low-income individuals in 1st class
7 cities.

8 **SECTION 2484.** 254.34 (4) of the statutes is amended to read:

9 254.34 (4) The department shall develop standards of performance for the
10 regional radon centers and, from the appropriation under s. 20.435 ~~(1)~~ (5) (ed), the
11 department shall allocate funds based on compliance with the standards to provide
12 radon protection information dissemination from the regional radon centers.

13 **SECTION 2485.** 254.52 (2) (intro.) of the statutes is amended to read:

14 254.52 (2) (intro.) The department, in consultation with the department of
15 education public instruction, the department of natural resources and the
16 department of agriculture, trade and consumer protection, shall do all of the
17 following:

18 **SECTION 3473m.** 254.61 (5) (g) of the statutes is created to read:

19 254.61 (5) (g) A concession stand at a locally sponsored sporting event, such as
20 a little league game.

21 **SECTION 2486.** 255.05 (2) of the statutes is amended to read:

22 255.05 (2) From the appropriation under s. 20.435 ~~(1)~~ (5) (cc), the department
23 shall allocate up to \$400,000 in each fiscal year to provide grants to applying
24 individuals, institutions or organizations for the conduct of projects on cancer control
25 and prevention. Funds shall be awarded on a matching basis, under which, for each

1 grant awarded, the department shall provide 50%, and the grantee 50%, of the total
2 grant funding.

3 **SECTION 2487.** 255.06 (2) (intro.) of the statutes is amended to read:

4 255.06 (2) BREAST CANCER SCREENING PROGRAM. (intro.) From the appropriation
5 under s. 20.435 ~~(1)~~ (5) (cc), the department shall administer a breast cancer screening
6 program and shall, in each fiscal year, do all of the following:

7 **SECTION 2488.** 255.07 (2) of the statutes is amended to read:

8 255.07 (2) From the appropriation under s. 20.435 ~~(1)~~ (5) (cc), the department
9 shall distribute not more than \$25,000 in each fiscal year to applying organizations
10 for the provision of specialized training of nurse practitioners to perform, in rural
11 areas, colposcopic examinations and follow-up activities for treatment of cervical
12 cancer.

13 **SECTION 2489.** 255.075 of the statutes is created to read:

14 **255.075 Health screening for low-income women.** From the
15 appropriation account under s. 20.435 (5) (cb), the department shall on a regional
16 basis award funds, as determined by the department, to applicants to provide health
17 care screening, treatment services, referral, follow-up and patient education to
18 low-income, underinsured and uninsured women. Award of a grant to an applicant
19 under this section is conditioned upon receipt by the department of an agreement by
20 the applicant to provide funds or in-kind services to match 25% of the amount of a
21 grant awarded.

22 **SECTION 2490.** 255.30 (4) of the statutes is amended to read:

23 255.30 (4) ~~The department of education~~ state superintendent of public
24 instruction shall prepare and circulate to each public and private educational

1 institution in this state instructions and recommendations for implementing the eye
2 safety provisions of this section.

3 **SECTION 2491.** 280.97 of the statutes is amended to read:

4 **280.97 Penalties.** Any person, firm or corporation who engages in or follows
5 the business or occupation of, or advertises or holds himself, herself or itself out as
6 or acts temporarily or otherwise as a well driller or pump installer without having
7 first secured the required permit or certificate of registration or renewal thereof, or
8 who otherwise violates any provision of this chapter, shall be fined not less than \$10
9 or more than \$100 or imprisoned not less more than 30 days, or both. Each day
10 during which a violation continues shall constitute a separate and distinct offense,
11 and may be punished separately.

12 **SECTION 3487d.** 281.15 (6) of the statutes is created to read:

13 281.15 (6) Notwithstanding sub. (1), the department shall classify the Willow
14 flowage as an outstanding resource water under s. NR 102.10, Wis. Adm. Code.

15 **SECTION 3487p.** 281.16 of the statutes is created to read:

16 **281.16 Water quality protection; nonpoint sources. (1) DEFINITIONS.** In
17 this section:

18 (a) "Agricultural facility" means a structure associated with an agricultural
19 practice.

20 (b) "Agricultural practice" means beekeeping; commercial feedlots; dairying;
21 egg production; floriculture; fish or fur farming; forest and game management;
22 grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry
23 raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and
24 berries; sod farming; placing land in federal programs in return for payments in

1 kind; owning land, at least 35 acres of which is enrolled in the conservation reserve
2 program under 16 USC 3831 to 3836; and vegetable raising.

3 (c) "Livestock operation" means a feedlot or other facility or a pasture where
4 animals are fed, confined, maintained or stabled.

5 (d) "Navigable waters" has the meaning given in s. 281.31 (2) (d).

6 (e) "Nonpoint source" means a facility or practice that causes, or has the
7 potential to cause, nonpoint source water pollution.

8 (f) "Nonpoint source water pollution" means pollution of waters of the state that
9 does not result from a point source, as defined in s. 283.01 (12).

10 (g) "Water quality management area" means any of the following:

11 1. The area within 1,000 feet from the ordinary high-water mark of navigable
12 waters that consist of a lake, pond or flowage, except that, for a navigable water that
13 is a glacial pothole lake, "water quality management area" means the area within
14 1,000 feet from the high-water mark of the lake.

15 2. The area within 300 feet from the ordinary high-water mark of navigable
16 waters that consist of a river or stream.

17 3. A site that is susceptible to groundwater contamination or that has the
18 potential to be a direct conduit for contamination to reach groundwater.

19 (h) Notwithstanding s. 281.01 (18), "waters of the state" has the meaning given
20 in s. 283.01 (20).

21 **(2) NONPOINT SOURCES THAT ARE NOT AGRICULTURAL.** (a) The department shall,
22 by rule, prescribe performance standards and prohibitions for facilities and practices
23 that are nonpoint sources and that are not agricultural facilities or agricultural
24 practices. The performance standards and prohibitions shall be designed to achieve
25 water quality standards by limiting nonpoint source water pollution.

1 (b) The department shall, by rule, specify a process for the development and
2 dissemination of technical standards to implement the performance standards and
3 prohibitions under par. (a).

4 (c) Using the process specified under par. (b), the department shall develop and
5 disseminate technical standards to implement the performance standards and
6 prohibitions under par. (a). The department shall develop and disseminate
7 alternative technical standards for situations in which more than one method exists
8 to implement the performance standards and prohibitions.

9 **(3) NONPOINT SOURCES THAT ARE AGRICULTURAL.** (a) The department of natural
10 resources, in consultation with the department of agriculture, trade and consumer
11 protection, shall promulgate rules prescribing performance standards and
12 prohibitions for agricultural facilities and agricultural practices that are nonpoint
13 sources. The performance standards and prohibitions shall be designed to achieve
14 water quality standards by limiting nonpoint source water pollution. At a minimum,
15 the prohibitions shall include all of the following:

16 1. That a livestock operation may have no overflow of manure storage
17 structures.

18 2. That a livestock operation may have no unconfined manure pile in a water
19 quality management area.

20 3. That a livestock operation may have no direct runoff from a feedlot or stored
21 manure into the waters of the state.

22 4. That a livestock operation may not allow unlimited access by livestock to
23 waters of the state in a location where high concentrations of animals prevent the
24 maintenance of adequate sod cover.

1 (b) The department of agriculture, trade and consumer protection, in
2 consultation with the department of natural resources, shall promulgate rules
3 prescribing conservation practices to implement the performance standards and
4 prohibitions under par. (a) and specifying a process for the development and
5 dissemination of technical standards to implement the performance standards and
6 prohibitions under par. (a).

7 (c) Using the process specified under par. (b), the department of agriculture,
8 trade and consumer protection shall develop and disseminate technical standards to
9 implement the performance standards and prohibitions under par. (a). The
10 department of agriculture, trade and consumer protection shall disseminate
11 alternative technical standards for situations in which more than one method exists
12 to implement the performance standards and prohibitions.

13 (d) The conservation practices and technical standards under pars. (b) and (c)
14 shall at a minimum cover animal waste management, nutrients applied to the soil
15 and cropland sediment delivery.

16 (e) An owner or operator of an agricultural facility or practice that is in
17 existence before the effective date of this paragraph [revisor inserts date], may not
18 be required by this state or a municipality to comply with the performance standards,
19 prohibitions, conservation practices or technical standards under this subsection
20 unless cost-sharing is available, under sub. (5) or s. 92.14 or 281.65 or from any other
21 source, to the owner or operator. For the purposes of this paragraph, sub. (4) and ss.
22 92.07 (2), 92.105 (1), 92.15 (4) and 823.08 (3) (c) 2., the department of natural
23 resources shall promulgate rules that specify criteria for determining whether
24 cost-sharing is available under sub. (5) or s. 281.65 and the department of
25 agriculture, trade and consumer protection shall promulgate rules that specify

1 criteria for determining whether cost-sharing is available under s. 92.14 or from any
2 other source.

3 (4) APPLICATION TO ANIMAL FEEDING OPERATIONS. If the department issues a
4 notice of discharge under ch. 283 for an animal feeding operation, the performance
5 standards, prohibitions, conservation practices and technical standards under sub.
6 (3) apply to the animal feeding operation, except that if the animal feeding operation
7 is in existence before the effective date of this subsection ... [revisor inserts date], the
8 performance standards, prohibitions, conservation practices and technical
9 standards only apply if the department determines that cost-sharing is available to
10 the owner or operator of the animal feeding operation under sub. (5), s. 92.14 or
11 281.65 or from any other source.

12 (5) COST-SHARING FOR COMPLIANCE. From the appropriation under s. 20.866 (2)
13 (te), the department shall provide cost-sharing grants to persons to whom
14 cost-sharing is not available from other sources for projects to assist agricultural
15 facilities to comply with the performance standards, prohibitions, conservation
16 practices and technical standards under sub. (3). The department shall promulgate
17 rules for the administration of the program under this subsection.

18 **SECTION 2492.** 281.17 (3) of the statutes is amended to read:

19 281.17 (3) The department shall promulgate rules establishing an examining
20 program for the certification of operators of water systems, wastewater treatment
21 plants and septage servicing vehicles operated under a license issued under s. 281.48
22 (3), setting such standards as the department finds necessary to accomplish the
23 purposes of this chapter and chs. 285 and 289 to 299, including requirements for
24 continuing education. The department may charge applicants a fee for certification.
25 All moneys collected under this subsection for the certification of operators of water

1 systems, wastewater treatment plants and septage servicing vehicles shall be
2 credited to the appropriation under s. 20.370 ~~(2)~~ (4) (bL). No person may operate a
3 water systems, wastewater treatment plant or septage servicing vehicle without a
4 valid certificate issued under this subsection. The department may suspend or
5 revoke a certificate issued under this subsection for a violation of any statute or rule
6 relating to the operation of a water system or wastewater treatment plant or to
7 septage servicing, for failure to fulfill the continuing education requirements or as
8 provided under s. 145.245 (3). The owner of any wastewater treatment plant shall
9 be, or shall employ, an operator certified under this subsection who shall be
10 responsible for plant operations, unless the department by rule provides otherwise.
11 In this subsection, "wastewater treatment plant" means a system or plant used to
12 treat industrial wastewater, domestic wastewater or any combination of industrial
13 wastewater and domestic wastewater.

14 **SECTION 2493.** 281.17 (8) of the statutes is amended to read:

15 281.17 (8) The department may establish, administer and maintain a safe
16 drinking water program no less stringent than the requirements of the safe drinking
17 water act of 1974, P.L. 93-523, 88 Stat. 1660, 42 USC 300f to 300j-26.

18 **SECTION 2494.** 281.17 (9) of the statutes is created to read:

19 281.17 (9) The department may require owners of water systems to
20 demonstrate the technical, managerial and financial capacity to comply with
21 national primary drinking water regulations under 42 USC 300g-1 and may assist
22 owners of water systems to develop that capacity.

23 **SECTION 2495.** 281.19 (2) (a) of the statutes is amended to read:

24 281.19 (2) (a) The department may issue special orders directing particular
25 owners to remedy violations of the safe drinking water program under s. 281.17 (8)

1 and (9) or to secure such operating results toward the control of pollution of the
2 waters of the state as the department prescribes, within a specified time. Pending
3 efforts to comply with any order, the department may permit continuance of
4 operations on such conditions as it prescribes. If any owner cannot comply with an
5 order within the time specified, the owner may, before the date set in the order,
6 petition the department to modify the order. The department may modify the order,
7 specifying in writing the reasons therefor. If any order is not complied with within
8 the time period specified, the department shall immediately notify the attorney
9 general of this fact. Within 30 days thereafter, the attorney general shall forthwith
10 commence an action under s. 299.95.

11 **SECTION 2496.** 281.22 (2m) of the statutes is created to read:

12 281.22 **(2m)** FEE FOR EXPEDITED SERVICE. (a) The department, by rule, may
13 charge a supplemental fee for a determination under sub. (1) that is in addition to
14 the fee charged under sub. (1) if all of the following apply:

15 1. The applicant requests in writing that the determination be issued within
16 a time period that is shorter than the time limit promulgated under par. (b) for the
17 determination.

18 2. The department verifies that it will be able to comply with the request.

19 (b) If the department promulgates a rule under par. (a), the rule shall contain
20 for a time limit for making determinations under sub. (1).

21 **SECTION 2497.** 281.48 (4s) (d) of the statutes is amended to read:

22 281.48 **(4s)** (d) In addition to the license fee under par. (a) 1. or 2., the
23 department shall collect from each licensee a groundwater fee of \$50 if the license
24 period begins before July 1, 1997, and \$100 if the license period begins after June 30,

1 1997. The moneys collected under this paragraph shall be credited to the
2 environmental fund for ~~groundwater~~ environmental management.

3 **SECTION 3495m.** 281.57 (10m) of the statutes is created to read:

4 281.57 (10m) LOAN FOR MODIFICATION OR REPLACEMENT OF AN INNOVATIVE OR
5 ALTERNATIVE PROJECT. Notwithstanding subs. (2), (4) to (10) and (12), during the
6 1997-99 fiscal biennium, the department shall provide a loan of \$1,300,000 to a
7 municipality for the modification or replacement of a failed innovative or alternative
8 point source pollution abatement facility for which the department issued written
9 approval of eligibility under 40 CFR 35.2032 before December 10, 1996, and which
10 requires additional construction to eliminate discharge of effluent to groundwater
11 and to establish a new surface water outfall. The department may not charge any
12 interest on the loan and may not require the municipality to repay the loan until the
13 municipality receives a grant from the federal environmental protection agency for
14 the modification or replacement of the point source pollution abatement facility. If
15 the federal environmental protection agency denies the grant, the department shall
16 forgive the loan.

17 **SECTION 2498.** 281.58 (1) (ai) of the statutes is created to read:

18 281.58 (1) (ai) "Clean water fund program" means the program administered
19 under this section with financial management provided under s. 281.59.

20 **SECTION 2499.** 281.58 (1) (cg) of the statutes is amended to read:

21 281.58 (1) (cg) "Market interest rate" means the interest at the effective rate
22 of a revenue obligation issued by the state to fund a project loan or a portion of a
23 project loan under ~~this section and s. 281.59~~ the clean water fund program.

24 **SECTION 3497e.** 281.58 (1) (cm) of the statutes is repealed.

25 **SECTION 2500.** 281.58 (2m) (a) of the statutes is amended to read:

1 281.58 **(2m)** (a) Administer its responsibilities under ~~this section and s. 281.59~~
2 the clean water fund program.

3 **SECTION 2501.** 281.58 (3m) (a) of the statutes is amended to read:

4 281.58 **(3m)** (a) A list of wastewater treatment projects that the department
5 estimates will apply for financial assistance under ~~this section and s. 281.59~~ the
6 clean water fund program during the next biennium.

7 **SECTION 2502.** 281.58 (6) (a) (intro.) of the statutes is amended to read:

8 281.58 **(6)** (a) (intro.) The department may determine whether a municipality
9 is eligible for financial assistance under ~~this section and s. 281.59~~ the clean water
10 fund program for any of the following:

11 **SECTION 2503.** 281.58 (6) (b) (intro.) of the statutes is amended to read:

12 281.58 **(6)** (b) (intro.) The following methods of providing financial assistance
13 may be used under ~~this section and s. 281.59~~ the clean water fund program:

14 **SECTION 2504.** 281.58 (6) (b) 8. of the statutes is amended to read:

15 281.58 **(6)** (b) 8. Providing payments to the board of commissioners of public
16 lands to reduce principal or interest payments, or both, on loans made to
17 municipalities under subch. II of ch. 24 by the board of commissioners of public lands
18 for projects that are eligible for financial assistance under ~~this section and s. 281.59~~
19 the clean water fund program.

20 **SECTION 2505.** 281.58 (7) (a) of the statutes is amended to read:

21 281.58 **(7)** (a) The department shall, by rule, establish criteria for determining
22 which applicants and which projects are eligible to receive financial assistance under
23 ~~this section and s. 281.59~~ the clean water fund program. The primary criteria for
24 eligibility shall be water quality and public health. The rules for clean water fund
25 projects funded from the account under s. 25.43 (2) (a) shall be consistent with 33

1 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations promulgated
2 thereunder. The rules for clean water fund projects funded from the account under
3 s. 25.43 (2) (b) may be consistent with 33 USC 1251 to 1376 and 33 USC 1381 to 1387
4 and the regulations promulgated thereunder.

5 **SECTION 2506.** 281.58 (7) (b) (intro.) of the statutes is amended to read:

6 281.58 (7) (b) (intro.) The department may determine whether a municipality
7 is eligible for financial assistance under ~~this section and s. 281.59~~ the clean water
8 fund program for any of the following types of projects:

9 **SECTION 2507.** 281.58 (8) (a) (intro.) of the statutes is amended to read:

10 281.58 (8) (a) (intro.) The following are not eligible for financial assistance from
11 the clean water fund ~~under this section and s. 281.59~~ program:

12 **SECTION 2508.** 281.58 (8) (d) of the statutes is amended to read:

13 281.58 (8) (d) An unsewered municipality that is not constructing a treatment
14 work and will be disposing of wastewater in the treatment work of another
15 municipality is not eligible for financial assistance under ~~this section and s. 281.59~~
16 the clean water fund program until it executes an agreement under s. 66.30 with
17 another municipality to receive, treat and dispose of the wastewater of the
18 unsewered municipality.

19 **SECTION 2509.** 281.58 (8) (g) of the statutes is amended to read:

20 281.58 (8) (g) The sum of all of the financial assistance to a municipality
21 approved under ~~this section and s. 281.59~~ the clean water fund program for a project
22 may not result in the municipality paying less than 30% of the cost of the project.

23 **SECTION 2510.** 281.58 (8) (i) of the statutes is amended to read:

1 281.58 (8) (i) After June 30, 1991, no municipality may receive for projects in
2 a biennium an amount that exceeds 35.2% of the amount approved by the legislature
3 under s. 281.59 ~~(3)(d)~~ (3e) (b) for that biennium.

4 **SECTION 2511.** 281.58 (8) (L) (intro.) of the statutes is amended to read:

5 281.58 (8) (L) (intro.) The total amount of capital cost loans made under ~~this~~
6 ~~section and s. 281.59~~ the clean water fund program may not exceed \$120,000,000,
7 and no capital cost loan funds may be released under ~~this section and s. 281.59~~ the
8 clean water fund program until the secretary of administration has found in writing
9 that all of the following facts have occurred:

10 **SECTION 3509m.** 281.58 (8e) (cm) of the statutes is created to read:

11 281.58 (8e) (cm) A factor that gives higher priority than would otherwise be
12 given to a project to serve more than one municipality if all of the following apply:

13 1. Each municipality to be served by the project has a population of 2,500 or
14 less.

15 2. At least one of the municipalities to be served by the project has a wastewater
16 treatment system that is unusable because of failures of the system.

17 3. The municipalities to be served by the project are submitting an application
18 for a new joint treatment work.

19 4. At least one of the municipalities to be served by the treatment work has been
20 ordered to upgrade a current system.

21 **SECTION 2512.** 281.58 (8m) (a) of the statutes is amended to read:

22 281.58 (8m) (a) A municipality shall submit notice to the department of its
23 intent to apply for financial assistance under this section and s. 281.59 ~~in a year no~~
24 ~~later than December 31 of the preceding year.~~ A municipality shall submit the notice
25 at least 6 months before the beginning of the fiscal year in which it will request to

1 receive financial assistance. The notice shall be in a form prescribed by the
2 department and the department of administration.

3 **SECTION 2513.** 281.58 (8m) (b) of the statutes is repealed.

4 **SECTION 2514.** 281.58 (8m) (c) of the statutes is amended to read:

5 281.58 **(8m)** (c) The department may waive par. (a) ~~or (b)~~ upon the written
6 request of a municipality.

7 **SECTION 2515.** 281.58 (9) (a) of the statutes is amended to read:

8 281.58 **(9)** (a) After the department approves a municipality's facility plan
9 submitted under sub. (8s), the municipality shall submit an application for
10 participation to the department. The application shall be in such form and include
11 such information as the department and the department of administration prescribe
12 and shall include design plans and specifications that are approvable by the
13 department under this chapter. The department shall review applications for
14 participation in the clean water fund program ~~under this section and s. 281.59.~~ The
15 department shall determine which applications meet the eligibility requirements
16 and criteria under subs. (6), (7), (8), (8m) and (13).

17 **SECTION 2516.** 281.58 (9) (am) of the statutes is amended to read:

18 281.58 **(9)** (am) A municipality may not submit more than one application
19 under par. (a) for any single project in any 12-month period except that this
20 paragraph does not apply to applications for financial assistance for additional costs
21 of an approved project.

22 **SECTION 2517.** 281.58 (9) (b) of the statutes is amended to read:

23 281.58 **(9)** (b) A municipality seeking financial assistance, except for a
24 municipality seeking a capital cost loan, for a project ~~under this section and s. 281.59~~

1 the clean water fund program shall complete an environmental analysis sequence
2 as required by the department by rule.

3 **SECTION 2518.** 281.58 (9) (c) of the statutes is amended to read:

4 281.58 (9) (c) If a municipality is serviced by more than one sewerage district
5 for wastewater pollution abatement, each service area of the municipality shall be
6 considered a separate municipality for purposes of obtaining financial assistance
7 under ~~this section and s. 281.59~~ the clean water fund program.

8 **SECTION 2519.** 281.58 (9) (e) of the statutes is amended to read:

9 281.58 (9) (e) If the governor's recommendation, as set forth in the executive
10 budget bill, for the amount under s. 281.59 ~~(3) (d)~~ (3e) (b), the amount available under
11 s. 20.866 (2) (tc) or the amount available under s. 281.59 (4) (f) for a biennium is 85%
12 or less of the amount of present value subsidy, general obligation bonding authority
13 or revenue bonding authority, respectively, requested for that biennium in the
14 biennial finance plan submitted under s. 281.59 (3) (bm) 1., the department shall
15 inform municipalities that, if the governor's recommendations are approved, clean
16 water fund program assistance during a fiscal year of that biennium will only be
17 available to municipalities that submit financial assistance applications by the June
18 30 preceding that fiscal year.

19 **SECTION 2520.** 281.58 (9) (f) of the statutes is amended to read:

20 281.58 (9) (f) The fees collected under par. (d) shall be credited to the ~~clean~~
21 ~~water~~ environmental improvement fund.

22 **SECTION 2521.** 281.58 (9m) (c) of the statutes is amended to read:

23 281.58 (9m) (c) The department may approve an application under par. (a) in
24 a year only after the amount under s. 281.59 ~~(3) (d)~~ (3e) (b) for the biennium in which
25 that year falls has been approved by the legislature under s. 281.59 ~~(3) (d)~~ (3e) (b).

1 **SECTION 2522.** 281.58 (9m) (e) of the statutes is amended to read:

2 281.58 **(9m)** (e) 1. Except as provided under par. (f) and sub. (13), if a sufficient
3 amount of subsidy is available under s. 281.59 ~~(3)-(d)~~ (3e) (b) for the municipality's
4 project, based on the calculation under s. 281.59 ~~(3)-(i)~~ (3e) (f), when the department
5 approves the application under par. (a), the department of administration shall
6 allocate that amount to the project.

7 2. If a sufficient amount of subsidy is not available under s. 281.59 ~~(3)-(d)~~ (3e)
8 (b) for the municipality's project when the department approves the application
9 under subd. 1., the department shall place the project on a list for allocation when
10 additional subsidy becomes available.

11 **SECTION 2523.** 281.58 (9m) (f) (intro.) of the statutes is amended to read:

12 281.58 **(9m)** (f) (intro.) If the amount approved under s. 281.59 ~~(3)-(d)~~ (3e) (b),
13 the amount available under s. 20.866 (2) (tc) or the amount available under s. 281.59
14 (4) (f) for a biennium is 85% or less of the amount of present value subsidy, general
15 obligation bonding authority or revenue bonding authority, respectively, requested
16 for that biennium in the biennial finance plan submitted under s. 281.59 (3) (bm) 1.,
17 all of the following apply:

18 **SECTION 2524.** 281.58 (9m) (g) of the statutes is amended to read:

19 281.58 **(9m)** (g) In allocating subsidy under this subsection, the department of
20 administration shall adhere to the amount approved by the legislature for each
21 biennium under s. 281.59 ~~(3)-(d)~~ (3e) (b).

22 **SECTION 2525.** 281.58 (12) (a) of the statutes is repealed and recreated to read:

23 281.58 **(12)** (a) 1. Except as modified under par. (f) and except as restricted by
24 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
25 2. is 55% of market interest rate.

1 2. Except as modified under par. (f) and except as restricted by sub. (8) (b), (c),
2 (f) or (h), the interest rate for projects specified in sub. (7) (b) 5. is 65% of market
3 interest rate.

4 3. Except as modified under par. (f) and except as restricted by sub. (8) (b), (c),
5 (f) or (h), the interest rate for projects specified in sub. (7) (b) 4. is 70% of market
6 interest rate.

7 4. The interest rate for projects specified in sub. (7) (b) 6. and 7. and for those
8 portions of projects under subd. 1. that are restricted by sub. (8) (b), (c), (f) or (h) is
9 market interest rate.

10 5. The interest rate for a planning and design project specified in sub. (7) (b)
11 3. shall be determined under subd. 1., 2., 3. or 4. based on the type of project for which
12 the planning and design are undertaken.

13 **SECTION 2526.** 281.58 (12) (c) (intro.), 1. and 2. of the statutes are repealed.

14 **SECTION 2527.** 281.58 (12) (c) 3. of the statutes is renumbered 281.58 (12) (c)
15 and amended to read:

16 281.58 (12) (c) The department, ~~in establishing percentage of market interest~~
17 ~~rates, and the department of administration~~ shall attempt to ensure that those rates
18 do not result in any all of the following:

19 1. ~~Beginning in fiscal year 1991, That~~ increases in all state water pollution
20 abatement general obligation debt service costs ~~greater than~~ do not exceed 4%
21 annually in the ~~fiscal year in which the rates are established and in the following~~
22 ~~fiscal year.~~

23 2. ~~State That state~~ water pollution abatement general obligation debt service
24 costs are not greater than 50% of all general obligation debt service costs in the any
25 fiscal year ~~in which the rates are established and in any of the following 3 fiscal years.~~

1 **SECTION 2528.** 281.58 (12) (f) of the statutes is amended to read:

2 281.58 (12) (f) The department and the department of administration jointly
3 may request the joint committee on finance to take action under s. 13.101 (11) to
4 modify the percentage of market interest rates established by rule for tier 1 and tier
5 ~~2 projects in par. (a) 1. to 3.~~

6 **SECTION 2529.** 281.58 (13) (b) (intro.) of the statutes is amended to read:

7 281.58 (13) (b) (intro.) A municipality with an application that is approved
8 under sub. (9m) is eligible for financial hardship assistance for the project costs that
9 are eligible under ~~this section and s. 281.59~~ the clean water fund program, except for
10 costs to which sub. (8) (b), (c), (f) or (h) applies, if the municipality meets all of the
11 following criteria:

12 **SECTION 3528m.** 281.58 (13) (g) of the statutes is created to read:

13 281.58 (13) (g) 1. Except as provided in subd. 2., the department shall
14 determine median household income by adjusting median household income as
15 determined by the U.S. bureau of the census to reflect changes in household income
16 since the most recent federal census.

17 2. For a town sanitary district that has a population, as indicated on the
18 application for assistance under this section, of 2,500 or less and that has boundaries
19 that are not contiguous with a town, the department may not use information from
20 the federal census to determine median household income. For such a town sanitary
21 district, the department shall determine median household income based on data
22 obtained from a 3rd party and submitted by the town sanitary district.

23 **SECTION 2530.** 281.58 (13m) of the statutes is amended to read:

24 281.58 (13m) **MINORITY BUSINESS DEVELOPMENT AND TRAINING PROGRAM.** (a) The
25 department shall make grants to projects that are eligible for financial assistance

1 under ~~this section and s. 281.59~~ the clean water fund program and that are identified
2 as being part of the minority business development and training program under
3 s. ~~66.905 (2) (b)~~ 560.036 (2m) (b) 2.

4 (b) Grants provided under this subsection are not included for the purposes of
5 determining under sub. (8) (i) the amount that a municipality may receive for
6 projects under ~~this section and s. 281.59~~ the clean water fund program. Grants
7 awarded under this subsection are not considered for the purposes of sub. (9m) (e)
8 or s. 281.59 ~~(3) (d)~~ (3e) (b).

9 **SECTION 2531.** 281.58 (14) (b) (intro.) of the statutes is amended to read:

10 281.58 (14) (b) (intro.) As a condition of receiving financial assistance under
11 ~~this section and s. 281.59~~ the clean water fund program, a municipality shall do all
12 of the following:

13 **SECTION 2532.** 281.59 (title) of the statutes is amended to read:

14 **281.59 (title) ~~Clean water~~ Environmental improvement fund program;**
15 **financial management.**

16 **SECTION 2533.** 281.59 (1) (a) of the statutes is renumbered 281.59 (1) (am).

17 **SECTION 2534.** 281.59 (1) (ag) of the statutes is created to read:

18 281.59 (1) (ag) “Clean water fund program” means the program administered
19 under s. 281.58, with financial management provided under this section.

20 **SECTION 2535.** 281.59 (1) (as) of the statutes is created to read:

21 281.59 (1) (as) “Land recycling loan program” means the program
22 administered under s. 281.60, with financial management provided under this
23 section.

24 **SECTION 2536.** 281.59 (1) (b) of the statutes is amended to read:

1 281.59 (1) (b) “Market interest rate” means the interest at the effective rate of
2 a revenue obligation issued by the state to fund a ~~project~~ loan or a portion of a ~~project~~
3 ~~loan under this section and s. 281.58~~ for a project under the clean water fund
4 program.

5 **SECTION 2537.** 281.59 (1) (cm) of the statutes is created to read:

6 281.59 (1) (cm) “Safe drinking water loan program” means the program
7 administered under s. 281.61, with financial management provided under this
8 section.

9 **SECTION 2538.** 281.59 (1) (d) of the statutes is amended to read:

10 281.59 (1) (d) “Subsidy” means the amounts provided ~~by the clean water from~~
11 ~~the environmental improvement fund to clean water fund program, safe drinking~~
12 ~~water loan program and land recycling loan program~~ projects receiving financial
13 ~~assistance under this section and s. 281.58~~ for the following purposes:

14 1. To reduce the interest rate of clean water fund program, safe drinking water
15 loan program and land recycling loan program loans from market rate to a subsidized
16 rate.

17 2. ~~To~~ For the clean water fund program only, to provide for financial hardship
18 assistance, including grants.

19 **SECTION 3537e.** 281.59 (1) (d) 3. of the statutes is created to read:

20 281.59 (1) (d) 3. For the safe drinking water loan program only, to provide
21 grants under s. 281.61 (8e).

22 **SECTION 2539.** 281.59 (1m) of the statutes is created to read:

23 281.59 (1m) ESTABLISHMENT OF PROGRAMS. (a) There is established a clean
24 water fund program, administered under s. 281.58, with financial management
25 provided under this section.

1 (b) There is established a safe drinking water loan program, administered
2 under s. 281.61, with financial management provided under this section.

3 **SECTION 2540.** 281.59 (2) (a) of the statutes is amended to read:

4 281.59 (2) (a) Administer its responsibilities under this section and ~~s. ss.~~
5 281.58, 281.60 and 281.61.

6 **SECTION 2541.** 281.59 (2) (b) of the statutes is amended to read:

7 281.59 (2) (b) Cooperate with the department in administering the clean water
8 fund program, the safe drinking water loan program and the land recycling loan
9 program.

10 **SECTION 2542.** 281.59 (2) (c) of the statutes is amended to read:

11 281.59 (2) (c) Accept and hold any letter of credit from the federal government
12 through which the state receives federal capitalization grant payments and
13 disbursements to the ~~clean water~~ environmental improvement fund.

14 **SECTION 2543.** 281.59 (2m) (title) of the statutes is amended to read:

15 281.59 (2m) (title) INVESTMENT MANAGEMENT; ~~CLEAN WATER~~ ENVIRONMENTAL
16 IMPROVEMENT FUND.

17 **SECTION 2544.** 281.59 (2m) (a) 1. of the statutes is amended to read:

18 281.59 (2m) (a) 1. Subject to par. (b), direct the investment board under s. 25.17
19 (2) (d) to make any investment of the ~~clean water~~ environmental improvement fund,
20 or in the collection of the principal and interest of all moneys loaned or invested from
21 such that fund.

22 **SECTION 2545.** 281.59 (2m) (b) 1. of the statutes is amended to read:

23 281.59 (2m) (b) 1. The action provides a financial benefit to the ~~clean water~~
24 environmental improvement fund.

25 **SECTION 2546.** 281.59 (2m) (b) 2. of the statutes is amended to read:

1 281.59 (2m) (b) 2. The action does not contradict or weaken the purposes of the
2 clean water environmental improvement fund.

3 **SECTION 2547.** 281.59 (3) (a) 1. of the statutes is amended to read:

4 281.59 (3) (a) 1. An estimate of the wastewater treatment, safe drinking water
5 and land recycling project needs of the state for the 4 fiscal years of the next 2 biennia.

6 **SECTION 2548.** 281.59 (3) (a) 2. of the statutes is amended to read:

7 281.59 (3) (a) 2. The total amount of financial assistance planned to be provided
8 or committed to municipalities for projects under subd. 1. during the 4 fiscal years
9 of the next 2 biennia biennium.

10 **SECTION 3548b.** 281.59 (3) (a) 4. of the statutes is amended to read:

11 281.59 (3) (a) 4. The extent to which the funding for the clean water fund
12 program and the safe drinking water loan program, in the environmental
13 improvement fund, will be maintained in perpetuity.

14 **SECTION 3548e.** 281.59 (3) (a) 4m. of the statutes is created to read:

15 281.59 (3) (a) 4m. A chart showing detailed projected sources and uses of funds
16 for projects under subd. 1. during the next biennium.

17 **SECTION 3549b.** 281.59 (3) (a) 5. of the statutes is amended to read:

18 281.59 (3) (a) 5. Audited The most recent available audited financial
19 statements of the past operations and activities of the ~~program under this section~~
20 ~~and s. 281.58~~ clean water fund program, the safe drinking water loan program and
21 the land recycling loan program, the estimated environmental improvement fund
22 capital available in each of the next 4 fiscal years for the clean water fund program
23 and the safe drinking water loan program, and the projected clean water
24 environmental improvement fund balance for the clean water fund program and the

1 safe drinking water loan program for each of the next 20 years given existing
2 obligations and financial conditions.

3 **SECTION 2549.** 281.59 (3) (a) 5m. of the statutes is amended to read:

4 281.59 (3) (a) 5m. The ~~estimated spending level and percentage of market~~
5 interest rate for the ~~types of projects specified under s. 281.58 (7) (b) 1. to 3.~~ under
6 subd. 1.

7 **SECTION 2550.** 281.59 (3) (a) 6. of the statutes is amended to read:

8 281.59 (3) (a) 6. An amount equal to the estimated present value of subsidies
9 for all clean water fund program loans and grants expected to be made for the
10 wastewater treatment projects listed in the biennial needs list under s. 281.58 (3m),
11 discounted at a rate of 7% per year to the first day of the biennium for which the
12 biennial finance plan is prepared.

13 **SECTION 2551.** 281.59 (3) (a) 6e. of the statutes is created to read:

14 281.59 (3) (a) 6e. An amount equal to the estimated present value of subsidies
15 for all loans under the land recycling loan program to be made during the biennium
16 for which the biennial finance plan is prepared, discounted at a rate of 7% per year
17 to the first day of that biennium.

18 **SECTION 2552.** 281.59 (3) (a) 6m. of the statutes is created to read:

19 281.59 (3) (a) 6m. An amount equal to the estimated present value of subsidies
20 for all loans and grants under the safe drinking water loan program to be made
21 during the biennium for which the biennial finance plan is prepared, discounted at
22 a rate of 7% per year to the first day of that biennium.

23 **SECTION 2553.** 281.59 (3) (a) 7. of the statutes is amended to read:

24 281.59 (3) (a) 7. A discussion of the assumptions made in calculating the
25 ~~amount~~ amounts under subd. subds. 6., 6e. and 6m.

1 **SECTION 2554.** 281.59 (3) (a) 8. of the statutes is amended to read:

2 281.59 (3) (a) 8. The amount and description of any service fee expected to be
3 charged during the next biennium under this section ~~to an applicant.~~

4 **SECTION 2555.** 281.59 (3) (b) of the statutes is amended to read:

5 281.59 (3) (b) The department of administration and the department shall
6 consider as a guideline in preparing the portion of the biennial finance plan for the
7 clean water fund program that all state water pollution abatement general
8 obligation debt service costs should not exceed 50% of all general obligation debt
9 service costs to the state.

10 **SECTION 2556.** 281.59 (3) (c), (d), (dm), (e), (f) and (i) of the statutes are
11 renumbered 281.59 (3e) (a), (b), (c), (d), (e) and (f) and amended to read:

12 281.59 (3e) (a) No moneys ~~from the clean water fund~~ may be expended for the
13 clean water fund program in a biennium until the legislature reviews and approves
14 all of the following as part of the biennial budget act for the biennium:

15 1. An amount of present value of the subsidy for the clean water fund program
16 that is specified for that biennium under par. ~~(d)~~ (b) and is based on the amount
17 included in the biennial finance plan under ~~par. sub. (3)~~ (a) 6.

18 2. The amount of public debt, authorized under s. 20.866 (2) (tc), that the state
19 may contract for the purposes of s. ~~281.58 and this section~~ the clean water fund
20 program.

21 3. The amount of revenue obligations, authorized under sub. (4) (f), that may
22 be issued for the purposes ~~specified in s. 25.43 (3)~~ of the clean water fund program.

23 (b) The amount of present value of the subsidy for the clean water fund program
24 that is required to be specified under par. ~~(e)~~ (a) 1. and approved by the legislature
25 under this paragraph is as follows:

1 1. Equal to ~~\$83,400,000~~ \$82,400,000 during the ~~1995-97~~ 1997-99 biennium.

2 3. Equal to \$1,000 for any biennium after the ~~1995-97~~ 1997-99 biennium.

3 (c) The department of administration may allocate amounts approved under
4 par. ~~(d)~~ (b) as the present value of subsidies for financial assistance under ~~this section~~
5 ~~and s. 281.58~~ the clean water fund program, including financial hardship assistance
6 and assistance for the additional costs of approved projects. The department of
7 administration may allocate amounts from the amount approved under par. ~~(d)~~ (b)
8 for a biennium until December 30 of the fiscal year immediately following the
9 biennium for projects for which complete applications under s. 281.58 (9) (a) are
10 submitted before the end of the biennium.

11 (d) The department may expend, for financial assistance in a biennium other
12 than financial hardship assistance under s. 281.58 (13) (e), an amount up to 85% of
13 the amount approved by the legislature under par. ~~(d)~~ (b). The department may
14 expend such amount only from the percentage of the amount approved under par. ~~(d)~~
15 (b) that is not available under par. ~~(f)~~ (e) for financial hardship assistance.

16 (e) The department may expend, for financial hardship assistance in a
17 biennium under s. 281.58 (13) (e), an amount up to 15% of the amount approved by
18 the legislature under par. ~~(d)~~ (b) for that biennium. The department may expend
19 such amount only from the percentage of the amount approved by the legislature
20 under par. ~~(d)~~ (b) that is not available under par. ~~(e)~~ (d) for financial assistance.

21 (f) Using the amount approved under par. ~~(d)~~ (b) as a base, the department of
22 administration shall calculate the present value of the actual subsidy of each clean
23 water fund program loan or grant to be made for those projects in each biennium that
24 are approved for financial assistance by the 2 departments. The present value shall
25 be discounted as provided under ~~par. sub. (3)~~ (a) 6.

1 **SECTION 2557.** 281.59 (3) (j) of the statutes is amended to read:

2 281.59 **(3)** (j) No later than November 1 of each odd-numbered year, the
3 department of administration and the department jointly shall submit a report, to
4 the building commission and committees as required under par. (bm), on the
5 implementation of the amount established under ~~par. (d)~~ sub. (3e) (b) as required
6 under s. 281.58 (9m) (e), and on the operations and activities of the clean water fund
7 program, the safe drinking water loan program and the land recycling loan program
8 for the previous biennium.

9 **SECTION 2558.** 281.59 (3e) (title) of the statutes is created to read:

10 281.59 **(3e)** (title) CLEAN WATER FUND PROGRAM EXPENDITURES.

11 **SECTION 2559.** 281.59 (3m) of the statutes is created to read:

12 281.59 **(3m)** LAND RECYCLING LOAN PROGRAM EXPENDITURES. (a) No moneys may
13 be expended for the land recycling loan program in a biennium until the legislature
14 reviews and approves, as part of the biennial budget act for the biennium, an amount
15 of present value of the subsidy for the land recycling loan program that is specified
16 for that biennium under par. (b) and is based on the amount included in the biennial
17 finance plan under sub. (3) (a) 6e.

18 (b) The amount of present value of the subsidy for the land recycling loan
19 program that is approved by the legislature under this paragraph is as follows:

- 20 1. Equal to \$4,500,000 during the 1997-99 biennium.
21 2. Equal to \$1,000 for any biennium after the 1997-99 biennium.

22 (c) The department of administration may allocate amounts approved under
23 par. (b) as the present value of subsidies for financial assistance under the land
24 recycling program.

1 (d) Using the amount approved under par. (b) as a base, the department of
2 administration shall calculate the present value of the actual subsidy of each land
3 recycling loan made for those projects in each biennium that are approved for
4 financial assistance. The present value shall be discounted as provided under sub.
5 (3) (a) 6e.

6 **SECTION 2560.** 281.59 (3s) of the statutes is created to read:

7 **281.59 (3s) SAFE DRINKING WATER LOAN PROGRAM EXPENDITURES.** (a) No moneys
8 may be expended for the safe drinking water loan program in a biennium until the
9 legislature reviews and approves all of the following as part of the biennial budget
10 act for the biennium:

11 1. An amount of present value of the subsidy for the safe drinking water loan
12 program that is specified for that biennium under par. (b) and is based on the amount
13 included in the biennial finance plan under sub. (3) (a) 6m.

14 2. The amount of public debt, authorized under s. 20.866 (2) (td), that the state
15 may contract for the purposes of the safe drinking water loan program.

16 (b) The amount of present value of the subsidy for the safe drinking water loan
17 program that is approved by the legislature under this paragraph is as follows:

18 1. Equal to \$21,000,000 during the 1997-99 biennium.

19 2. Equal to \$1,000 for any biennium after the 1997-99 biennium.

20 (c) The department of administration may allocate amounts approved under
21 par. (b) as the present value of subsidies for financial assistance under the safe
22 drinking water program.

23 (d) Using the amount approved under par. (b) as a base, the department of
24 administration shall calculate the present value of the actual subsidy of each safe
25 drinking water loan or grant made for those projects in each biennium that are

1 approved for financial assistance. The present value shall be discounted as provided
2 under sub. (3) (a) 6m.

3 **SECTION 2561.** 281.59 (4) (am) of the statutes is amended to read:

4 281.59 (4) (am) Deposits, appropriations or transfers to the ~~clean water~~
5 environmental improvement fund for the purposes ~~specified in s. 25.43 (3) of the~~
6 clean water fund program may be funded with the proceeds of revenue obligations
7 issued subject to and in accordance with subch. II of ch. 18 or in accordance with
8 subch. IV of ch. 18 if designated a higher education bond.

9 **SECTION 2562.** 281.59 (4) (c) of the statutes is amended to read:

10 281.59 (4) (c) The building commission may pledge any portion of revenues
11 received or to be received in the fund established in par. (b) or the ~~clean water~~
12 environmental improvement fund to secure revenue obligations issued under this
13 subsection. The pledge shall provide for the transfer to the ~~clean water~~
14 environmental improvement fund of all pledged revenues, including any interest
15 earned on the revenues, which are in excess of the amounts required to be paid under
16 s. 20.320 (1) (c) and (u) for the purposes ~~specified in s. 25.43 (3) of the clean water fund~~
17 program. The pledge shall provide that the transfers be made at least twice yearly,
18 that the transferred amounts be deposited in the ~~clean water~~ environmental
19 improvement fund and that the transferred amounts are free of any prior pledge.

20 **SECTION 2563.** 281.59 (9) (a), (am) and (b) (intro.) and 1. of the statutes are
21 amended to read:

22 281.59 (9) (a) A loan approved under ~~this section and s. 281.58~~ the clean water
23 fund program, the safe drinking water loan program or the land recycling loan
24 program shall be for no longer than 20 years, as determined by the department of
25 administration, be fully amortized not later than 20 years after the original date of

1 the note, and require the repayment of principal and interest, if any, to begin not later
2 than 12 months after the expected date of completion of the project that it funds, as
3 determined by the department of administration.

4 (am) The department of administration, in consultation with the department,
5 may establish those terms and conditions of a financial assistance agreement that
6 relate to its financial management, including what type of municipal obligation, as
7 set forth under s. 66.36, is required for the repayment of the financial assistance.
8 Any terms and conditions established under this paragraph by the department of
9 administration shall comply with the requirements of this section and s. 281.58,
10 281.60 or 281.61. In setting such the terms and conditions, the department of
11 administration may consider factors that the department of administration finds are
12 relevant, including the type of ~~municipal~~ obligation evidencing the loan, the pledge
13 of security for the ~~municipal~~ obligation and the ~~municipality's~~ applicant's
14 creditworthiness.

15 (b) (intro.) As a condition of receiving financial assistance under ~~this section~~
16 ~~and s. 281.58, a municipality~~ the clean water fund program, the safe drinking water
17 loan program or the land recycling loan program, an applicant shall do all of the
18 following:

19 1. Pledge the security, if any, required by the rules promulgated by the
20 department of administration under this section and s. 281.58, 281.60 or 281.61.

21 **SECTION 2564.** 281.59 (11) of the statutes is amended to read:

22 281.59 (11) FINANCIAL ASSISTANCE PAYMENTS. (a) The department of natural
23 resources and the department of administration may enter into a financial
24 assistance agreement with a ~~municipality~~ an applicant for which the department of
25 administration has allocated subsidy under s. 281.58 (9m), 281.60 (8) or 281.61 (8)

1 if the ~~municipality~~ applicant meets the conditions under sub. (9) ~~and s. 281.58~~ (14)
2 and the other requirements under this section and s. 281.58, 281.60 or 281.61.

3 (am) The department of administration shall make the financial assistance
4 payments to a ~~municipality which~~ an applicant that has entered into a financial
5 assistance agreement under par. (a) or to the ~~municipality's~~ applicant's designated
6 agent.

7 (b) If a municipality fails to make a principal repayment or interest payment
8 after its due date, the department of administration shall place on file a certified
9 statement of all amounts due under this section and s. 281.58, 281.60 or 281.61.

10 After consulting the department, the department of administration may collect all
11 amounts due by deducting those amounts from any state payments due the
12 municipality or may add a special charge to the amount of taxes apportioned to and
13 levied upon the county under s. 70.60. If the department of administration collects
14 amounts due, it shall remit those amounts to the fund to which they are due and
15 notify the department of that action.

16 (c) The department of administration may retain the last payment under a
17 financial assistance agreement until the department of natural resources and the
18 department of administration determine that the project is completed and meets the
19 applicable requirements of this section and s. 281.58, 281.60 or 281.61 and that the
20 conditions of the financial assistance agreement are met.

21 **SECTION 2565.** 281.59 (13m) of the statutes is amended to read:

22 281.59 (13m) LEGISLATIVE MORAL OBLIGATION. The building commission may, at
23 the time the loan is made, by resolution designate a loan made under ~~this section and~~
24 ~~s. 281.58~~ the clean water fund program as one to which this subsection applies. If
25 at any time the payments received or expected to be received from a municipality on

1 any loan so designated are pledged to secure revenue obligations of the state issued
2 pursuant to subch. II of ch. 18 and are insufficient to pay when due principal of and
3 interest on such loan, the department of administration shall certify the amount of
4 such insufficiency to the secretary of administration, the governor and the joint
5 committee on finance. If the certification is received by the secretary of
6 administration in an even-numbered year before the completion of the budget under
7 s. 16.43, the secretary of administration shall include the certified amount in the
8 budget compilation. In any event, the joint committee on finance shall introduce in
9 either house, in bill form, an appropriation of the amount so requested for the
10 purpose of payment of the revenue obligation secured thereby. Recognizing its moral
11 obligation to do so, the legislature hereby expresses its expectation and aspiration
12 that, if ever called upon to do so, it shall make the appropriation.

13 **SECTION 2566.** 281.59 (13s) of the statutes is amended to read:

14 281.59 (13s) POWERS. The department of administration may audit, or contract
15 for audits of, projects receiving financial assistance under this section and s. 281.58
16 the clean water fund program, the safe drinking water loan program and the land
17 recycling loan program.

18 **SECTION 2567.** 281.59 (14) of the statutes is amended to read:

19 281.59 (14) RULES. The department of administration shall promulgate rules
20 that are necessary for the proper execution of this section and of its responsibilities
21 under s. ss. 281.58, 281.60 and 281.61.

22 **SECTION 2568.** 281.60 of the statutes is created to read:

23 **281.60 Land recycling loan program. (1) DEFINITIONS.** In this section:

24 (a) "Eligible applicant" means an individual, corporation, partnership,
25 association, commission or political subdivision.

1 (am) "Landfill" has the meaning given in s. 289.01 (20).

2 (b) "Land recycling loan program" means the program administered under this
3 section with financial management provided under s. 281.59.

4 (c) "Market interest rate" means the interest at the effective rate of a revenue
5 obligation issued by this state to fund a loan or portion of a loan for a clean water fund
6 program project under s. 281.58.

7 (d) "Political subdivision" means a city, village, town or county.

8 (e) "Site or facility" has the meaning given in s. 292.35 (1) (f).

9 **(2) GENERAL.** The department and the department of administration may
10 administer a program to provide financial assistance to eligible applicants for
11 projects to remedy environmental contamination of sites or facilities at which
12 environmental contamination has affected groundwater or surface water or
13 threatens to affect groundwater or surface water. The department and the
14 department of administration may provide financial assistance under this section to
15 an eligible applicant only if the eligible applicant owns the contaminated site or
16 facility. The department and the department of administration may not provide
17 financial assistance under this section to remedy environmental contamination at
18 a site or facility that is not a landfill if the eligible applicant caused the
19 environmental contamination.

20 **(2r) METHODS OF PROVIDING FINANCIAL ASSISTANCE.** The following methods of
21 providing financial assistance may be used under the land recycling loan program:

22 (a) Making loans below the market interest rate for projects described in sub.

23 (2).

1 (b) Purchasing or refinancing the obligation of an eligible applicant if the
2 obligation was incurred to finance the cost of a project described in sub. (2) and the
3 obligation was initially incurred after May 17, 1988.

4 (c) Guaranteeing, or purchasing insurance for, obligations incurred to finance
5 the cost of projects described in sub. (2) if the guarantee or insurance will provide
6 credit market access or reduce interest rates.

7 (d) Providing payments to the board of commissioners of public lands to reduce
8 principal or interest payments, or both, on loans made to political subdivisions under
9 subch. II of ch. 24 by the board of commissioners of public lands for projects that are
10 eligible for financial assistance under the land recycling loan program.

11 **(3) NOTICE OF INTENT TO APPLY.** (a) An eligible applicant shall submit notice of
12 its intent to apply for financial assistance under the land recycling loan program. An
13 eligible applicant shall submit the notice at least 6 months before the beginning of
14 the fiscal year in which it will request to receive funding. The notice shall be in a
15 form prescribed by the department and the department of administration.

16 (b) The department may waive par. (a) upon the written request of an eligible
17 applicant.

18 **(5) APPLICATION.** After submitting a notice of intent to apply under sub. (3) (a)
19 or obtaining a waiver under sub. (3) (b), an eligible applicant shall submit an
20 application for land recycling loan program financial assistance to the department.
21 The eligible applicant shall submit the application before the April 30 preceding the
22 beginning of the fiscal year in which the eligible applicant is requesting to receive the
23 financial assistance. The application shall be in the form and include the
24 information required by the department and the department of administration. An
25 eligible applicant may not submit more than one application per project per year.

1 **(6) PRIORITY LIST.** The department shall establish a priority list that ranks each
2 land recycling loan program project. The department shall promulgate rules for
3 determining project rankings based on the potential of projects to reduce
4 environmental pollution and threats to human health and, for sites and facilities
5 that are not landfills, the extent to which projects will prevent the development of
6 undeveloped land by making land available for redevelopment after a cleanup is
7 conducted. Before the department establishes the priority list, the department shall
8 consider the recommendations of the department of administration and the
9 department of commerce.

10 **(7) APPROVAL OF APPLICATION.** The department shall approve an application
11 received under sub. (5) after all of the following occur:

12 (a) The project is ranked on the priority list under sub. (6).

13 (b) The department determines that the project meets the eligibility
14 requirements under this section.

15 (c) The department of administration determines that the eligible applicant
16 will meet the requirements of s. 281.59 (9) (b).

17 (d) The legislature has approved an amount under s. 281.59 (3m) (b) for the
18 biennium.

19 **(8) FUNDING LIST; ALLOCATION OF FUNDING.** (a) The department shall establish
20 a funding list for each fiscal year that ranks projects of eligible applicants that
21 submit approvable applications under sub. (5) before the April 30 preceding the
22 beginning of the fiscal year in the same order that they appear on the priority list
23 under sub. (6). If sufficient funds are not available to fund all approved applications
24 for financial assistance, the department of administration shall allocate funding to

1 projects that are approved under sub. (7) in the order that they appear on the funding
2 list, except as follows:

3 1. The department of administration may not allocate more than 40% of the
4 available funds in each fiscal year to projects to remedy contamination at landfills.

5 2. In any biennium, no eligible applicant may receive more than 25% of the
6 amount established under s. 281.59 (3m) (b) for that biennium.

7 (b) In allocating subsidy under this subsection, the department of
8 administration shall adhere to the amount approved by the legislature for each
9 biennium under s. 281.58 (3m) (b).

10 **(8m) CONDITIONS OF FINANCIAL ASSISTANCE.** As a condition of receiving financial
11 assistance under the land recycling loan program, an eligible applicant shall do all
12 of the following:

13 (a) Establish a dedicated source of revenue for the repayment of the financial
14 assistance.

15 (b) Comply with those provisions of 33 USC 1381 to 1387, this chapter, and the
16 rules and regulations promulgated under those provisions, that the department
17 specifies.

18 (c) Allow access to the project by representatives of the department for the
19 purpose of making inspections.

20 **(9) FINANCIAL ASSISTANCE COMMITMENTS.** The department and the department
21 of administration may, at the request of an eligible applicant, issue a notice of
22 financial assistance commitment after the eligible applicant's application for land
23 recycling loan program financial assistance has been approved and funding has been
24 allocated under sub. (8) for the eligible applicant's project. The notice of financial
25 assistance commitment shall specify the conditions that the eligible applicant must

1 meet to secure financial assistance and shall include the estimated repayment
2 schedules and other terms of financial assistance.

3 **(10) DEADLINE FOR CLOSING.** If funding is allocated to a project under sub. (8)
4 for a loan and the loan is not closed before April 30 of the year following the year in
5 which funding is allocated, the department of administration shall release the
6 funding allocated to the project.

7 **(11) LOAN INTEREST RATES.** The interest rate on a land recycling loan program
8 loan shall be 55% of market interest rate.

9 **(11m) SERVICE FEE.** The department and the department of administration
10 shall jointly charge and collect an annual service fee for reviewing and acting upon
11 land recycling loan program applications and servicing financial assistance
12 agreements. The fee shall be in addition to interest payments at the rate under sub.
13 (11). For the 1997-99 fiscal biennium, the service fee shall be 0.5% of the loan
14 balance. Fee amounts for later biennia shall be established in the biennial finance
15 plan under s. 281.59 (3) (a) 8. The department and the department of administration
16 shall specify in the biennial finance plan a fee designed to cover the costs of reviewing
17 and acting upon land recycling loan program applications and servicing financial
18 assistance agreements.

19 **(12) SALE OF SITE OR FACILITY.** (a) An eligible applicant may not sell a site or
20 facility, or portion of a site or facility, for which the eligible applicant has received a
21 loan under this section, while the loan is outstanding, for less than fair market value.

22 (b) If an eligible applicant sells a site or facility, or portion of a site or facility,
23 for which the eligible applicant has received a loan under this section, the eligible
24 applicant shall do the following:

1 1. If the sale proceeds are less than or equal to the remaining loan balance, pay
2 the sale proceeds to the department of administration to repay all or a portion of the
3 loan.

4 2. If the sale proceeds are greater than the remaining loan balance but less than
5 or equal to the cost of the land plus the cost of the cleanup, pay an amount equal to
6 the remaining loan balance to the department of administration and retain the
7 remainder of the sale proceeds.

8 3. If the sale proceeds are greater than the cost of the land plus the cost of the
9 cleanup, pay to the department of administration an amount equal to the remaining
10 loan balance plus the lesser of 75% of the amount by which the sale proceeds exceed
11 the cost of the land plus the cost of the cleanup or the amount of subsidy incurred for
12 the project and retain the remainder of the sale proceeds.

13 **(13) DUTIES OF THE DEPARTMENT.** The department shall do all of the following:

14 (a) Seek approval of the federal environmental protection agency for the use
15 of funds under 33 USC 1381 to 1387 for the land recycling loan program.

16 (b) Promulgate rules establishing eligibility criteria for applicants and projects
17 under this section.

18 (c) Promulgate rules that are necessary for the execution of its responsibilities
19 under the land recycling loan program.

20 (d) Cooperate with the department of administration in administering the land
21 recycling loan program.

22 (e) Submit a biennial budget request under s. 16.42 for the land recycling loan
23 program.

24 (f) Have the lead role with the federal environmental protection agency
25 concerning the land recycling loan program.

1 (g) Have the lead role with eligible applicants in providing land recycling loan
2 program information, and cooperate with the department of administration in
3 providing that information to eligible applicants.

4 (h) Periodically inspect land recycling loan program projects to determine
5 project compliance with the requirements of this section.

6 (i) By May 1 of each even-numbered year, prepare and submit to the
7 department of administration a biennial needs list that includes all of the following
8 information:

9 1. A list of land recycling loan program projects that the department estimates
10 will apply for financial assistance under the land recycling loan program during the
11 next biennium.

12 2. The estimated cost and estimated construction schedule of each project on
13 the list under subd. 1., and the total of the estimated costs of all projects on the list
14 under subd. 1.

15 3. The estimated rank of each project on the priority list under sub. (6).

16 **SECTION 2569.** 281.61 of the statutes is created to read:

17 **281.61 Safe drinking water loan program. (1) DEFINITIONS.** In this section:

18 (a) "Local governmental unit" means a city, village, town, county, town sanitary
19 district, public inland lake protection and rehabilitation district or municipal water
20 district.

21 (b) "Market interest rate" means the interest at the effective rate of a revenue
22 obligation issued by this state to fund a loan or portion of a loan for a clean water fund
23 program project under s. 281.58.

24 (c) "Public water system" means a water system providing piped water to the
25 public for human consumption if the water system has at least 15 service connections

1 or regularly serves an average of at least 25 individuals daily for at least 60 days each
2 year.

3 (d) "Safe drinking water loan program" means the program administered
4 under this section, with financial management provided under s. 281.59.

5 (2) GENERAL. The department and the department of administration shall
6 administer a program to provide financial assistance to local governmental units for
7 projects for the planning, designing, construction or modification of public water
8 systems, if the projects will facilitate compliance with national primary drinking
9 water regulations under 42 USC 300g-1 or otherwise significantly further the health
10 protection objectives of the Safe Drinking Water Act, 42 USC 300f to 300j-26.

11 (2g) INELIGIBLE PROJECTS. A local governmental unit is not eligible for financial
12 assistance under this section if the local governmental unit does not have the
13 technical, managerial or financial capacity to ensure compliance with the Safe
14 Drinking Water Act, 42 USC 300f to 300j-26, or the public water system operated by
15 the local governmental unit is in significant noncompliance with any requirement
16 of a primary drinking water regulation or variance under 42 USC 300g-1 unless the
17 financial assistance will ensure compliance with the Safe Drinking Water Act.

18 (2r) METHODS OF PROVIDING FINANCIAL ASSISTANCE. The following methods of
19 providing financial assistance may be used under the safe drinking water loan
20 program:

21 (a) Making loans below the market interest rate for projects described in sub.

22 (2).

23 (b) Purchasing or refinancing the obligation of a local governmental unit if the
24 obligation was incurred to finance the cost of a project described in sub. (2) and the
25 obligation was initially incurred after July 1, 1993.

1 (c) Guaranteeing, or purchasing insurance for, obligations incurred to finance
2 the cost of projects described in sub. (2) if the guarantee or insurance will provide
3 credit market access or reduce interest rates.

4 (d) Providing payments to the board of commissioners of public lands to reduce
5 principal or interest payments, or both, on loans made to local governmental units
6 under subch. II of ch. 24 by the board of commissioners of public lands for projects
7 that are eligible for financial assistance under the safe drinking water loan program.

8 (e) Making grants as provided in sub. (8e).

9 **(3) NOTICE OF INTENT TO APPLY.** (a) A local governmental unit shall submit notice
10 of its intent to apply for financial assistance under the safe drinking water loan
11 program at least 6 months before the beginning of the fiscal year in which it intends
12 to receive the financial assistance. The notice shall be in a form prescribed by the
13 department and the department of administration.

14 (b) If a local governmental unit does not apply for financial assistance by April
15 30 of the 2nd year following the year in which it submitted notice under par. (a), the
16 local governmental unit shall submit a new notice under par. (a).

17 (c) The department may waive par. (a) or (b) upon the written request of a local
18 governmental unit.

19 **(4) ENGINEERING REPORT.** A local governmental unit seeking financial
20 assistance for a project under this section shall submit an engineering report, as
21 required by the department by rule.

22 **(5) APPLICATION.** After the department approves a local governmental unit's
23 engineering report submitted under sub. (4), the local governmental unit shall
24 submit an application for safe drinking water financial assistance to the department.
25 The applicant shall submit the application before the April 30 preceding the

1 beginning of the fiscal year in which the applicant wishes to receive the financial
2 assistance. The application shall be in the form and include the information required
3 by the department and the department of administration and shall include plans and
4 specifications that are approvable by the department under this section. An
5 applicant may not submit more than one application per project per year.

6 **(6) PRIORITY LIST.** The department shall establish a priority list that ranks each
7 safe drinking water loan program project. The department shall promulgate rules
8 for determining project rankings that, to the extent possible, give priority to projects
9 that address the most serious risks to human health, that are necessary to ensure
10 compliance with the Safe Drinking Water Act, 42 USC 300f to 300j-26, and that
11 assist local governmental units that are most in need on a per household basis,
12 according to affordability criteria specified in the rules.

13 **(7) APPROVAL OF APPLICATION.** The department shall approve an application
14 received under sub. (5) after all of the following occur:

15 (a) The project is ranked on the priority list under sub. (6).

16 (b) The department determines that the project meets the eligibility
17 requirements under this section.

18 (c) The department of administration determines that the local governmental
19 unit will meet the requirements of s. 281.59 (9) (b).

20 (d) The legislature has approved an amount under s. 281.59 (3s) (b) 1. for the
21 biennium.

22 **(8) FUNDING LIST; ALLOCATION OF FUNDING.** (a) The department shall establish
23 a funding list for each fiscal year that ranks projects of local governmental units that
24 submit approvable applications under sub. (5) in the same order that they appear on
25 the priority list under sub. (6). If sufficient funds are not available to fund all

1 approved applications for financial assistance, the department of administration
2 shall allocate funding to projects that are approved under sub. (7) in the order that
3 they appear on the funding list, except as follows:

4 1. The department of administration shall allocate to projects for public water
5 systems that regularly serve fewer than 10,000 persons 15% of the available funds
6 in each fiscal year or such lesser amount that fully funds the eligible projects for
7 those public water systems.

8 2. In any biennium, no local governmental unit may receive more than 25% of
9 the amount established under s. 281.59 (3s) (b) for that biennium.

10 (b) In allocating subsidy under this subsection, the department of
11 administration shall adhere to the amount approved by the legislature for each
12 biennium under s. 281.59 (3s) (b).

13 **(8e) GRANTS FOR CERTAIN PROJECTS.** When the department of administration
14 allocates funding to a project under sub. (8), it shall allocate a portion of the funding
15 as a grant for the project equal to up to 20% of the project costs if all of the following
16 apply.

17 (a) The project is for a public water system that regularly serves fewer than
18 10,000 persons.

19 (b) The local governmental unit applying for financial assistance meets the
20 financial eligibility criteria established by the department of natural resources by
21 rule for the purpose of sub. (11) (a).

22 (c) The department of administration has not allocated more than 5% of the
23 available funds in the fiscal year in which it allocates funds to the project for grants
24 under this subsection.

1 **(8m)** CONDITIONS OF FINANCIAL ASSISTANCE. As a condition of receiving financial
2 assistance under the safe drinking water loan program, a local governmental unit
3 shall do all of the following:

4 (a) Establish a dedicated source of revenue for the repayment of the financial
5 assistance.

6 (b) Comply with those provisions of 42 USC 300f to 300j-26 and this chapter
7 and the regulations and rules promulgated under those provisions that the
8 department specifies.

9 (c) Develop and adopt a program of water conservation as required by the
10 department.

11 (d) Develop and adopt a program of systemwide operation and maintenance of
12 the public water system, including the training of personnel, as required by the
13 department.

14 (e) Develop and adopt a user fee system.

15 **(9)** FINANCIAL ASSISTANCE COMMITMENTS. The department and the department
16 of administration may, at the request of a local governmental unit, issue a notice of
17 financial assistance commitment after the local governmental unit's application for
18 safe drinking water financial assistance has been approved under sub. (7) and
19 funding has been allocated under sub. (8) for the local governmental unit's project.
20 The notice of financial assistance commitment shall specify the conditions that the
21 local governmental unit must meet to secure financial assistance and shall include
22 the estimated repayment schedules and other terms of the financial assistance.

23 **(10)** DEADLINE FOR CLOSING. If funding is allocated to a project under sub. (8)
24 for a loan and the loan is not closed before April 30 of the year following the year in

1 which funding is allocated, the department of administration shall release the
2 funding allocated to the project.

3 **(11) LOAN INTEREST RATES.** (a) Except as provided under par. (b), the interest
4 rate on a safe drinking water loan program loan shall be as follows:

5 1. For a local governmental unit that does not meet financial eligibility criteria
6 established by the department by rule, 55% of market interest rate.

7 2. For a local governmental unit that meets financial eligibility criteria
8 established by the department by rule, 33% of market interest rate.

9 (b) The department and the department of administration jointly may request
10 the joint committee on finance to take action under s. 13.101 (11) to modify the
11 percentage of market interest rate under par. (a) 1. or 2.

12 **(12) DUTIES OF THE DEPARTMENT.** The department shall do all of the following:

13 (a) Promulgate rules establishing eligibility criteria for applicants and projects
14 under this section.

15 (b) Promulgate rules that are necessary for the execution of its responsibilities
16 under the safe drinking water loan program.

17 (c) Cooperate with the department of administration in administering the safe
18 drinking water loan program.

19 (d) By May 1 of each even-numbered year, prepare and submit to the
20 department of administration a biennial needs list that includes all of the following
21 information:

22 1. A list of drinking water projects that the department estimates will apply
23 for financial assistance under the safe drinking water loan program during the next
24 biennium.

1 2. The estimated cost and estimated construction schedule of each project on
2 the list, and the total of the estimated costs of all projects on the list.

3 3. The estimated rank of each project on the priority list under sub. (6).

4 (e) Submit a biennial budget request under s. 16.42 for the safe drinking water
5 loan program.

6 (f) Have the lead state role with the federal environmental protection agency
7 concerning the safe drinking water loan program.

8 (g) Have the lead state role with local governmental units in providing safe
9 drinking water loan program information, and cooperate with the department of
10 administration in providing that information to local governmental units.

11 (h) Inspect periodically safe drinking water loan program project construction
12 to determine project compliance with construction plans and specifications approved
13 by the department and the requirements of the safe drinking water loan program.

14 **(13) CAPITALIZATION GRANT.** The department may enter into an agreement
15 under 42 USC 300j-12 (a), with the federal environmental protection agency to
16 receive a capitalization grant for the safe drinking water loan program.

17 **SECTION 2570.** 281.62 of the statutes is created to read:

18 **281.62 Other drinking water quality activities. (1)** In this section:

19 (a) “Community water system” means a public water system that serves at
20 least 15 service connections used by year-round residents of the area served by the
21 public water system or that regularly serves at least 25 year-round residents.

22 (b) “Noncommunity water system” means a public water system that is not a
23 community water system.

24 (c) “Public water system” has the meaning given in s. 281.61 (1) (c).

1 **(2)** (a) With the approval of the department of administration, the department
2 may expend funds from the appropriation accounts under s. 20.320 (2) (s) and (x) for
3 any of the following:

4 1. Providing a loan to the owner of a community water system or a nonprofit
5 noncommunity water system to acquire land or a conservation easement from a
6 willing seller or grantor to protect the source water of the water system from
7 contamination and to ensure compliance with national primary drinking water
8 regulations under 42 USC 300g-1.

9 2. Providing a loan to the owner of a community water system to do any of the
10 following:

11 a. Implement voluntary source water protection measures in areas delineated
12 as provided in 42 USC 300j-13 in order to facilitate compliance with national
13 primary drinking water regulations under 42 USC 300g-1 or otherwise significantly
14 further the health protection objectives of the Safe Drinking Water Act, 42 USC 300f
15 to 300j-26.

16 b. Implement a program for source water quality protection partnerships as
17 provided in 42 USC 300j-14.

18 3. Assisting the owner of a public water system to develop the technical,
19 managerial and financial capacity to comply with national primary drinking water
20 regulations under 42 USC 300g-1.

21 4. Delineating or assessing source water protection areas as provided under 42
22 USC 300j-13.

23 5. Protecting wellhead areas from contamination as provided in 42 USC
24 300h-7.

1 (b) In any fiscal year, the department may not expend under par. (a) more than
2 15% of the funds provided under 42 USC 300j-12 in that fiscal year. In any fiscal
3 year, the department may not expend under par. (a) 1., 2., 3., 4. or 5. more than 10%
4 of the funds provided under 42 USC 300j-12 in that fiscal year.

5 (3) (a) With the approval of the department of administration, the department
6 may expend funds from the appropriation accounts under s. 20.320 (2) (s) and (x) for
7 any of the following:

- 8 1. Public water system supervision as provided in 42 USC 300j-2 (a).
- 9 2. Technical assistance concerning source water protection.
- 10 3. Developing and implementing a capacity development strategy required
11 under 42 USC 300g-9 (c).
- 12 4. Operator certification required under 42 USC 300g-8.

13 (b) In any fiscal year, the department may not expend under par. (a) more than
14 10% of the funds provided under 42 USC 300j-12 in that fiscal year.

15 (4) With the approval of the department of administration, the department
16 may expend funds from the appropriation accounts under s. 20.320 (2) (s) and (x) to
17 provide technical assistance to public water systems serving 10,000 or fewer persons.
18 In any fiscal year, the department may not expend under this subsection more than
19 2% of the funds provided under 42 USC 300j-12 in that fiscal year.

20 **SECTION 2571.** 281.625 of the statutes is created to read:

21 **281.625 Drinking water loan guarantee program.** (1) In this section:

22 (a) "Community water system" means a public water system that serves at
23 least 15 service connections used by year-round residents or that regularly serves
24 at least 25 year-round residents.

25 (b) "Local governmental unit" has the meaning given in s. 281.61 (1) (a).

1 (c) "Noncommunity water system" means a public water system that is not a
2 community water system.

3 (d) "Public water system" has the meaning given in s. 281.61 (1) (c).

4 (2) The department, in consultation with the department of administration,
5 shall promulgate rules for determining whether a loan is an eligible loan under s.
6 234.86 (3) for a loan guarantee under s. 234.86. The rules shall be consistent with
7 42 USC 300j-12.

8 (3) The department shall determine whether a loan to the owner of a
9 community water system or the nonprofit owner of a noncommunity water system
10 is an eligible loan under s. 234.86 (3) for the purposes of the loan guarantee program
11 under s. 234.86.

12 (4) With the approval of the department of administration, the department of
13 natural resources may transfer funds from the appropriation accounts under s.
14 20.320 (2) (s) and (x) to the Wisconsin drinking water reserve fund under s. 234.933
15 to guarantee loans under s. 234.86.

16 (5) The department may contract with the Wisconsin Housing and Economic
17 Development Authority for the administration of the program under this section and
18 s. 234.86.

19 **SECTION 3572m.** 281.63 (4) (b) of the statutes is amended to read:

20 281.63 (4) (b) *Eligible projects.* Only a project for construction necessary to
21 abate combined sewer overflows identified in department-approved facilities plans
22 as cost-effective and reasonably necessary for water quality improvements is
23 eligible for financial assistance under the combined sewer overflow abatement
24 financial assistance program, except that the department need not determine the

1 cost-effectiveness of projects performed under a contract awarded under s. ~~66.905~~
2 560.036 (2m).

3 **SECTION 2572.** 281.65 (1) (d) of the statutes is amended to read:

4 281.65 (1) (d) Focus limited technical and financial resources in critical
5 geographic locations through the selection of priority lakes ~~identified under sub. (4)~~
6 ~~(ed)~~ and priority watersheds where nonpoint source related water quality problems
7 are the most severe and control is most feasible.

8 **SECTION 2573.** 281.65 (2) (a) of the statutes is amended to read:

9 281.65 (2) (a) “Best management practices” means practices, techniques or
10 measures, except for ~~dredgings~~ dredging, identified in areawide water quality
11 management plans, which are determined to be ~~the most~~ effective means of
12 preventing or reducing pollutants generated from nonpoint sources, or from the
13 sediments of inland lakes polluted by nonpoint sources, to a level compatible with
14 water quality objectives established under this section and which do not have an
15 adverse impact on fish and wildlife habitat. The practices, techniques or measures
16 include land acquisition, storm sewer rerouting and the removal of structures
17 necessary to install structural urban best management practices, facilities for the
18 handling and treatment of milkhouse wastewater, repair of fences built using grants
19 under this section and measures to prevent or reduce pollutants generated from
20 mine tailings disposal sites for which the department has not approved a plan of
21 operation under s. 289.30.

22 **SECTION 2574.** 281.65 (2) (be) of the statutes is amended to read:

23 281.65 (2) (be) “Priority lake” means any lake or group of lakes that are
24 identified under sub. (3) (am) ~~or (4) (em)~~.

25 **SECTION 2575.** 281.65 (3) (a) of the statutes is amended to read:

1 281.65 (3) (a) Review the lists submitted under sub. (4) (c) and (cd) and reports
2 submitted under sub. (4) (c), ~~(ed)~~ and (cg).

3 **SECTION 2576.** 281.65 (3) (am) of the statutes is amended to read:

4 281.65 (3) (am) ~~Designate~~ Identify priority watersheds and priority lakes
5 ~~based on reports submitted under sub. (4) (e) and (ed)~~ as provided in sub. (3m).

6 **SECTION 2577.** 281.65 (3m) of the statutes is created to read:

7 281.65 (3m) (a) 1. No later than July 1, 1998, the board shall identify priority
8 watersheds based on the list submitted under sub. (4) (c) and recommendations by
9 the department and the department of agriculture, trade and consumer protection
10 without regard to any priority watershed designations made before the board acts
11 under this subdivision, except for priority watershed designations under sub. (4)
12 (cm). The department and the department of agriculture, trade and consumer
13 protection shall limit the number of watersheds that they recommend to the board
14 to the number that they determine will enable the department to comply with sub.
15 (4) (g) 9., assuming that the level of funding for the program under this section
16 remains the same as on the effective date of this subdivision [revisor inserts date].

17 2. If a watershed is designated as a priority watershed before the board acts
18 under subd. 1. and the board does not identify the watershed as a priority watershed
19 under subd. 1., the board shall terminate the watershed's designation as a priority
20 watershed. This subdivision does not apply to priority watershed designations made
21 under sub. (4) (cm).

22 (b) 1. No later than July 1, 1998, the board shall identify priority lakes based
23 on the list submitted under sub. (4) (cd) and recommendations by the department
24 and the department of agriculture, trade and consumer protection without regard to
25 any priority lake designations made before the board acts under this subdivision.

1 2. If a lake is designated as a priority lake before the board acts under subd.
2 1. and the board does not identify the lake as a priority lake under subd. 1., the board
3 shall terminate the lake's designation as a priority lake.

4 (c) If the board terminates a priority watershed or priority lake designation
5 under this subsection, the board shall direct the department to eliminate funding for
6 the project in the former priority watershed or priority lake area.

7 (d) 1. If a watershed is designated as a priority watershed before the board acts
8 under par. (a) 1. and the board identifies the watershed as a priority watershed under
9 par. (a) 1., the board shall direct the department to continue funding for the project
10 in the priority watershed.

11 2. If a lake is designated as a priority lake before the board acts under par. (b)
12 1. and the board identifies the lake as a priority lake under par. (b) 1., the board shall
13 direct the department to continue funding for the project in the priority lake area.

14 **SECTION 2578.** 281.65 (4) (c) of the statutes is repealed and recreated to read:

15 281.65 (4) (c) Prepare a list of the watersheds in this state in order of the level
16 of impairment of the waters in each watershed caused by nonpoint source pollution,
17 taking into consideration the location of impaired water bodies that the department
18 has identified to the federal environmental protection agency under 33 USC 1313 (d)
19 (1) (A), and submit the list to the board no later than January 1, 1998.

20 **SECTION 2579.** 281.65 (4) (cd) of the statutes is repealed and recreated to read:

21 281.65 (4) (cd) Prepare a list of the lakes in this state in order of the level of
22 impairment of the waters in the lakes caused by nonpoint source pollution, taking
23 into consideration the location of impaired water bodies that the department has
24 identified to the federal environmental protection agency under 33 USC 1313 (d) (1)
25 (A), and submit the list to the board no later than January 1, 1998.

1 **SECTION 2580.** 281.65 (4) (dm) of the statutes is amended to read:

2 281.65 (4) (dm) Establish water quality objectives for each water basin and for
3 each priority watershed and priority lake and identify the best management
4 practices to achieve the water quality objectives.

5 **SECTION 2581.** 281.65 (4) (e) of the statutes is amended to read:

6 281.65 (4) (e) Promulgate rules, in consultation with the department of
7 agriculture, trade and consumer protection, as are necessary for the proper
8 execution and administration of the program under this section. Before
9 promulgating rules under this paragraph, the department shall submit the rules to
10 the land and water conservation board for review under sub. (3) (at). The rules shall
11 include standards and specifications concerning best management practices which
12 are required for eligibility for cost-sharing grants under this section. The standards
13 and specifications shall be consistent with the performance standards, prohibitions,
14 conservation practices and technical standards under s. 281.16. The department
15 may waive the standards and specifications in exceptional cases. The rules shall
16 specify which best management practices are cost-effective best management
17 practices. Only persons involved in the administration of the program under this
18 section, persons who are grant recipients or applicants and persons who receive
19 notices of intent to issue orders under s. 281.20 (1) (b) are subject to the rules
20 promulgated under this paragraph. Any rule promulgated under this paragraph
21 which relates or pertains to agricultural practices relating to animal waste handling
22 and treatment is subject to s. 13.565.

23 **SECTION 2582.** 281.65 (4) (em) of the statutes is created to read:

24 281.65 (4) (em) In identifying best management practices under pars. (dm) and
25 (g) 4., identify cost-effective best management practices, as specified under par. (e),

1 except in situations in which the use of a cost-effective best management practice
2 will not contribute to water quality improvement or will cause a water body to
3 continue to be impaired as identified to the federal environmental protection agency
4 under 33 USC 1313 (d) (1) (A).

5 **SECTION 3583m.** 281.65 (4) (f) of the statutes is amended to read:

6 281.65 (4) (f) Administer the distribution of grants and aids to governmental
7 units for local administration and implementation of the program under this section.
8 A grant awarded under this section may be used for technical assistance, educational
9 and training assistance, ordinance development and administration, cost-sharing
10 for management practices and capital improvements, plan preparation under par.
11 (g), easements or other activities determined by the department to satisfy the
12 requirements of this section. A grant may not be used for promotional items, except
13 for promotional items that are used for informational purposes, such as brochures
14 or videos.

15 **SECTION 2583.** 281.65 (4) (g) (intro.) of the statutes is amended to read:

16 281.65 (4) (g) (intro.) In cooperation with the department of agriculture, trade
17 and consumer protection and the appropriate governmental unit, prepare priority
18 watershed and priority lakes plans to implement nonpoint source water pollution
19 abatement projects and storm water control activities described in sub. (8c) in
20 priority watersheds and priority lake areas, ~~as designated under sub. (3) (am) or (4)~~
21 ~~(em)~~. In preparing the plans, the department shall:

22 **SECTION 2584.** 281.65 (4) (L) of the statutes is created to read:

23 281.65 (4) (L) Before September 1 of each year, in consultation with the
24 department of agriculture, trade and consumer protection, submit a budget report
25 to the board that includes anticipated expenditures for projects under this section

1 during the next year, criteria for ending projects under this section and, if anticipated
2 expenditures exceed anticipated funding, a plan for reducing expenditures.

3 **SECTION 3585m.** 281.65 (4) (r) of the statutes is repealed.

4 **SECTION 2585.** 281.65 (4c) of the statutes is created to read:

5 281.65 (4c) (a) Beginning on July 1, 1998, a governmental unit may request
6 funding for a priority watershed project, a priority lake project or a nonpoint source
7 water pollution abatement project that is not in a priority watershed or a priority
8 lake area by submitting an application to the board. An application shall be
9 submitted before July 15 to be considered for initial funding in the following year.

10 (b) The department, in consultation with the department of agriculture, trade
11 and consumer protection, shall use the system approved under par. (e) to determine
12 the score of each project for which the board receives an application under par. (a)
13 and shall inform the board of the scores no later than September 1 of each year.

14 (c) After receiving project scores under par. (b) and before November 1 of each
15 year, the board shall select projects for funding under this section in the following
16 year. To the extent practicable, within the requirements of this section, the board
17 shall select projects so that projects are distributed evenly around this state.

18 (d) No later than April 1, 1998, the department, in consultation with the
19 department of agriculture, trade and consumer protection, shall propose to the board
20 a scoring system for ranking nonpoint source water pollution abatement projects for
21 which applications are submitted under par. (a). The criteria on which the scoring
22 system is based shall include all of the following:

23 1. The extent to which the application proposes to use the cost-effective and
24 appropriate best management practices to achieve water quality goals.

1 2. The existence in the project area of an impaired water body that the
2 department has identified to the federal environmental protection agency under 33
3 USC 1313 (d) (1) (A).

4 3. The extent to which the project will result in the attainment of established
5 water quality objectives.

6 4. The local interest in and commitment to the project.

7 5. The inclusion of a strategy to evaluate the progress toward reaching project
8 goals, including the monitoring of water quality improvements resulting from
9 project activities.

10 6. The extent to which the application proposes to use available federal
11 funding.

12 (e) The board shall review the scoring system proposed under par. (d) and shall
13 approve the system as submitted or shall modify and approve the system. The board
14 shall review the system at least once every 2 years and may require the department
15 to submit a revised system after a review.

16 **SECTION 3586g.** 281.65 (4e) of the statutes is created to read:

17 281.65 (4e) The department of natural resources and the department of
18 agriculture, trade and consumer protection, jointly, shall prepare a plan to allocate
19 funding from the program under this section for staff in every county as funds
20 become available from the completion or termination of projects under this section.
21 The departments shall submit the plan to the land and water conservation board by
22 July 1, 1998. The department of natural resources shall implement the plan upon
23 the approval of the land and water conservation board.

24 **SECTION 2586.** 281.65 (4g) of the statutes is amended to read:

1 281.65 (4g) The department may contract with any person from the
2 appropriations appropriation account under s. 20.370 (6) (aa) and (4) (at) for services
3 to administer or implement this section, including information and education and
4 training services. The department shall allocate \$500,000 in each fiscal year from the
5 appropriation account under s. 20.370 (4) (at) for contracts for educational and
6 technical assistance related to the program under this section provided by the
7 University of Wisconsin-Extension.

8 **SECTION 2587.** 281.65 (5) (b) of the statutes is amended to read:

9 281.65 (5) (b) Prepare sections of the priority watershed or priority lake plan
10 relating to farm-specific implementation schedules, requirements under ss. 92.104
11 and 92.105, animal waste management and selection of agriculturally related best
12 management practices and submit those sections to the department for inclusion
13 under sub. (4m) (b). The best management practices shall be cost-effective best
14 management practices, as specified under sub. (4) (e), except in situations in which
15 the use of a cost-effective best management practice will not contribute to water
16 quality improvement or will cause a water body to continue to be impaired as
17 identified to the federal environmental protection agency under 33 USC 1313 (d) (1)
18 (A).

19 **SECTION 3588c.** 281.65 (5) (c) of the statutes is repealed.

20 **SECTION 3588s.** 281.65 (7m) of the statutes is created to read:

21 281.65 (7m) The state share of a grant for local administration under this
22 section may not exceed 70% of the cost of the activities for which the grant is provided
23 if the department first provides a grant to fund those activities after June 30, 1998.

24 **SECTION 2588.** 281.65 (8) (cm) of the statutes is amended to read:

1 281.65 (8) (cm) Grants may be provided ~~from the appropriations under s.~~
2 ~~20.370 (6) (aa) and (aq)~~ to applicants for projects affecting priority lakes if the
3 projects are in conformance with areawide water quality management plans and the
4 purposes specified under sub. (1).

5 **SECTION 2589.** 281.65 (8) (e) of the statutes is amended to read:

6 281.65 (8) (e) Except as provided in sub. (8c), grants may only be used for
7 implementing best management practices. Grants for implementing best
8 management practices may only be used for implementing cost-effective best
9 management practices specified under sub. (4) (e) unless an applicant demonstrates
10 that the use of a cost-effective best management practice will not contribute to water
11 quality improvement or will cause a water body to continue to be impaired as
12 identified to the federal environmental protection agency under 33 USC 1313 (d) (1)
13 (A).

14 **SECTION 2590.** 281.65 (8) (f) of the statutes is repealed and recreated to read:

15 281.65 (8) (f) A cost-sharing grant shall equal the percentage of the cost of
16 implementing the best management practice that is determined by the
17 governmental unit submitting the application under sub. (4c) (a) and is approved by
18 the board, except as provided under pars. (gm) and (jm) and except that a
19 cost-sharing grant may not exceed 70% of the cost of implementing the best
20 management practice.

21 **SECTION 2591.** 281.65 (8) (g) of the statutes is repealed.

22 **SECTION 3593b.** 281.65 (8) (gm) of the statutes is amended to read:

23 281.65 (8) (gm) ~~The department~~ governmental unit submitting the application
24 under sub. (4c) (a) shall exceed the limit under par. (g) and any limit imposed by rule

1 on the total amount of a grant (f) in cases of economic hardship, as defined by the
2 department by rule.

3 **SECTION 2592.** 281.65 (8) (h) of the statutes is repealed.

4 **SECTION 2593.** 281.65 (8) (hm) of the statutes is repealed.

5 **SECTION 2594.** 281.65 (8) (i) of the statutes is repealed.

6 **SECTION 2595.** 281.65 (8) (j) of the statutes is repealed.

7 **SECTION 2596.** 281.65 (8) (jm) of the statutes is amended to read:

8 281.65 (8) (jm) Notwithstanding ~~pars. par. (f) to (h)~~, after cost-sharing grants
9 have been available in a priority watershed or priority lake area for 36 months only
10 a reduced grant, which may not exceed a percentage established by the department
11 by rule of the cost of implementing the best management practice, may be provided
12 to the owner or operator of a site designated as a critical site in a priority watershed
13 plan under sub. (5m) or in a modification to such a plan under sub. (5s).

14 **SECTION 2597.** 281.65 (8) (m) of the statutes is amended to read:

15 281.65 (8) (m) The department may recognize the value of a conservation
16 easement created under s. 700.40 (2) and donated to the department, or to any person
17 approved by the department, as constituting all or a portion of the landowner's or
18 operator's share of a cost-sharing grant as determined under ~~pars. par. (f) to (h)~~.

19 **SECTION 3599am.** 281.65 (11) of the statutes is created to read:

20 281.65 (11) Notwithstanding subs. (3) (am) and (3m), the South Fork of the Hay
21 River is a priority watershed for the period ending on June 30, 2001.
22 Notwithstanding subs. (2) (a), (4) (dm), (e), (em) and (g) 4., (4m) (b) 3. and (8) (b) and
23 (e), the department, in consultation with the local units of government involved with
24 the priority watershed project, shall establish guidelines for the types of nonpoint
25 source water pollution abatement practices to be eligible for cost-sharing grants in

1 the watershed. Notwithstanding sub. (8) (f), the amount of a cost-sharing grant in
2 the watershed may be based on the amount of pollution reduction achieved rather
3 than on the cost of the practices installed, using guidelines developed by the
4 department, in consultation with the local units of government involved with the
5 priority watershed project. The department and the local governmental staff
6 involved with the priority watershed project shall evaluate the cost effectiveness of
7 the project and the reduction in nonpoint source water pollution associated with the
8 project.

9 **SECTION 3599b.** 281.69 (title) of the statutes is amended to read:

10 **281.69 (title) Lake management and classification grants.**

11 **SECTION 3599c.** 281.69 (1) of the statutes is renumbered 281.69 (1) (intro.) and
12 amended to read:

13 281.69 (1) (title) TYPES OF PROJECTS. (intro.) The department shall develop and
14 administer a financial assistance program to provide grants for lake the following 3
15 types of projects:

16 (a) Lake management projects that will improve or protect the quality of water
17 in lakes or the natural ecosystems of lakes.

18 **SECTION 3599d.** 281.69 (1) (b) of the statutes is created to read:

19 281.69 (1) (b) Lake classification projects that will classify lakes by use and
20 implement protection activities for the lakes based on their classification.

21 **SECTION 3599dm.** 281.69 (1) (c) of the statutes is created to read:

22 281.69 (1) (c) Lake classification technical assistance projects conducted by
23 nonprofit corporations that will provide educational and technical assistance.

24 **SECTION 3599e.** 281.69 (2) (title) of the statutes is created to read:

25 281.69 (2) (title) AMOUNTS OF GRANTS.

1 **SECTION 3599f.** 281.69 (2) of the statutes is renumbered 281.69 (2) (a) and
2 amended to read:

3 281.69 (2) (a) ~~The department may provide a grant under this section~~ A grant
4 for a lake management project may be made for up to 75% of the cost of a lake
5 management the project but may not provide more than \$200,000 per grant.

6 **SECTION 3599g.** 281.69 (2) (b) of the statutes is created to read:

7 281.69 (2) (b) A grant for a lake classification project may be made for up to 75%
8 of the cost of the project but may not exceed \$50,000 per grant.

9 **SECTION 3599h.** 281.69 (2) (c) of the statutes is created to read:

10 281.69 (2) (c) A grant for a lake classification technical assistance project may
11 not exceed \$200,000.

12 **SECTION 3599k.** 281.69 (3) (intro.) of the statutes is amended to read:

13 281.69 (3) (title) RULES FOR LAKE MANAGEMENT PROJECT GRANTS. (intro.) The
14 department shall promulgate rules to administer and to determine eligibility for ~~the~~
15 ~~program under this section~~ grants for lake management projects. The rules shall
16 include all of the following:

17 **SECTION 3599m.** 281.69 (3) (c) of the statutes is renumbered 281.69 (7).

18 **SECTION 3599n.** 281.69 (4) (title) of the statutes is created to read:

19 281.69 (4) (title) LAKE MANAGEMENT PROJECT GRANTS; PURCHASES.

20 **SECTION 3599p.** 281.69 (4) (b) (intro.) of the statutes is amended to read:

21 281.69 (4) (b) (intro.) The recipient of the grant used for a purchase under sub.
22 (3) (b) 1. may subsequently sell or transfer the acquired property to a 3rd party other
23 than a creditor of the recipient if all of the following apply:

24 **SECTION 3599q.** 281.69 (4) (c) of the statutes is amended to read:

1 281.69 (4) (c) The recipient of the grant used for a purchase under sub. (3) (b)
2 1. may subsequently sell or transfer the acquired property to satisfy a debt or other
3 obligation if the department approves the sale or transfer.

4 **SECTION 3599r.** 281.69 (5) of the statutes is created to read:

5 281.69 (5) LAKE CLASSIFICATION PROJECT GRANTS. (a) The department shall
6 promulgate rules to administer and to determine eligibility for grants for lake
7 classification projects.

8 (b) The rules under par. (a) shall include guidelines to be used for lake
9 classification. The guidelines shall require that certain factors be used in classifying
10 each lake by use. The factors shall include all of the following:

- 11 1. The size, depth and shape of the lake.
- 12 2. The size of the lake's watershed.
- 13 3. The quality of the water in the lake.
- 14 4. The potential of the lake to be overused for recreational purposes.
- 15 5. The potential for the development of land surrounding the lake.
- 16 6. The potential of the lake to suffer from nonpoint source water pollution.
- 17 7. The type and size of the fish and wildlife population in and around the lake.

18 (c) The rules under par. (a) shall designate which classification and protection
19 activities are eligible for lake classification grants.

20 (d) The department may award lake classification grants only to counties.

21 **SECTION 3599s.** 281.69 (6) of the statutes is created to read:

22 281.69 (6) LAKE CLASSIFICATION TECHNICAL ASSISTANCE GRANTS. (a) The
23 department shall promulgate rules to administer and determine eligibility for lake
24 classification technical assistance grants to be awarded to nonprofit corporations.

1 (b) A nonprofit corporation receiving a lake classification technical assistance
2 grant shall use the grant to provide educational and technical assistance to local
3 units of government and lake management organizations that will participate in a
4 lake classification project.

5 **SECTION 3599t.** 281.69 (7) (title) of the statutes is created to read:

6 281.69 (7) (title) PROHIBITED ACTIVITIES.

7 **SECTION 3599v.** 281.70 of the statutes is created to read:

8 **281.70 Assistance to watershed groups. (1) DEFINITIONS.** In this section:

9 (a) "Local watershed group" means a group that is formed for the purpose of
10 protecting or improving the water quality of a specific watershed.

11 (b) "Nonprofit organization" means a nonprofit corporation, a charitable trust
12 or other nonprofit association whose purposes include protecting or improving water
13 quality in watersheds and that is described in section 501 (c) (3) of the Internal
14 Revenue Code and is exempt from federal income tax under section 501 (a) of the
15 Internal Revenue Code.

16 **(2) EDUCATION AND INFORMATION.** From the appropriation under s. 20.370 (6)
17 (au), the department shall provide funding to a nonprofit organization to do all of the
18 following:

19 (a) Establish a center to encourage and facilitate the formation and
20 development of local watershed groups.

21 (b) Serve as an educational and informational clearinghouse regarding
22 information on protecting and improving water quality in watersheds.

23 (c) Provide technical assistance to local watershed groups.

24 (d) Administer the grant program under sub. (3).

1 **(3) GRANT PROGRAM.** (a) The nonprofit organization receiving funding under
2 sub. (2) shall award grants from this funding to local watershed groups to assist them
3 in their formation and development.

4 (b) A grant awarded under this subsection may not exceed \$5,000.

5 (c) For purposes of determining which local watershed groups will receive the
6 grants under this program, the nonprofit organization shall establish a committee
7 to award the grants. The committee shall have members that represent any
8 local-level and state-level groups, including state agencies, that have an interest in
9 protecting or improving watersheds.

10 **(4) RULES.** The department shall promulgate rules to administer and
11 implement this section, including eligibility requirements for the grants under sub.
12 (3) and membership requirements for the committee established under sub. (3) (c).

13 **(5) APPLICABILITY.** This section does not apply after June 30, 2001.

14 **SECTION 2598.** 281.75 (16) (d) of the statutes is amended to read:

15 **281.75 (16) (d)** The state is subrogated to the rights of a claimant who obtains
16 an award under this section in an amount equal to the award. All moneys recovered
17 under this paragraph shall be credited to the environmental fund for environmental
18 repair management.

19 **SECTION 2599.** 281.85 (intro.) of the statutes is amended to read:

20 **281.85 Great Lakes protection fund share.** (intro.) The department may
21 use moneys from the appropriation under s. 20.370 ~~(2)~~ (4) (ah) for any of the following
22 purposes:

23 **SECTION 2600.** 281.98 of the statutes is amended to read:

24 **281.98 Penalties. (1)** Except as provided in ss. 281.47 (1) (d) ~~and~~, 281.75 (19)
25 and 281.99 (2), any person who violates this chapter or any rule promulgated or any

1 plan approval, license or special order issued under this chapter shall forfeit not less
2 than \$10 nor more than \$5,000 for each violation. Each day of continued violation
3 is a separate offense. While an order is suspended, stayed or enjoined, this penalty
4 does not accrue.

5 (2) In addition to the penalties provided under sub. (1) or s. 281.99 (2), the court
6 may award the department of justice the reasonable and necessary expenses of the
7 investigation and prosecution of ~~the a violation of this chapter,~~ including attorney
8 fees. The department of justice shall deposit in the state treasury for deposit into the
9 general fund all moneys that the court awards to the department or the state under
10 this subsection. Ten percent of the money deposited in the general fund that was
11 awarded under this subsection for the costs of investigation and the expenses of
12 prosecution, including attorney fees, shall be credited to the appropriation account
13 under s. 20.455 (1) (gh).

14 **SECTION 2601.** 281.99 of the statutes is created to read:

15 **281.99 Administrative forfeitures for safe drinking water violations.**

16 (1) (a) The department may directly assess forfeitures in the amounts provided
17 under sub. (2) for violations of safe drinking water program rules promulgated under
18 s. 281.17 (8) or (9).

19 (b) 1. Subject to subd. 2., if the department proposes to assess a forfeiture for
20 a particular violation, it shall first provide written notice of the alleged violation to
21 the water system owner or operator. The notice shall state the amount of the
22 proposed forfeiture, an explanation of how the amount of the proposed forfeiture was
23 determined under sub. (2) (b) and a proposed order under par. (c). After providing
24 the notice, the department shall attempt to negotiate with the water system owner
25 or operator to remedy the alleged violation. If the water system owner or operator

1 corrects the alleged violation, or if the department and the water system owner or
2 operator reach a compliance agreement, before an order is issued under par. (c), the
3 department may not assess a forfeiture for the alleged violation.

4 2. The department may directly assess a forfeiture by issuing an order under
5 par. (c) without first providing notice if the alleged violation either creates an acute
6 risk to public health or safety or is part of a documented pattern of noncompliance
7 with one or more rules promulgated under s. 281.17 (8) or (9).

8 (c) If the department determines that a forfeiture should be assessed for a
9 particular violation, it shall issue an order under s. 281.19 (2) (a) to the water system
10 owner or operator alleged to have committed the violation. Except as provided in par.
11 (b) 2., the department may not issue the order until at least 60 days after the day on
12 which it provided notice under par. (b) 1. The order shall specify the amount of the
13 forfeiture assessed, the violation and the rule alleged to have been violated and shall
14 inform the licensee of the right to contest the order under sub. (3).

15 (2) (a) The amount of forfeitures that the department may assess under this
16 section are as follows:

17 1. For water systems that serve a population of more than 10,000 persons, not
18 less than \$10 and not more than \$1,000 for each day of violation, but not more than
19 \$25,000 in one order.

20 2. For water systems that serve a population of 10,000 persons or less, not less
21 than \$10 and not more than \$500 for each day of violation, but not more than \$25,000
22 in one order.

23 (b) The department, in determining the amount of forfeiture that it assesses
24 under this section, shall consider the following factors, as appropriate:

1 1. The gravity of the violation, including the probability of harm to persons
2 served by the water system.

3 2. Good faith exercised by the water system owner or operator, including past
4 or ongoing efforts to correct problems or achieve compliance with the safe drinking
5 water program.

6 3. Any previous violations committed by the water system owner or operator
7 at the same water system.

8 4. The financial benefit to the water system owner or operator of continuing the
9 violation.

10 5. Any other relevant factors.

11 (c) While an order issued under this section is contested, suspended, stayed or
12 enjoined, any forfeiture under this section does not accrue.

13 **(3)** A water system owner or operator may contest the issuance of an order and
14 the assessment of a forfeiture under this section using the procedure under ch. 227
15 or s. 281.19 (8). A water system owner or operator that timely requests a hearing
16 under ch. 227 is entitled to a contested case hearing.

17 **(4)** All forfeitures shall be paid to the department within 60 days after receipt
18 of the order or according to a schedule agreed to by the department and the water
19 system owner or operator or, if the forfeiture is contested under sub. (3), within 10
20 days after receipt of the final decision after exhaustion of administrative review,
21 unless the final decision is appealed and the order is stayed by court order. The
22 department shall remit all forfeitures paid to the state treasurer for deposit in the
23 school fund.

24 **(5)** The attorney general may bring an action as provided in s. 281.19 (2) (a) in
25 the name of the state to collect any forfeiture imposed under this section if the

1 forfeiture has not been paid following the exhaustion of all administrative and
2 judicial reviews.

3 (6) Section 893.80 does not apply to actions commenced under this section.

4 **SECTION 2602.** 283.31 (7) of the statutes is amended to read:

5 283.31 (7) The holder of a permit under this section shall pay \$100 to the
6 department as a groundwater fee on January 1 if the permittee discharges effluent
7 on land or if the permittee produces sludge from a treatment work which is disposed
8 of on land. If the permittee discharges effluent on land and disposes of sludge from
9 a treatment work on land, the permittee shall pay \$200 to the department as a
10 groundwater fee on January 1. The moneys collected under this subsection shall be
11 credited to the environmental fund for groundwater environmental management.

12 **SECTION 2603.** 283.33 (9) (c) of the statutes is amended to read:

13 283.33 (9) (c) All moneys collected under par. (a) shall be credited to the
14 appropriation under s. 20.370 ~~(2)~~ (4) (bj).

15 **SECTION 2604.** 283.84 of the statutes is created to read:

16 **283.84 Trading of water pollution credits.** (1) The department shall
17 administer at least one pilot project to evaluate the trading of water pollution credits.
18 The department may only administer a pilot project if the pilot project is consistent
19 with the federal Water Pollution Control Act, 33 USC 1251 to 1387. Subject to sub.
20 (1m), a pilot project may authorize a person required to obtain a permit to increase
21 the discharge of pollutants above levels that would otherwise be authorized in the
22 permit if the person does one of the following:

23 (a) Reaches an agreement with another person who is required to obtain a
24 permit under which the other person agrees to reduce the discharge of pollutants in

1 the project area below the levels that would otherwise be authorized in the other
2 person's permit.

3 (b) Reaches an agreement with another person who is not required to obtain
4 a permit under which the other person agrees to reduce the amount of water
5 pollution that it causes in the project area below the levels of water pollution that it
6 causes in the project area when the agreement is reached.

7 (c) Reaches an agreement with the department or a local governmental unit,
8 as defined in s. 16.97 (7), under which the person pays money to the department or
9 local governmental unit and the department or local governmental unit uses the
10 money to reduce water pollution in the project area.

11 **(1m)** A pilot project may authorize a person to increase a discharge of
12 pollutants above levels that would otherwise be authorized in the permit only if all
13 of the following apply:

14 (a) The agreement under sub. (1) (a), (b) or (c) results in an improvement in
15 water quality.

16 (b) The authorized increase in pollutants and the reduction in pollution
17 provided for in the agreement under sub. (1) (a), (b) or (c) involve the same pollutant
18 or the same water quality standard.

19 (c) The term of the agreement under sub. (1) (a), (b) or (c) is not more than 5
20 years.

21 **(2)** The department may select an area as a project area under this section only
22 if all of the following apply:

23 (a) The area is the watershed or a portion of the watershed of an impaired water
24 body that the department has identified to the federal environmental protection
25 agency under 33 USC 1313 (d) (1) (A).

1 (b) The area includes both agricultural and municipal sources of water
2 pollution and both point sources and nonpoint sources.

3 (c) Potential participants located in the area exhibit an interest in participating
4 in a pilot project.

5 **(3)** (a) The department shall appoint a local committee for each pilot project to
6 advise the department concerning the pilot project. The local committee shall
7 include representatives of persons in the project area who hold permits.

8 (b) A committee appointed under s. 281.65 (4) (dr) satisfies the requirement
9 under par. (a) if it includes the members required under par. (a).

10 **(3m)** A person engaged in mining, as defined in s. 293.01 (9), prospecting, as
11 defined in s. 293.01 (18), or nonmetallic mining, as defined in s.295.11 (3), may not
12 enter into an agreement under sub. (1) (a), (b) or (c).

13 **(4)** The department shall amend the permits of persons entering into
14 agreements under sub. (1) to enable the agreements to be implemented.

15 **(4m)** The department may not begin to administer a pilot project under this
16 section after June 30, 1999.

17 **(5)** Beginning no later than September 1, 1998, and annually thereafter, the
18 department shall report to the governor, the secretary of administration and the land
19 and water conservation board on the progress and status of each pilot project in
20 achieving water quality goals and coordinating state and local efforts to improve
21 water quality.

22 **SECTION 2605.** 285.30 (5) (i) of the statutes is amended to read:

23 285.30 **(5)** (i) A farm truck as defined in s. 340.01 (18) (a). ~~This paragraph does~~
24 ~~not apply after June 30, 1996.~~

25 **SECTION 2606.** 285.31 (5) of the statutes is repealed.

1 **SECTION 2607.** 285.59 (1) of the statutes is renumbered 285.59 (1) (intro.) and
2 amended to read:

3 285.59 (1) (title) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,
4 “~~ozone-depleting~~”:

5 (a) “~~Ozone-depleting~~ refrigerant” has the meaning given in s. 100.45 (1) (d).

6 **SECTION 2608.** 285.59 (1) (b) of the statutes is created to read:

7 285.59 (1) (b) “State agency” means any office, department, agency, institution
8 of higher education, association, society or other body in state government created
9 or authorized to be created by the constitution or any law which is entitled to expend
10 moneys appropriated by law, including the legislature and the courts, the Wisconsin
11 Housing and Economic Development Authority, the Bradley Center Sports and
12 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
13 Authority and the Wisconsin Health and Educational Facilities Authority.

14 **SECTION 2609.** 285.59 (2) (intro.) of the statutes is amended to read:

15 285.59 (2) ~~SALVAGING REFRIGERATION EQUIPMENT.~~ (intro.) After June 30, 1992,
16 except as provided in sub. (3), no person, including a state agency, ~~as defined in s.~~
17 ~~234.75 (10),~~ may perform salvaging or dismantling of mechanical vapor compression
18 refrigeration equipment in the course of which ozone-depleting refrigerant is or may
19 be released or removed unless the person certifies all of the following to the
20 department:

21 **SECTION 3611m.** 285.63 (10) (c) 4. of the statutes is amended to read:

22 285.63 (10) (c) 4. The quantity of waste having the potential to be burned in
23 the medical waste incinerator that may be managed in an effective recycling
24 program ~~created~~ registered under s. ~~287.11~~ 287.115.

25 **SECTION 2610.** 285.69 (2) (c) (intro.) of the statutes is amended to read:

1 285.69 (2) (c) (intro.) The fees collected under par. (a) shall be credited to the
2 appropriations under s. 20.370 (2) (bg) ~~and, (3) (bg),~~ (8) (mg) and (9) (mh) for the
3 following:

4 **SECTION 2611.** 285.69 (3) of the statutes is amended to read:

5 285.69 (3) ASBESTOS INSPECTION FEES. The department may promulgate rules
6 for the payment and collection of fees for inspecting nonresidential asbestos
7 demolition and renovation projects regulated by the department. The fees under this
8 subsection may not exceed \$200 per project. The fees collected under this subsection
9 shall be credited to the appropriation under s. 20.370 (2) ~~(ei)~~ (bi) for the direct and
10 indirect costs of conducting inspections of nonresidential asbestos demolition and
11 inspection projects regulated by the department.

12 **SECTION 3613g.** 287.07 (7) (a) of the statutes is amended to read:

13 287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to
14 solid waste, except medical waste, as defined in par. (c) 1. cg., that is generated in a
15 region that has an effective recycling program, ~~as determined~~ registered under s.
16 ~~287.11~~ 287.115, and, if the region is not in this state, the region is located in a state
17 that has an effective siting program, as determined under s. 287.12. This paragraph
18 does not apply to solid waste that is separated for recycling as part of an effective
19 recycling program registered under s. ~~287.11~~ 287.115.

20 **SECTION 2612.** 287.09 (3) (b) of the statutes is amended to read:

21 287.09 (3) (b) Adopt an ordinance to enforce the program established under
22 sub. (2) (a). The ordinance may include a schedule of forfeitures to be imposed for
23 violations of that ordinance. The ordinance may authorize the responsible unit or
24 person designated under par. (a) to refuse to accept solid waste at the recycling
25 facility or site if the solid waste is a container for an industrial pesticide, as defined

1 ~~in s. 94.681 (1) (b), or a nonhousehold pesticide, as defined in s. 94.68 (3) (a) 2. 94.681~~
2 ~~(1) (c), is contaminated or is otherwise in a condition that makes recycling infeasible.~~
3 The ordinance may require a person to use a facility for the recycling of solid waste
4 or for the recovery of resources from solid waste, as defined in s. 287.13 (1) (d), only
5 as provided under s. 287.13.

6 **SECTION 3614g.** 287.11 (4) of the statutes is created to read:

7 **287.11 (4) SUNSET.** This section does not apply after December 31, 1999.

8 **SECTION 3614m.** 287.115 of the statutes is created to read:

9 **287.115 Registration of recycling programs.** Any responsible unit that
10 administers a recycling program that the responsible unit determines manages the
11 solid waste generated within its region in compliance with s. 287.07 (1m) to (4) and
12 the priorities under s. 287.05 (12) may register the recycling program with the
13 department as an effective recycling program.

14 **SECTION 3614t.** 287.23 (3) (b) of the statutes is amended to read:

15 287.23 (3) (b) Only expenses, including capital expenses, anticipated to be
16 incurred for planning, constructing or operating a recycling program with one or
17 more of the components specified in s. 287.11 (2) (a) to (h) ~~and for complying with the~~
18 ~~prohibition under s. 287.07 (2)~~ during the year for which an application is submitted
19 under sub. (4) are eligible for assistance under the program.

20 **SECTION 2613.** 287.23 (5) (c) 1. of the statutes is repealed.

21 **SECTION 2614.** 287.23 (5) (c) 2. of the statutes is amended to read:

22 287.23 (5) (c) 2. Except as provided in subd. 5. or sub. (5e), for all other
23 responsible units, the amount of the grant for 1993 through 1997 1999 equals either
24 66% of the difference between eligible expenses and avoided disposal costs or \$8
25 times the population of the responsible unit, whichever is less.

1 **SECTION 2615.** 287.23 (5) (c) 3. of the statutes is repealed.

2 **SECTION 2616.** 287.23 (5) (c) 4. of the statutes is repealed.

3 **SECTION 2617.** 287.23 (5) (c) 5. of the statutes is amended to read:

4 287.23 (5) (c) 5. If the amount calculated under subd. ~~1., 2., 3. or 4.~~ is less than
5 33% of eligible expenses, the grant equals 33% of eligible expenses.

6 **SECTION 2618.** 287.23 (5e) of the statutes is amended to read:

7 287.23 (5e) PRORATION. If available funds are insufficient, under sub. (5) (c) 2.,
8 ~~3. or 4.~~, to pay \$8 times the population of all of the responsible units that are entitled
9 to that amount, the department shall distribute the funds so that each responsible
10 unit that would be entitled to \$6 times its population if the per person amount in sub.
11 (5) (c) ~~2., 3. or 4.~~ were \$6 receives \$6 times its population and shall prorate the
12 remaining funds.

13 **SECTION 3620m.** 287.23 (5s) of the statutes is repealed.

14 **SECTION 3620r.** 287.235 of the statutes is created to read:

15 **287.235 Recycling grant program.** The department shall develop,
16 implement and administer a program to provide financial assistance to any
17 responsible unit that, on or before October 1, 1999, has registered a recycling
18 program as an effective recycling program under s. 287.115. The department shall
19 pay to each responsible unit that is eligible for assistance under this section an
20 amount that represents the same percentage of the total funds available for
21 assistance under this section as the amount awarded to that responsible unit for
22 1999 under s. 287.23, 1995 stats. Assistance under this section may be awarded only
23 for the year 2000. Assistance received under this section shall be expended only for
24 expenses, including capital expenses, for planning, constructing or operating an

1 effective recycling program registered under s. 287.115, except for expenses incurred
2 in complying with the prohibition under s. 287.07 (2).

3 **SECTION 3620s.** 287.41 (1) (a) of the statutes is amended to read:

4 287.41 (1) (a) Identification of priority recovered materials that will be the
5 focus of market development efforts by the board. The board shall focus its efforts
6 on the reuse of materials recovered from solid waste as well as on the recycling of
7 those materials.

8 **SECTION 2619.** 287.41 (3) of the statutes is amended to read:

9 287.41 (3) The board shall submit quarterly progress reports to the appropriate
10 standing committees of the legislature, as determined by the presiding officer of each
11 house, under s. 13.172 (3), describing the board's progress in implementing the
12 strategic plan and how the board's technical assistance, awarding of financial
13 assistance and other activities conform to the strategic plan.

14 **SECTION 3621g.** 287.42 (1) (intro.) and (a) of the statutes are consolidated,
15 renumbered 287.42 (1) and amended to read:

16 287.42 (1) Promote the development of sustainable, high-value markets for
17 recovered materials on behalf of, and in cooperation with, waste generators and
18 promote the orderly and efficient marketing of recovered materials by waste
19 generators to ~~do all of the following:~~ (a) ~~Maximize~~ maximize the marketability of
20 these recovered materials on a statewide basis.

21 **SECTION 3621m.** 287.42 (1) (b) and (c) of the statutes are repealed.

22 **SECTION 2620.** 287.42 (2s) of the statutes is repealed.

23 **SECTION 2621.** 287.42 (5) of the statutes is amended to read:

24 287.42 (5) In consultation with the council on recycling, annually establish a
25 list of materials recovered from solid waste for which financial assistance may be

1 provided under this subchapter, which shall include the materials specified in s.
2 287.07 (3), based on the board's analysis of current and future markets for materials
3 recovered from solid waste. The list shall give priority to materials specified in s.
4 287.07 (3) that will support community recycling efforts.

5 **SECTION 2622.** 287.44 (1) of the statutes is amended to read:

6 287.44 (1) Provide Award financial assistance under s. 287.46.

7 **SECTION 2623.** 287.44 (2) of the statutes is amended to read:

8 287.44 (2) ~~Fund~~ Award funding for research concerning markets for recovered
9 materials and the development of markets for recovered materials to maintain
10 present markets or to create new or expanded markets.

11 **SECTION 2624.** 287.44 (3) of the statutes is amended to read:

12 287.44 (3) ~~Fund~~ Award funding for research to improve the recovery,
13 processing or distribution of a recovered material.

14 **SECTION 2625.** 287.46 (1) of the statutes is amended to read:

15 287.46 (1) The board may provide award financial assistance, directly or in
16 cooperation with another person, to a governmental entity or a business entity to
17 assist waste generators in the marketing of recovered materials or to develop
18 markets for recovered materials. Forms of financial assistance provided awarded by
19 the board, and by a recipient of financial assistance ~~from~~ awarded by the board, may
20 include grants, loans and manufacturing rebates.

21 **SECTION 2626.** 287.46 (3) of the statutes is amended to read:

22 287.46 (3) If the board awards assistance under sub. (1) that results in a loan
23 being made by the recipient to another person, the board may direct that the
24 repayments of the loan's principal and any interest either be repaid to the recipient
25 for use in a revolving loan fund or ~~returned to the board~~ be repaid to the department

1 of commerce. The ~~board~~ department of commerce shall credit any funds received
2 under this subsection to the appropriation account under s. 20.143 (1) (L).

3 **SECTION 2627.** 287.46 (4) of the statutes is renumbered 287.46 (4) (b) and
4 amended to read:

5 287.46 (4) (b) In any biennium, the ~~board~~ department of commerce may not
6 expend more than 10% of the amount appropriated under s. 20.143 (1) (tm) for that
7 biennium for contracts with and financial assistance to responsible units and other
8 local units of government.

9 **SECTION 2628.** 287.46 (4) (a) of the statutes is created to read:

10 287.46 (4) (a) From the appropriations under s. 20.143 (1) (L) and (tm), the
11 department of commerce shall provide financial assistance awarded by the board
12 under this subchapter. Subject to par. (b), from the appropriation under s. 20.143 (1)
13 (tm), the department of commerce shall pay contracts entered into by the board
14 under s. 287.42 (3).

15 **SECTION 3631d.** 287.48 of the statutes is amended to read:

16 **287.48 Executive director for the board.** ~~The governor shall nominate, and~~
17 ~~with the advice and consent of the senate appoint,~~ secretary of commerce shall
18 appoint an executive director of the board outside of the classified service, to serve
19 at the pleasure of the ~~governor~~ secretary of commerce.

20 **SECTION 2629.** 287.49 of the statutes is repealed.

21 **SECTION 3632d.** Subchapter III of chapter 287 [precedes 287.40] of the
22 statutes, as affected by 1997 Wisconsin Act (this act), is repealed.

23 **SECTION 2630.** 289.43 (7) (e) 3. of the statutes is amended to read:

24 289.43 (7) (e) 3. All fees collected under this paragraph shall be credited to the
25 ~~appropriation~~ appropriations under s. 20.370 (2) (dg) and (9) (mj).

1 **SECTION 2631.** 289.62 (1) (g) of the statutes is amended to read:

2 289.62 (1) (g) *Use of tonnage fees.* Tonnage fees paid by a nonapproved facility
3 shall be paid into the environmental fund for environmental ~~repair~~ management.

4 **SECTION 2632.** 289.63 (3) (b) of the statutes is amended to read:

5 289.63 (3) (b) The well compensation fee imposed under sub. (1) for solid waste
6 or hazardous waste, excluding prospecting or mining waste, is ~~one-cent~~ 4 cents per
7 ton.

8 **SECTION 2633.** 289.63 (8) of the statutes is amended to read:

9 289.63 (8) USE OF GROUNDWATER, SOLID WASTE CAPACITY AND WELL COMPENSATION
10 FEES. The groundwater fees collected under sub. (2) shall be credited to the
11 environmental fund for ~~groundwater~~ environmental management. The well
12 compensation and solid waste capacity fees collected under sub. (2) shall be credited
13 to the environmental fund for environmental ~~repair~~ management.

14 **SECTION 2634.** 289.67 (1) (h) of the statutes is amended to read:

15 289.67 (1) (h) *Use of environmental repair fee.* The fees collected under par. (b)
16 shall be credited to the environmental fund for environmental ~~repair~~ management.

17 **SECTION 2635.** 289.67 (2) (c) 5. of the statutes is created to read:

18 289.67 (2) (c) 5. Hazardous wastes that are collected by a county under a
19 program for the collection and disposal of chemicals that are used for agricultural
20 purposes, including pesticides, as defined in s. 94.67 (25).

21 **SECTION 2636.** 289.67 (2) (e) of the statutes is amended to read:

22 289.67 (2) (e) All moneys received under this subsection shall be credited to the
23 environmental fund for environmental ~~repair~~ management.

24 **SECTION 2637.** 289.67 (3) (c) of the statutes is amended to read:

1 289.67 (3) (c) *Use of environmental repair base fees.* Environmental repair base
2 fees shall be credited to the environmental fund for environmental repair
3 management.

4 **SECTION 2638.** 289.67 (4) (c) of the statutes is amended to read:

5 289.67 (4) (c) *Use of environmental repair surcharge.* Environmental repair
6 surcharges shall be credited to the environmental fund for environmental repair
7 management.

8 **SECTION 2639.** 292.01 (18) of the statutes is amended to read:

9 292.01 (18) "Site or facility" means, except in ss. s. 292.35 and 292.61, an
10 approved facility, an approved mining facility, a nonapproved facility or a waste site.

11 **SECTION 2640.** 292.11 (6) (c) 1. of the statutes is amended to read:

12 292.11 (6) (c) 1. Reimbursements to the department under sub. (7) (b) shall be
13 credited to the environmental fund for environmental repair management.

14 **SECTION 2641.** 292.11 (7) (d) of the statutes is created to read:

15 292.11 (7) (d) 1. The department may negotiate and enter into an agreement
16 containing a schedule for conducting nonemergency actions required under sub. (3)
17 with a person who possesses or controls a hazardous substance that was discharged
18 or who caused the discharge of a hazardous substance if the discharge does not
19 endanger public health.

20 2. The department may charge fees, in accordance with rules that it
21 promulgates, to offset the costs of negotiating and entering into an agreement under
22 subd. 1.

23 **SECTION 2642.** 292.11 (7) (e) of the statutes is created to read:

1 292.11 (7) (e) If a person violates an order under par. (c) or an agreement under
2 par. (d), the department may refer the matter to the department of justice for
3 enforcement under s. 299.95.

4 **SECTION 2643.** 292.11 (9) (e) 1. of the statutes is repealed and recreated to read:

5 292.11 (9) (e) 1. “Local governmental unit” means a municipality, a
6 redevelopment authority created under s. 66.431, a public body designated by a
7 municipality under s. 66.435 (4) or a housing authority.

8 **SECTION 2644.** 292.11 (9) (e) 1m. (intro.) of the statutes is amended to read:

9 292.11 (9) (e) 1m. (intro.) A ~~municipality~~ local governmental unit is exempt
10 from subs. (3), (4) and (7) (b) and (c) with respect to property acquired by the
11 ~~municipality before, on or after May 13, 1994, in~~ local government unit if any of the
12 following ways applies:

13 **SECTION 3655m.** 292.11 (9) (e) 1m. a. of the statutes is amended to read:

14 292.11 (9) (e) 1m. a. ~~Through~~ The local governmental unit acquired the
15 property through tax delinquency proceedings or as the result of an order by a
16 bankruptcy court.

17 **SECTION 2645.** 292.11 (9) (e) 1m. b. of the statutes is amended to read:

18 292.11 (9) (e) 1m. b. ~~From a municipality~~ The local governmental unit acquired
19 the property from a local governmental unit that acquired the property under a
20 method described in subd. 1m. a.

21 **SECTION 3656e.** 292.11 (9) (e) 1m. c. and d. of the statutes are created to read:

22 292.11 (9) (e) 1m. c. The local governmental unit acquired the property through
23 condemnation or other proceeding under ch. 32.

24 d. The local governmental unit acquired the property for the purpose of slum
25 clearance or blight elimination.

1 **SECTION 2646.** 292.11 (9) (e) 1s. of the statutes is created to read:

2 292.11 (9) (e) 1s. An economic development corporation described in section 501
3 (c) of the Internal Revenue Code, as defined in s. 71.22 (4), that is exempt from federal
4 taxation under section 501 (a) of the Internal Revenue Code, or an entity wholly
5 owned and operated by such a corporation, is exempt from subs. (3), (4) and (7) (b)
6 and (c) with respect to property acquired before, on or after the effective date of this
7 subdivision [revisor inserts date], if the property is acquired to further the
8 economic development purposes that qualify the corporation as exempt from federal
9 taxation.

10 **SECTION 2647.** 292.11 (9) (e) 2. of the statutes is amended to read:

11 292.11 (9) (e) 2. ~~Subdivision 1. does~~ Subdivisions 1m. and 1s. do not apply to
12 a discharge of a hazardous substance caused by any of the following:

13 a. An action taken by the ~~municipality~~ local governmental unit or corporation.

14 b. A failure of the ~~municipality~~ local governmental unit or corporation to take
15 appropriate action to restrict access to the property in order to minimize costs or
16 damages that may result from unauthorized persons entering the property.

17 c. A failure of the ~~municipality~~ local governmental unit or corporation to sample
18 and analyze unidentified substances in containers stored aboveground on the
19 property.

20 d. A failure of the ~~municipality~~ local governmental unit or corporation to
21 remove and properly dispose of, or to place in a different container and properly store,
22 any hazardous substance stored aboveground on the property in a container that is
23 leaking or is likely to leak.

24 **SECTION 2648.** 292.11 (9) (e) 3. of the statutes is created to read:

1 292.11 (9) (e) 3. Subdivisions 1m. and 1s. do not apply if the discharge is a
2 discharge of a hazardous substance from an underground storage tank that is
3 regulated under 42 USC 6991 to 6991i.

4 **SECTION 2649.** 292.11 (9) (e) 4. of the statutes is created to read:

5 292.11 (9) (e) 4. Subdivisions 1m. and 1s. do not apply if, after considering the
6 intended development and use of the property, the department determines that
7 action is necessary to reduce to acceptable levels any substantial threat to public
8 health or safety when the property is developed or put to that intended use, the
9 department directs the local governmental unit or corporation to take that necessary
10 action and the local governmental unit or corporation does not take that action as
11 directed.

12 **SECTION 3660c.** 292.11 (9) (e) 5. of the statutes is created to read:

13 292.11 (9) (e) 5. Subdivision 1s. does not apply if the corporation fails to do any
14 of the following:

15 a. Respond to a discharge of a hazardous substance that poses an imminent
16 threat to public health, safety or welfare or to the environment, on or off of the
17 property.

18 b. Enter into an agreement with the department to conduct any necessary
19 investigation and remediation activities at the property no later than 3 years after
20 acquiring the property.

21 c. Allow the department, any authorized representatives of the department,
22 any party that possessed or controlled the hazardous substance or caused the
23 discharge of the hazardous substance and any consultant or contractor of such a
24 party to enter the property to take necessary action to respond to the discharge.

25 **SECTION 2650.** 292.13 of the statutes is created to read:

1 **292.13 Property affected by off-site discharge. (1) EXEMPTION FROM**
2 **LIABILITY.** A person is exempt from s. 292.11 (3), (4) and (7) (b) and (c) with respect
3 to the existence of a hazardous substance in the soil or groundwater on property
4 owned by the person if all of the following apply:

5 (a) The discharge of the hazardous substance originated from a source on
6 property that is not possessed or controlled by the person.

7 (b) The person did not possess or control the hazardous substance on the
8 property on which the discharge originated or cause the original discharge.

9 (c) The person conducts an investigation, that the department determines is
10 adequate, to substantiate that pars. (a) and (b) are satisfied.

11 (d) The person agrees to allow the department, any authorized representatives
12 of the department, any party that possessed or controlled the hazardous substance
13 or caused the discharge of the hazardous substance and any consultant or contractor
14 of such a party to enter the property to take action to respond to the discharge.

15 (e) The person takes any necessary emergency actions to respond to the
16 discharge to prevent an imminent threat to human health, safety or welfare or to the
17 environment and takes all nonemergency immediate or interim actions that are
18 necessary to prevent a new or continuing release of the hazardous substance into the
19 environment.

20 (f) The person agrees to avoid any interference with action undertaken to
21 respond to the discharge to avoid actions that worsen the discharge.

22 (g) The person agrees to any other condition that the department determines
23 is reasonable and necessary to ensure that the department or other person described
24 in par. (d) can adequately respond to the discharge.

1 **(2) DETERMINATIONS CONCERNING LIABILITY.** The department shall, upon request,
2 issue a written determination that a person owning property on which a hazardous
3 substance exists in the soil or groundwater is exempt from s. 292.11 (3), (4) and (7)
4 (b) and (c) if the person satisfies the requirements in sub. (1). The department may
5 revoke its determination if it determines that any of the requirements in sub. (1)
6 cease to be met.

7 **(3) FEES.** The department may, in accordance with rules that it promulgates,
8 assess and collect fees to offset the costs of issuing determinations under sub. (2).

9 **SECTION 2651.** 292.15 (title) of the statutes is amended to read:

10 **292.15** (title) ~~**Remediated property; purchaser**~~ **Voluntary party**
11 **remediation and exemption from liability.**

12 **SECTION 2652.** 292.15 (1) (c) (intro.) of the statutes is repealed.

13 **SECTION 2653.** 292.15 (1) (c) 1. of the statutes is renumbered 292.15 (1) (f) 3.

14 **SECTION 2654.** 292.15 (1) (c) 2. of the statutes is repealed.

15 **SECTION 2655.** 292.15 (1) (c) 3. of the statutes is renumbered 292.15 (1) (f) 1.
16 and amended to read:

17 292.15 (1) (f) 1. The person did not otherwise cause the release discharge of a
18 hazardous substance on the property.

19 **SECTION 2656.** 292.15 (1) (f) (intro.) of the statutes is created to read:

20 292.15 (1) (f) (intro.) “Voluntary party” means a person to whom all of the
21 following apply:

22 **SECTION 2657.** 292.15 (1) (f) 2. of the statutes is created to read:

23 292.15 (1) (f) 2. The person did not control, prior to its discharge, a hazardous
24 substance that was discharged on the property.

25 **SECTION 2658.** 292.15 (2) (a) of the statutes is amended to read:

1 292.15 (2) (a) ~~A purchaser~~ Except as provided in sub. (6), a voluntary party is
2 exempt from the provisions of ~~s. ss. 289.05 (1), (2) and (4), 289.42 (1), 289.67, 291.25~~
3 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules
4 promulgated under those provisions, with respect to the existence of a hazardous
5 substance on the property the release of which occurred prior to the date of
6 acquisition of the property, if all of the following occur at any time before or after the
7 date of acquisition:

8 1. ~~The purchaser conducts a thorough~~ An environmental investigation of the
9 property is conducted that is approved by the department ~~or the person from whom~~
10 ~~the purchaser acquires the property~~ conducts a thorough environmental
11 investigation of the property under a contract with the purchaser and the
12 investigation is approved by the department.

13 2. Except as provided in sub. (4), ~~the purchaser cleans up the property~~ is
14 cleaned up by restoring the environment to the extent practicable and minimizing
15 the harmful effects from a release discharge of a the hazardous substance in
16 accordance with rules promulgated by the department and any contract entered into
17 under those rules.

18 3. ~~The purchaser~~ voluntary party obtains a ~~certification~~ certificate of
19 completion from the department that the property has been satisfactorily restored
20 to the extent practicable and that the harmful effects from a release discharge of a
21 hazardous substance have been minimized.

22 4. ~~The purchaser~~ voluntary party maintains and monitors the property as
23 required under rules promulgated by the department and any contract entered into
24 under those rules.

1 5. The ~~purchaser~~ voluntary party does not engage in activities that are
2 inconsistent with the maintenance of the property.

3 6. The ~~purchaser~~ voluntary party has not obtained the certification under subd.
4 3. by fraud or misrepresentation, by the knowing failure to disclose material
5 information or under circumstances in which the ~~purchaser~~ voluntary party knew
6 or should have known about more ~~environmental pollution~~ discharges of hazardous
7 substances than was ~~were~~ revealed by the investigation conducted under subd. 1.

8 **SECTION 2659.** 292.15 (2) (am) of the statutes is created to read:

9 292.15 (2) (am) The department may approve a partial cleanup and issue a
10 certificate of completion as provided in par. (a) that states that not all of the property
11 has been satisfactorily restored or that not all of the harmful effects from a discharge
12 of a hazardous substance have been minimized. Approval of a partial cleanup
13 exempts a voluntary party from ss. 291.37 (2) and 292.11 (3), (4) and (7) (b) and (c)
14 with respect to the portion of the property or hazardous substances cleaned up under
15 this paragraph. In addition to meeting the requirements of par. (a), a certificate for
16 a partial cleanup under this paragraph may be issued only if:

17 1. Public health, safety or the environment will not be endangered by any
18 hazardous substances remaining on or off the property after the partial cleanup,
19 given the manner in which the property will be developed and used and any other
20 factors that the department considers relevant to the endangerment of public health,
21 safety or the environment.

22 2. The activities associated with any proposed use or development of the
23 property will not aggravate or contribute to the discharge of a hazardous substance
24 and will not unduly interfere with, or increase the costs of, restoring the property and
25 minimizing the harmful effects of the discharge of a hazardous substance.

1 3. The owner of the property agrees to cooperate with the department to
2 address problems caused by hazardous substances remaining on the property. Such
3 cooperation shall include allowing access to the property or allowing the department
4 or its authorized representatives to undertake activities on the property, including
5 placement of borings, equipment and structures on the property.

6 **SECTION 2660.** 292.15 (2) (ar) of the statutes is created to read:

7 292.15 (2) (ar) The department may require the owner of the property to grant
8 an easement or other interest in the property for any of the purposes specified in par.
9 (am) as a condition of issuing a certificate under par. (am).

10 **SECTION 2661.** 292.15 (2) (b) (intro.) of the statutes is amended to read:

11 292.15 (2) (b) (intro.) The ~~exemption~~ exemptions provided in ~~par.~~ pars. (a)
12 ~~continues~~ and (am) continue to apply after the date of certification by the department
13 under par. (a) 3., or approval by the department under par. (am), notwithstanding
14 the occurrence of any of the following:

15 **SECTION 2662.** 292.15 (2) (b) 1. to 3. of the statutes are amended to read:

16 292.15 (2) (b) 1. Statutes, rules or regulations are created or amended that
17 would impose greater responsibilities on the ~~purchaser~~ voluntary party than those
18 imposed under par. (a) 2.

19 2. The ~~purchaser~~ voluntary party fully complies with the rules promulgated by
20 the department and any contract entered into under those rules under par. (a) 2. but
21 it is discovered that the cleanup fails to fully restore the environment and minimize
22 the effects from a ~~release~~ discharge of a hazardous substance.

23 3. The contamination from a hazardous substance that is the subject of the
24 cleanup under par. (a) 2. is discovered to be more extensive than anticipated by the
25 ~~purchaser~~ voluntary party and the department.

1 **SECTION 2663.** 292.15 (2) (c) of the statutes is amended to read:

2 292.15 (2) (c) The department of justice may not commence an action under 42
3 USC 9607 against any ~~purchaser~~ voluntary party meeting the criteria of this
4 subsection to recover costs for which the ~~purchaser~~ voluntary party is exempt under
5 pars. (a), (am) and (b).

6 **SECTION 2664.** 292.15 (2) (d) of the statutes is created to read:

7 292.15 (2) (d) This subsection does not apply to a municipal waste landfill, as
8 defined in s. 289.01 (22), or to an approved facility.

9 **SECTION 2665.** 292.15 (3) of the statutes is amended to read:

10 292.15 (3) SUCCESSORS AND ASSIGNS. The exemption provided in sub. (2) applies
11 to any successor or assignee of the ~~purchaser~~ voluntary party who qualifies as a
12 voluntary party and who complies with the provisions of sub. (2) (a) 4. and 5. unless
13 the successor or assignee knows that a ~~certification~~ certificate under sub. (2) (a) 3.
14 or (am) was obtained by any of the means or under any of the circumstances specified
15 in sub. (2) (a) 6.

16 **SECTION 2666.** 292.15 (4) of the statutes is amended to read:

17 292.15 (4) LIMITED RESPONSIBILITY. The responsibility of a ~~purchaser~~ voluntary
18 party under sub. (2) (a) 2. may be monetarily limited by agreement between the
19 ~~purchaser~~ voluntary party and the department if the ~~purchaser~~ voluntary party
20 purchased the property from a municipality that acquired the property in a way
21 described in s. 292.11 (9) (e) 1m. a. or b. The agreement shall stipulate all of the
22 following:

23 (a) That the ~~purchaser~~ voluntary party may cease the cleanup when the cost
24 of the cleanup equals 125% of the anticipated expense of the cleanup.

1 (b) That the ~~purchaser~~ voluntary party will continue to receive the benefit of
2 the exemption under sub. (2) (a) after cessation of the cleanup if the ~~purchaser~~
3 voluntary party complies with sub. (2) (a) 4. and 5.

4 (c) That, if the ~~purchaser~~ voluntary party ceases the cleanup, the ~~purchaser~~
5 voluntary party shall use reasonable efforts to sell the property in accordance with
6 rules of the department that define “reasonable efforts” in a manner substantively
7 equivalent to 40 CFR 300.1100 (d) (2) (i).

8 **SECTION 2667.** 292.15 (5) of the statutes is amended to read:

9 292.15 (5) FEES. The department may, in accordance with rules that it
10 promulgates, assess and collect fees from a ~~purchaser~~ voluntary party to offset the
11 cost of the department’s activities under subs. (2) and (4). The fees may include an
12 advance deposit, from which the department shall return the amount in excess of the
13 cost of the department’s activities under subs. (2) and (4).

14 **SECTION 2668.** 292.15 (6) of the statutes is created to read:

15 292.15 (6) LIENS. This section does not exempt property from any lien filed
16 under s. 292.81 (3) for costs incurred by the department prior to the date that
17 certification is issued under sub. (2) (a) 3.

18 **SECTION 3679m.** 292.15 (7) of the statutes is created to read:

19 292.15 (7) APPLICABILITY. This section does not apply to any of the following:

20 (a) A hazardous waste treatment, storage or disposal facility that first begins
21 operation after the date on which the voluntary party acquired the property.

22 (b) A licensed hazardous waste treatment, storage or disposal facility operated
23 on the property before the date on which the voluntary party acquired the property
24 and that is operated after the date on which the voluntary party acquired the
25 property.

1 (c) Any hazardous waste disposal facility that has been issued a license under
2 s. 144.441 (2), 1995 stats., or s. 289.41 (1m), or rules promulgated under those
3 sections, for a period of long-term care following closure of the facility if the license
4 was issued on or before the effective date of this paragraph [revisor inserts date].

5 **SECTION 3679p.** 292.16 of the statutes is created to read:

6 **292.16 Responsibility of certain municipalities acquiring closed**
7 **landfills. (1) DEFINITION.** In this section:

8 (a) "Generator" has the meaning given in s. 292.35 (1) (b).

9 (b) "Transporter" has the meaning given in s. 292.35 (1) (g).

10 **(2) APPLICATION.** A municipality may apply to the department for an exemption
11 from liability with respect to property that contains a closed landfill and that is
12 acquired by the municipality before, on or after the effective date of this subsection.

13 **(3) CONDITIONS FOR APPROVAL.** The department shall approve an application
14 under sub. (2) if all of the following apply:

15 (a) The landfill is closed when the municipality acquires the property.

16 (b) The landfill closure complies with all rules of the department at the time
17 of the application under sub. (2).

18 (c) The municipality did not have an ownership interest in the landfill while
19 the landfill was in operation.

20 (d) The municipality enters into an agreement with the department that
21 contains requirements for the municipality to maintain the property.

22 (e) The department determines that an exemption from liability under this
23 section is in the public interest.

24 (f) The landfill was privately owned while it was in operation.

25 (g) The landfill has caused groundwater contamination.

1 (h) A steering committee of local public and private representatives was formed
2 to address the contamination caused by the landfill in a cooperative effort with the
3 department that prevented the landfill from being listed on the national priority list
4 under 42 USC 9605 (a) (8) (B).

5 (i) The remedial action approved by the department authorized a recreational
6 use for the property and was completed by December 31, 1995.

7 **(4) SCOPE OF EXEMPTION.** An approval by the department under sub. (3)
8 exempts the municipality from liability imposed under ss. 289.05, 289.41, 289.46,
9 289.95, 291.37, 291.85 (2), 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules
10 promulgated under those provisions, based on the municipality's ownership of the
11 property. The exemption does not apply to any liability based on hazardous
12 substances for which the municipality is responsible as a generator or transporter.

13 **(5) REQUIREMENTS.** If the department approves a municipality's application
14 under sub. (3), the municipality shall do all of the following:

15 (a) Obtain the prior approval of the department for any proposed uses of the
16 property, for any physical disturbance of the soil and for any construction on the
17 property.

18 (b) Allow access to the property by any person who is required to conduct
19 monitoring, to operate and maintain equipment or to undertake remedial action in
20 connection with the closed landfill.

21 **SECTION 2669.** 292.19 of the statutes is created to read:

22 **292.19 Responsibility of persons conducting investigations.** (1) For
23 purposes of this chapter, a person who conducts an investigation of property to
24 determine the existence of, or to obtain information about, a discharge of a hazardous

1 substance does not possess or control the hazardous substance or cause the discharge
2 of the hazardous substance as the result of conducting the investigation.

3 (2) If the person who conducts the investigation physically causes a discharge
4 or exacerbates an existing discharge, sub. (1) does not apply with respect to the
5 portion of the property on which the person causes the discharge or exacerbates the
6 existing discharge.

7 **SECTION 3680g.** 292.21 (1) (c) 1. b. of the statutes is repealed.

8 **SECTION 3680m.** 292.21 (1) (c) 1. bm. of the statutes is created to read:

9 292.21 (1) (c) 1. bm. The lender complies with all applicable state and federal
10 requirements, whichever are more restrictive, relating to the removal of
11 underground storage tanks, if any, on the property.

12 **SECTION 2670.** 292.21 (1) (c) 1. d. of the statutes is amended to read:

13 292.21 (1) (c) 1. d. The lender conducts an environmental assessment of the real
14 property in accordance with subd. 2. at any time, but not more than 90 days after the
15 date the lender acquires title to, or possession or control of, the real property and
16 files. The lender shall file a complete copy of the environmental assessment with the
17 department not more than 180 days after the date the lender acquires title to, or
18 possession or control of, the real property. If an environmental assessment is
19 conducted more than one year before the date on which the lender acquires title to,
20 or possession or control of, the real property, the exemption under this subd. 1. d.
21 applies only if the lender does all of the following: visually inspects the property in
22 accordance with subd. 2. a. and b. after the date on which the lender acquires title
23 to, or possession or control of, the real property to verify the environmental
24 assessment; submits a complete copy of the environmental assessment and the
25 results of the visual inspection to the department not later than 90 days after the

1 lender acquires title to, or possession or control of, the real property; receives notice
2 from the department that the department determines that the environmental
3 assessment is adequate or that the department directs the lender to address any
4 inadequacies in the environmental assessment; corrects, to the satisfaction of the
5 department, any inadequacies of an environmental assessment; and reimburses the
6 department for the cost to the department of reviewing materials submitted under
7 this subd. 1. d.

8 **SECTION 3682b.** 292.21 (1) (c) 1. g. of the statutes is created to read:

9 292.21 (1) (c) 1. g. The lender agrees in writing to allow any officer, employe or
10 authorized representative of the department, the person who may have possessed or
11 controlled a hazardous substance that is discharged, or who may have caused the
12 discharge of a hazardous substance, on the property and such person's authorized
13 consultant or contractor to enter onto the property at reasonable times and upon
14 notice to the lender to take appropriate response actions in response to the discharge
15 of the hazardous substance on the property.

16 **SECTION 3683g.** 292.26 of the statutes is created to read:

17 **292.26 Civil immunity; local governmental units.** (1) In this section,
18 "local governmental unit" has the meaning given in s. 292.11 (9) (e) 1.

19 (2) Except as provided in sub. (3), a local governmental unit is immune from
20 civil liability related to the discharge of a hazardous substance on or from property
21 formerly owned or controlled by the local governmental unit if the property is no
22 longer owned by the local governmental unit at the time that the discharge is
23 discovered and if any of the following applies:

24 (a) The local governmental unit acquired the property through tax delinquency
25 proceedings or as the result of an order by a bankruptcy court.

1 (b) The local governmental unit acquired the property from a local
2 governmental unit that acquired the property under a method described in par. (a).

3 (c) The local governmental unit acquired the property through condemnation
4 or other proceeding under ch. 32.

5 (d) The local governmental unit acquired the property for the purpose of slum
6 clearance or blight elimination.

7 **(3)** Subsection (2) does not apply with respect to a discharge of a hazardous
8 substance caused by an activity conducted by the local governmental unit while the
9 local governmental unit owned or controlled the property.

10 **SECTION 2671.** 292.31 (2) (f) of the statutes is repealed.

11 **SECTION 2672.** 292.31 (7) (c) 4. of the statutes is amended to read:

12 292.31 (7) (c) 4. All moneys received under this paragraph shall be credited to
13 the environmental fund for environmental ~~repair~~ management.

14 **SECTION 2673.** 292.31 (8) (g) of the statutes is amended to read:

15 292.31 (8) (g) *Disposition of funds.* If the original expenditure was made from
16 the environmental repair fund, under s. 25.46, 1987 stats., or the environmental
17 fund, the net proceeds of the recovery shall be paid into the environmental fund for
18 environmental ~~repair~~ management. If the original expenditure was made from the
19 investment and local impact fund, the net proceeds of the recovery shall be paid into
20 the investment and local impact fund.

21 **SECTION 2674.** 292.35 (title) of the statutes is amended to read:

22 **292.35** (title) ~~Political subdivision~~ Local governmental unit
23 **negotiation and cost recovery.**

24 **SECTION 2675.** 292.35 (1) (bm) of the statutes is created to read:

1 292.35 (1) (bm) “Local governmental unit” means a municipality, a
2 redevelopment authority created under s. 66.431 or a public body designated by a
3 municipality under s. 66.435 (4).

4 **SECTION 2676.** 292.35 (1) (d) of the statutes is repealed.

5 **SECTION 2677.** 292.35 (1) (f) of the statutes is amended to read:

6 292.35 (1) (f) “Site or facility” ~~has the meaning given in s. 292.61 (1) (b) means~~
7 an approved facility, an approved mining facility, a nonapproved facility, a waste site
8 or any site where a hazardous substance is discharged on or after May 21, 1978.

9 **SECTION 2678.** 292.35 (2) of the statutes is amended to read:

10 292.35 (2) APPLICABILITY. This section only applies to a site or facility if the site
11 or facility is owned by a ~~political subdivision~~ local governmental unit. This section
12 does not apply to a landfill until January 1, 1996.

13 **SECTION 2679.** 292.35 (2g) (a) of the statutes is amended to read:

14 292.35 (2g) (a) A ~~political subdivision~~ local governmental unit that intends to
15 use the cost recovery procedures in this section shall attempt to identify all
16 responsible parties. All information obtained by the ~~political subdivision~~ local
17 governmental unit regarding responsible parties is a public record and may be
18 inspected and copied under s. 19.35.

19 **SECTION 2680.** 292.35 (2g) (b) (intro.) of the statutes is amended to read:

20 292.35 (2g) (b) (intro.) Upon the request of an employe or authorized
21 representative of the ~~political subdivision~~ local governmental unit, or pursuant to a
22 special inspection warrant under s. 66.122, any person who generated, transported,
23 treated, stored or disposed of a hazardous substance that may have been disposed
24 of or discharged at the site or facility or who is or was an owner or operator shall

1 provide the employe or authorized representative access to any records or documents
2 in that person's custody, possession or control that relate to all of the following:

3 **SECTION 2681.** 292.35 (2g) (c) of the statutes is amended to read:

4 292.35 (2g) (c) The ~~political subdivision~~ local governmental unit shall maintain
5 a single repository that is readily accessible to the public for all documents related
6 to responsible parties, the investigation, the remedial action and plans for
7 redevelopment of the property.

8 **SECTION 2682.** 292.35 (2r) (a) of the statutes is amended to read:

9 292.35 (2r) (a) The ~~political subdivision~~ local governmental unit shall, in
10 consultation with the department, prepare a draft remedial action plan.

11 **SECTION 2683.** 292.35 (2r) (b) of the statutes is amended to read:

12 292.35 (2r) (b) Upon completion of the draft remedial action plan, the ~~political~~
13 ~~subdivision~~ local governmental unit shall send written notice to all responsible
14 parties identified by the ~~political subdivision~~ local governmental unit, provide public
15 notice and conduct a public hearing on the draft remedial action plan. The notice to
16 responsible parties shall offer the person receiving the notice an opportunity to
17 provide information regarding the status of that person or any other person as a
18 responsible party, notice and a description of the public hearing and a description of
19 the procedures in this section. At the public hearing, the ~~political subdivision~~ local
20 governmental unit shall solicit testimony on whether the draft remedial action plan
21 is the least costly method of meeting the standards for remedial action promulgated
22 by the department by rule. The ~~political subdivision~~ local governmental unit shall
23 accept written comments for at least 30 days after the close of the public hearing.

24 **SECTION 2684.** 292.35 (2r) (c) of the statutes is amended to read:

1 292.35 (2r) (c) Upon the conclusion of the period for written comment, the
2 ~~political subdivision~~ local governmental unit shall prepare a preliminary remedial
3 action plan, taking into account the written comments and comments received at the
4 public hearing and shall submit the preliminary remedial action plan to the
5 department for approval. The department may approve the preliminary remedial
6 action plan as submitted or require modifications.

7 **SECTION 2685.** 292.35 (3) (a) (intro.) of the statutes is amended to read:

8 292.35 (3) (a) (intro.) Upon receiving the department's approval of the
9 preliminary remedial action plan, the ~~political subdivision~~ local governmental unit
10 shall serve an offer to settle regarding the contribution of funds for investigation and
11 remedial action at the site or facility on each of the responsible parties identified by
12 the ~~political subdivision~~ local governmental unit, using the procedure for service of
13 a summons under s. 801.11 and shall notify the department that the offer to settle
14 has been served. The ~~political subdivision~~ local governmental unit shall include in
15 the offer to settle all of the following information:

16 **SECTION 2686.** 292.35 (3) (a) 2. of the statutes is amended to read:

17 292.35 (3) (a) 2. The names, addresses and contact persons, to the extent
18 known, for all of the responsible parties identified by the ~~political subdivision~~ local
19 governmental unit.

20 **SECTION 2687.** 292.35 (3) (a) 3. of the statutes is amended to read:

21 292.35 (3) (a) 3. The location and availability of documents that support the
22 claim of the ~~political subdivision~~ local governmental unit against the responsible
23 party.

24 **SECTION 2688.** 292.35 (3) (b) of the statutes is amended to read:

1 292.35 (3) (b) The department shall maintain a list of competent and
2 disinterested umpires qualified to perform the duties under subs. (4) to (6). None of
3 the umpires may be employes of the department. Upon receiving notice from a
4 ~~political subdivision~~ local governmental unit under par. (a), the secretary or his or
5 her designee shall select an umpire from the list and inform the ~~political subdivision~~
6 local governmental unit and responsible parties of the person selected.

7 **SECTION 2689.** 292.35 (3) (c) of the statutes is amended to read:

8 292.35 (3) (c) Within 10 days after receiving notice of the umpire selected by
9 the department under par. (b), the ~~political subdivision~~ local governmental unit may
10 notify the department that the umpire selected is unacceptable. Within 10 days after
11 receiving notice of the umpire selected by the department under par. (b), a
12 responsible party may notify the department that the umpire selected is
13 unacceptable or that the responsible party does not intend to participate in the
14 negotiation. Failure to notify the department that the umpire is unacceptable shall
15 be considered acceptance. If all responsible parties identified by the ~~political~~
16 ~~subdivision~~ local governmental unit indicate that they do not intend to participate
17 in the negotiation, the department shall inform the ~~political subdivision~~ local
18 governmental unit and the ~~political subdivision~~ local governmental unit shall cease
19 further action under this section.

20 **SECTION 2690.** 292.35 (3) (d) of the statutes is amended to read:

21 292.35 (3) (d) Upon receiving notice under par. (c) that the selected umpire is
22 unacceptable, the secretary or his or her designee shall select 5 additional umpires
23 from the list and inform the ~~political subdivision~~ local governmental unit and
24 responsible parties of the persons selected.

25 **SECTION 2691.** 292.35 (3) (e) of the statutes is amended to read:

1 292.35 (3) (e) Within 10 days after receiving notice of the umpires selected by
2 the department under par. (d), the ~~political subdivision~~ local governmental unit or
3 a responsible party may notify the department that one or more of the umpires
4 selected are unacceptable. Failure to notify the department shall be considered
5 acceptance. The secretary or his or her designee shall select an umpire from among
6 those umpires not identified as unacceptable by the ~~political subdivision~~ local
7 governmental unit or a responsible party or, if all umpires are identified as
8 unacceptable, the secretary or his or her designee shall designate a person to be
9 umpire for the negotiation.

10 **SECTION 2692.** 292.35 (4) (a) of the statutes is amended to read:

11 292.35 (4) (a) The umpire, immediately upon being appointed, shall contact the
12 department, the ~~political subdivision~~ local governmental unit and the responsible
13 parties that received the offer to settle and shall schedule the negotiating sessions.
14 The umpire shall schedule the first negotiating session no later than 20 days after
15 being appointed. The umpire may meet with all parties to the negotiation, individual
16 parties or groups of parties. The umpire shall facilitate a discussion between the
17 ~~political subdivision~~ local governmental unit and the responsible parties to attempt
18 to reach an agreement on the design and implementation of the remedial action plan
19 and the contribution of funds by the ~~political subdivision~~ local governmental unit and
20 responsible parties.

21 **SECTION 2693.** 292.35 (4) (d) of the statutes is amended to read:

22 292.35 (4) (d) The ~~political subdivision~~ local governmental unit and the
23 responsible parties that participate in negotiations shall pay for the costs of the
24 umpire, whether or not an agreement among the parties is reached under sub. (5) or
25 the parties accept the recommendation of the umpire under sub. (6). The umpire

1 shall determine an equitable manner of paying for the costs of the umpire, which is
2 binding.

3 **SECTION 2694.** 292.35 (5) of the statutes is amended to read:

4 292.35 (5) AGREEMENT IN NEGOTIATION. The ~~political-subdivision~~ local
5 governmental unit and any of the responsible parties may enter into any agreement
6 in negotiation regarding the design and implementation of the remedial action plan
7 and the contribution of funds by the ~~political-subdivision~~ local governmental unit and
8 responsible parties for the investigation and remedial action. The portion of the
9 agreement containing the design and implementation of the remedial action plan
10 shall be submitted to the department for approval. The department may approve
11 that portion of the agreement as submitted or require modifications.

12 **SECTION 2695.** 292.35 (6) (a) of the statutes is amended to read:

13 292.35 (6) (a) If the ~~political-subdivision~~ local governmental unit and any
14 responsible parties are unable to reach an agreement under sub. (5) by the end of the
15 period of negotiation, the umpire shall make a recommendation regarding the design
16 and implementation of the remedial action plan and the contribution of funds for
17 investigation and remedial action by the ~~political-subdivision~~ local governmental
18 unit and all responsible parties that were identified by the ~~political-subdivision~~ local
19 governmental unit and that did not reach an agreement under sub. (5), whether or
20 not the responsible parties participated in negotiations under sub. (4). The umpire
21 shall submit the recommendation to the department for its approval within 20 days
22 after the end of the period of negotiation under sub. (4) (c). The department may
23 approve the recommendation as submitted or require modifications. The umpire
24 shall distribute a copy of the approved recommendation to the ~~political-subdivision~~

1 local governmental unit and all responsible parties identified by the ~~political~~
2 ~~subdivision~~ local governmental unit.

3 **SECTION 2696.** 292.35 (6) (b) of the statutes is amended to read:

4 292.35 (6) (b) The ~~political subdivision~~ local governmental unit and the
5 responsible parties that did not reach an agreement under sub. (5) shall accept or
6 reject the umpire's recommendation within 60 days after receiving it. Failure to
7 accept or reject the recommendation within 60 days shall be considered rejection of
8 the recommendation. If the ~~political subdivision~~ local governmental unit rejects the
9 recommendation with respect to any responsible party, the recommendation does not
10 apply to that responsible party. If a responsible party rejects the recommendation,
11 it does not apply to that responsible party.

12 **SECTION 2697.** 292.35 (7) of the statutes is amended to read:

13 292.35 (7) RESPONSIBLE PARTIES SUBJECT TO AN AGREEMENT OR RECOMMENDATION.
14 A responsible party that enters into an agreement under sub. (5) with a ~~political~~
15 ~~subdivision~~ local governmental unit or that accepts the umpire's recommendation
16 under sub. (6), if the ~~political subdivision~~ local governmental unit does not reject the
17 recommendation, is required to comply with the agreement or recommendation.
18 When the responsible party has complied with the agreement or recommendation,
19 the responsible party is not liable to the state, including under s. 292.11 (7) (b) or
20 292.31 (8), or to the ~~political subdivision~~ local governmental unit for any additional
21 costs of the investigation or remedial action; the responsible party is not liable to any
22 other responsible party for contribution to costs incurred by any other responsible
23 party for the investigation or remedial action; and the responsible party is not subject
24 to an order under s. 292.11 (7) (c) for the discharge that is the subject of the agreement
25 or recommendation.

1 **SECTION 2698.** 292.35 (8) (b) (intro.) of the statutes is amended to read:

2 292.35 (8) (b) (intro.) A ~~political subdivision~~ local governmental unit is entitled
3 to recover litigation expenses and interest on the judgment against a responsible
4 party if any of the following occurs:

5 **SECTION 2699.** 292.35 (8) (b) 1. of the statutes is amended to read:

6 292.35 (8) (b) 1. The ~~political subdivision~~ local governmental unit accepts the
7 recommendation of an umpire under sub. (6), the responsible party rejects it and the
8 ~~political subdivision~~ local governmental unit recovers a judgment under sub. (9)
9 against that responsible party that equals or exceeds the amount of the umpire's
10 recommendation.

11 **SECTION 2700.** 292.35 (8) (b) 2. of the statutes is amended to read:

12 292.35 (8) (b) 2. The ~~political subdivision~~ local governmental unit and the
13 responsible party enter into an agreement under sub. (5) or accept the umpire's
14 recommendation under sub. (6), the responsible party does not comply with the
15 requirements of the agreement or recommendation and the ~~political subdivision~~
16 local governmental unit recovers a judgment against that responsible party based
17 on the agreement or recommendation.

18 **SECTION 2701.** 292.35 (8) (c) of the statutes is amended to read:

19 292.35 (8) (c) A responsible party is entitled to recover litigation expenses from
20 a ~~political subdivision~~ local governmental unit if the responsible party accepts the
21 recommendation of an umpire under sub. (6), the ~~political subdivision~~ local
22 governmental unit rejects the recommendation of the umpire under sub. (6) with
23 respect to the responsible party, the ~~political subdivision~~ local governmental unit
24 institutes an action under sub. (9) against the responsible party and the ~~political~~
25 ~~subdivision~~ local governmental unit recovers a judgment under sub. (9) against the

1 responsible party that is equal to or less than the amount of the umpire's
2 recommendation.

3 **SECTION 2702.** 292.35 (9) (b) 1. of the statutes is renumbered 292.35 (9) (b) and
4 amended to read:

5 292.35 **(9)** (b) Except as provided in pars. (bm), (br) and (e), sub. (7) and s.
6 292.21, a responsible party is liable for a portion of the costs, as determined under
7 pars. (c) to (e), incurred by a ~~political subdivision~~ local governmental unit for
8 remedial action in an agreement under sub. (5) or a recommendation under sub. (6)
9 and for any related investigation. A right of action shall accrue to a ~~political~~
10 ~~subdivision~~ local governmental unit against the responsible party for costs listed in
11 this subdivision paragraph.

12 **SECTION 2703.** 292.35 (9) (b) 2. of the statutes is repealed.

13 **SECTION 2704.** 292.41 (6) (c) of the statutes is amended to read:

14 292.41 **(6)** (c) The department is entitled to recover moneys expended under
15 this section from any person who caused the containers to be abandoned or is
16 responsible for the containers. The funds recovered under this paragraph shall be
17 deposited into the environmental fund for environmental ~~repair~~ management.

18 **SECTION 2705.** 292.41 (6) (d) of the statutes is repealed.

19 **SECTION 2706.** 292.51 (2) of the statutes is amended to read:

20 292.51 **(2)** The department may seek and receive voluntary contributions of
21 funds from a municipality or any other public or private source for all or part of the
22 costs of remedying environmental contamination if the activities being funded are
23 part of a cooperative effort, by the department and the person providing the funds,
24 to remedy that environmental contamination. All contributions received under this
25 subsection shall be deposited in the environmental fund.

1 **SECTION 2707.** 292.55 of the statutes is created to read:

2 **292.55 Requests for liability clarification and technical assistance. (1)**

3 (a) The department may, upon request, assist a person to determine whether the
4 person is or may become liable for the environmental pollution of a property.

5 (b) The department may, upon request, assist in, or provide comments on, the
6 planning and implementation of an environmental investigation of a property or the
7 environmental cleanup of a property.

8 (c) The department may determine whether further action is necessary to
9 remedy environmental pollution of a property.

10 (d) The department may issue a letter to a person seeking assistance under this
11 subsection concerning any of the following:

12 1. The liability of a person owning or leasing a property for environmental
13 pollution of the property.

14 2. The type and extent of environmental pollution of a property.

15 3. The adequacy of an environmental investigation.

16 4. Any other matter related to the request for assistance under this subsection.

17 **(2)** The department may assess and collect fees from a person to offset the costs
18 of providing assistance under sub. (1). The department shall promulgate rules for
19 the assessment and collection of fees under this subsection. Fees collected under this
20 subsection shall be credited to the appropriation account under s. 20.370 (2) (dh).

21 **SECTION 2708.** 292.61 of the statutes is repealed.

22 **SECTION 3721e.** 292.65 of the statutes is created to read:

23 **292.65 Dry cleaner environmental response program. (1) DEFINITIONS.**

24 In this section and s. 292.66:

1 (a) "Bodily injury" does not include those liabilities that are excluded from
2 coverage in liability insurance policies for bodily injury other than liabilities
3 excluded because they are caused by a dry cleaning solvent discharge from a dry
4 cleaning facility.

5 (b) "Case closure letter" means a letter provided by the department that states
6 that, based on information available to the department, no further remedial action
7 is necessary with respect to a dry cleaning solvent discharge.

8 (d) "Dry cleaning facility" means a facility for dry cleaning apparel or household
9 fabrics for the general public other than a facility that is one of the following:

- 10 1. A coin-operated facility.
- 11 2. A facility that is located on a U.S. military installation.
- 12 3. An industrial laundry.
- 13 4. A commercial laundry.
- 14 5. A linen supply facility.
- 15 6. A facility that is located at a prison or other penal institution.
- 16 7. A facility that is located at a nonprofit hospital or at another nonprofit health
17 care institution.
- 18 8. A facility that is located on property that is owned by the federal government
19 or by this state or that is located on property that was owned by the federal
20 government or by this state when the facility was operating.

21 (e) "Dry cleaning solvent" means a chlorine-based or hydrocarbon-based
22 formulation or product that is used as a primary cleaning agent in dry cleaning
23 facilities.

1 (f) "Emergency" means a situation that requires an immediate response to
2 protect public health or safety. An emergency lasts until the threat to public health
3 or safety is mitigated.

4 (g) "Groundwater" has the meaning given in s. 281.75 (1) (c).

5 (h) "Operator" means any of the following:

6 1. A person who holds the license under s. 77.9961 (2) for a dry cleaning facility.

7 2. A subsidiary or parent corporation of the person specified under subd. 1.

8 (i) "Owner" means any of the following:

9 1. A person who owns, or has possession or control of, a dry cleaning facility,
10 or who receives direct or indirect consideration from the operation of a dry cleaning
11 facility regardless of whether the dry cleaning facility remains in operation and
12 regardless of whether the person owns or receives consideration at the time that
13 environmental pollution occurs.

14 2. A subsidiary or parent corporation of the person specified under subd. 1.

15 (j) "Program year" means the period beginning on July 1, and ending on the
16 following June 30.

17 (k) "Property damage" does not include those liabilities that are excluded from
18 coverage in liability insurance policies for property damage, other than liability for
19 remedial action associated with dry cleaning solvent discharges from affected dry
20 cleaning facilities. "Property damage" does not include the loss of fair market value
21 resulting from a discharge.

22 (L) "Service provider" means a consultant, testing laboratory, monitoring well
23 installer, soil boring contractor, other contractor, lender or any other person who
24 provides a product or service for which an application for reimbursement has been
25 or will be filed under this section, or a subcontractor of such a person.

1 (m) "Subsidiary or parent corporation" means a business entity, including a
2 subsidiary, parent corporation or other business arrangement, that has elements of
3 common ownership or control or that uses a long-term contractual arrangement
4 with a person to avoid direct responsibility for conditions at a dry cleaning facility.

5 (2) RULES CONCERNING 3RD-PARTY COMPENSATION. The commissioner of
6 insurance shall promulgate rules defining "liabilities that are excluded from
7 coverage in liability insurance policies for bodily injury" and "liabilities that are
8 excluded from coverage in liability insurance policies for property damage" for the
9 purposes of sub. (1) (a) and (k). The definitions shall be consistent with standard
10 insurance industry practices.

11 (3) DUTIES OF THE DEPARTMENT. (a) The department shall promulgate rules for
12 the administration of the program under this section.

13 (am) 1. The department shall establish a method for determining the order in
14 which it pays awards under this section. Except as provided in subds. 2. and 3., the
15 method shall be based on environmental factors and on the order in which
16 applications are received.

17 2. The department shall pay an award for emergency remedial action activities
18 within 2 working days of receipt of the application. For the purposes of this
19 subdivision, removal of contaminated soils and recovery of free dry cleaning solvent
20 are not considered emergency remedial action activities.

21 3. After awards for emergency remedial action activities, the department shall
22 give highest priority to paying awards for eligible costs incurred before the effective
23 date of this subdivision [revisor inserts date].

24 (b) The department shall promote the program under this section to persons
25 who may be eligible for awards.

1 (c) The department shall allocate 9.7% of the funds appropriated under s.
2 20.370 (6) (eq) in each fiscal year for awards for emergency remedial action activities
3 and applications that exceed the amount anticipated.

4 (d) The department shall keep records and statistics on the program under this
5 section and shall periodically evaluate the effectiveness of the program.

6 (e) No later than January 1, 2002, the department shall complete a review of
7 the program under this section and shall submit a report on the results of the review
8 to the joint committee on finance and to the appropriate standing committees of the
9 legislature, as determined by the speaker of the house and the president of the
10 senate, under s. 13.172 (3). The report shall include the department's
11 recommendations for changes to the program. The review shall include
12 consideration of whether the program should be expanded or ended, whether the
13 program should be incorporated into a broader program of financial assistance for
14 the remediation of environmental contamination and whether private insurance
15 coverage should be required for any dry cleaning facilities.

16 **(4) PROCESS; ELIGIBILITY.** (a) *General requirements.* To be eligible for an award
17 under this section, the owner or operator of a dry cleaning facility shall comply with
18 pars. (b), (c), (e), (f) and (j) and the other requirements of this section applicable to
19 the owner or operator.

20 (b) *Report.* An owner or operator shall report a dry cleaning solvent discharge
21 to the department in a timely manner, as provided in s. 292.11.

22 (c) *Notification of potential claim.* 1. An owner or operator shall notify the
23 department, before conducting a site investigation or any remedial action activity,
24 of the potential for submitting an application for an award under this section, except
25 as provided in subd. 2.

1 2. Subdivision 1. does not apply to an owner or operator who began a site
2 investigation or remedial action activity before the effective date of this subdivision
3 [revisor inserts date].

4 (d) *Information from department.* When an owner or operator notifies the
5 department under par. (c) 1., the department shall provide the owner or operator
6 with information on the program under this section and the department's estimate
7 of the eligibility of the owner or operator for an award under this section.

8 (e) *Investigation.* After notifying the department under par. (c) 1., if applicable,
9 and before conducting remedial action activities, an owner or operator shall complete
10 an investigation to determine the extent of environmental impact of the dry cleaning
11 solvent discharge, except as provided in pars. (g) and (h).

12 (f) *Remedial action plan.* After completing the investigation under par. (e) and
13 before conducting remedial action activities, an owner or operator shall prepare a
14 remedial action plan, based on the investigation under par. (e), that identifies
15 specific remedial action activities proposed to be conducted, except as provided in
16 pars. (g) and (h).

17 (g) *Emergency.* An owner or operator is not required to complete an
18 investigation or prepare a remedial action plan before conducting remedial action
19 activities if an emergency existed that made the investigation and remedial action
20 plan requirements inappropriate.

21 (h) *Interim remedial equipment.* An owner or operator may install interim
22 remedial equipment for which the owner or operator would be eligible for
23 reimbursement under s. 292.66 before completing a site investigation or remedial
24 action plan.

1 (i) *Review of site investigation and remedial action plan.* The department shall,
2 at the request of an owner or operator, review the site investigation results and the
3 remedial action plan and advise the owner or operator on the adequacy of the
4 proposed remedial action activities in meeting the requirements of this section. The
5 department shall complete the review of the site investigation and remedial action
6 plan within 45 days. The department shall also provide an estimate of when funding
7 will be available to pay an award for remedial action conducted in response to the dry
8 cleaning solvent discharge.

9 (j) *Remedial action.* The owner or operator shall conduct all remedial action
10 activities that are required under this section in response to the dry cleaning solvent
11 discharge, including all of the following:

12 1. Recovering any recoverable dry cleaning solvent from the environment.

13 2. Managing any residual solid or hazardous waste in a manner consistent with
14 local, state and federal law.

15 3. Restoring groundwater according to the standards promulgated by the
16 department under ss. 160.07 and 160.09.

17 (k) *Agents.* An owner or operator may enter into a written agreement with
18 another person under which that other person acts as an agent for the owner or
19 operator in conducting the activities required under par. (j). The owner or operator
20 and the agent shall jointly submit the application for an award under this section.

21 (L) *Awards for dry cleaning facilities on tribal trust lands.* The owner or
22 operator of a dry cleaning facility located on trust lands of an American Indian tribe
23 may be eligible for an award under this section if the owner or operator otherwise
24 satisfies the requirements of this subsection and complies with the rules

1 promulgated under this section and any other rules promulgated by the department
2 concerning dry cleaning facilities.

3 **(5) ENHANCED POLLUTION PREVENTION MEASURES.** (a) 1. The owner or operator
4 of a dry cleaning facility on which construction begins after the effective date of this
5 subdivision [revisor inserts date], is not eligible for an award under this section
6 unless the owner or operator has implemented the enhanced pollution prevention
7 measures described in par. (b).

8 2. The owner or operator of a dry cleaning facility on which construction began
9 on or before the effective date of this subdivision [revisor inserts date], is ineligible
10 for an award under this section with respect to a discharge that occurs on or after the
11 91st day after the day on which the department issues a case closure letter with
12 respect to an earlier discharge of dry cleaning solvent from the dry cleaning facility,
13 unless the owner or operator has implemented the enhanced pollution prevention
14 measures described in par. (b).

15 (b) An owner or operator who is required to implement enhanced pollution
16 prevention measures shall demonstrate all of the following:

17 1. That the owner or operator manages all wastes that are generated at the dry
18 cleaning facility and that contain dry cleaning solvent as hazardous wastes in
19 compliance with ch. 291 and 42 USC 6901 to 6991i.

20 2. That the dry cleaning facility does not discharge dry cleaning solvent or
21 wastewater from dry cleaning machines into any sanitary sewer or septic tank or into
22 the waters of this state.

23 3. That each machine or other piece of equipment in which dry cleaning solvent
24 is used, or the entire area in which those machines or pieces of equipment are located,
25 is surrounded by a containment dike or other containment structure that is able to

1 contain any leak, spill or other release of dry cleaning solvent from the machines or
2 other pieces of equipment.

3 4. That the floor within any area surrounded by a dike or other containment
4 structure under subd. 3. is sealed or is otherwise impervious to dry cleaning solvent.

5 5. That all dry cleaning solvent is delivered to the dry cleaning facility by means
6 of a closed, direct-coupled delivery system.

7 **(6) ADDITIONAL REQUIREMENT FOR CLOSED FACILITIES.** (a) To be eligible for an
8 award under this section, the owner or operator of a dry cleaning facility that has
9 ceased operating at the time that the owner or operator applies under sub. (8) (a)
10 shall agree to pay all of the following each year for 30 years after the department
11 issues the award:

12 1. An amount equal to the average annual license fee paid under s. 77.9961 (1)
13 for that year.

14 2. An amount equal to the total amount collected under s. 77.9962 for that year
15 divided by the number of dry cleaning facilities in operation during that year.

16 (b) An owner or operator to whom par. (a) applies shall guarantee payment
17 under par. (a) by executing a note and mortgage on the site of the dry cleaning facility
18 and a payment bond acceptable to the department.

19 (c) All funds paid under this subsection shall be deposited in the dry cleaner
20 environmental response fund.

21 **(7) ELIGIBLE COSTS.** (a) *General.* Subject to pars. (c), (ce), (cm) and (d), eligible
22 costs for an award under this section include reasonable and necessary costs paid for
23 the following items only:

24 1. Removal of dry cleaning solvents from surface waters, groundwater or soil.

- 1 2. Investigation and assessment of contamination caused by a dry cleaning
- 2 solvent discharge from a dry cleaning facility.
- 3 3. Preparation of remedial action plans.
- 4 4. Removal of contaminated soils.
- 5 5. Soil and groundwater treatment and disposal.
- 6 6. Environmental monitoring.
- 7 7. Laboratory services.
- 8 8. Maintenance of equipment for dry cleaning solvent recovery performed as
- 9 part of remedial action activities.
- 10 9. Restoration or replacement of a private or public potable water supply.
- 11 10. Restoration of environmental quality.
- 12 11. Contractor costs for remedial action activities.
- 13 12. Inspection and supervision.
- 14 13. Those costs of purchase and installation of interim remedial equipment
- 15 that qualify for reimbursement under s. 292.66 for which reimbursement was not
- 16 received under s. 292.66.
- 17 14. Other costs identified by the department as reasonable and necessary for
- 18 proper investigation, remedial action planning and remedial action activities to meet
- 19 the requirements of s. 292.11.
- 20 15. Compensation to 3rd parties for bodily injury and property damage caused
- 21 by a dry cleaning solvent discharge from a dry cleaning facility.
- 22 16. Financing for eligible activities under this paragraph as provided in par.
- 23 (b).

1 (b) *Financing costs.* 1. Except as provided in subd. 2., eligible costs for an award
2 under this section include the following costs of financing activities eligible for
3 reimbursement under par. (a):

4 a. Loan origination fees of up to 1% of the loan principal.

5 b. Interest on a loan at no more than the prime rate as determined under rules
6 promulgated by the department.

7 2. Costs of financing activities that are undertaken after the effective date of
8 this subdivision [revisor inserts date], and that are undertaken without the
9 department's advance written approval are not eligible costs.

10 (c) *Exclusions from eligible costs.* Eligible costs for an award under this section
11 do not include the following:

12 1. Costs incurred before January 1, 1991.

13 2. Costs of retrofitting or replacing dry cleaning equipment.

14 3. Other costs that the department determines to be associated with, but not
15 integral to, the investigation and remediation of a dry cleaning solvent discharge
16 from a dry cleaning facility.

17 4. Costs, other than costs for compensating 3rd parties for bodily injury and
18 property damage, that the department determines to be unreasonable or
19 unnecessary to carry out the remedial action activities as specified in the remedial
20 action plan.

21 5. Costs for investigations or remedial action activities conducted outside this
22 state.

23 (ce) *Usual and customary costs.* The department may establish a schedule of
24 usual and customary costs for any items under par. (a) and may use that schedule
25 to determine the amount of an applicant's eligible costs.

1 (cm) *Eligible cost; service providers.* The department may promulgate rules
2 under which the department selects service providers to provide investigation or
3 remedial action services in specified areas. The rules may provide that the costs of
4 a service for which the department has selected a service provider in an area are not
5 eligible costs under par. (a), or that eligible costs are limited to the amount that the
6 selected service provider would have charged, if an owner or operator of a dry
7 cleaning facility located in that area uses a service provider other than the service
8 provider selected by the department to perform the services. If the department
9 selects service providers under this paragraph, it shall regularly update the list of
10 service providers that it selects.

11 (d) *Discharges from multiple activities.* If hazardous substances are discharged
12 at a dry cleaning facility as a result of dry cleaning operations and as a result of other
13 activities, eligible costs under this section are limited to activities necessitated by the
14 discharge of dry cleaning solvent.

15 **(8) AWARDS.** (a) *Application.* An owner or operator shall submit an application
16 on a form provided by the department. An owner or operator may not submit an
17 application before September 1, 1998. An owner or operator may not submit an
18 application after August 30, 2003, if the application relates to a dry cleaning facility
19 that ceased to operate before September 1, 1998. An owner or operator may not
20 submit an application after August 20, 2008, if the application relates to any other
21 dry cleaning facility. The department shall authorize owners and operators to apply
22 for awards at stages in the process under sub. (4) that the department specifies by
23 rule. An application shall include all of the following documentation of activities,
24 plans and expenditures associated with the eligible costs incurred because of a dry
25 cleaning solvent discharge from a dry cleaning facility:

- 1 1. A record of investigation results and data interpretation.
- 2 2. A remedial action plan.
- 3 3. Contracts for eligible costs incurred because of the discharge and records of
- 4 the contract negotiations.
- 5 4. Accounts, invoices, sales receipts or other records documenting actual
- 6 eligible costs incurred because of the discharge.
- 7 5. Other records and statements that the department determines to be
- 8 necessary to complete the application.

9 (b) *Acknowledgement.* The department shall acknowledge, in writing, the
10 receipt of an application under par. (a).

11 (c) *Approval.* Subject to par. (d), if the department finds that an applicant
12 meets the requirements of this section and rules promulgated under this section, the
13 department shall make an award as provided in this subsection to reimburse the
14 applicant for eligible costs paid. The department may not make an award for an
15 investigation before it approves the investigation. The department may not make
16 an award for remedial action activities before it approves the remedial action
17 activities.

18 (d) *Denial of applications.* The department shall deny an application under
19 this section if any of the following applies:

- 20 1. The application is not within the scope of this section.
- 21 2. The applicant submits a fraudulent application.
- 22 3. The applicant has been grossly negligent in the maintenance of the dry
- 23 cleaning facility.
- 24 4. The applicant intentionally damaged the dry cleaning equipment.
- 25 5. The applicant falsified records.

1 6. The applicant willfully failed to comply with laws or rules of this state
2 concerning the use or disposal of dry cleaning solvents.

3 7. The applicant has not paid all of the fees under ss. 77.9961, 77.9962 and
4 77.9963.

5 8. The dry cleaning solvent discharge was caused by a person who provided
6 services or products to the owner or operator or to a prior owner or operator of the
7 dry cleaning facility.

8 (e) *Deductible.* 1. The department may reimburse the owner or operator of a
9 dry cleaning facility that is operating at the time that the owner or operator applies
10 under par. (a) only for eligible costs incurred at each dry cleaning facility that exceed
11 the following deductible:

12 a. If eligible costs are \$200,000 or less, \$10,000.

13 b. If eligible costs exceed \$200,000 but do not exceed \$400,000, \$10,000 plus 8%
14 of the amount by which eligible costs exceed \$200,000.

15 c. If eligible costs exceed \$400,000, \$26,000 plus 10% of the amount by which
16 eligible costs exceed \$400,000, but the maximum deductible is \$46,000.

17 3. The department may reimburse the owner or operator of a dry cleaning
18 facility that has ceased operation before the owner or operator applies under par. (a)
19 only for eligible costs that exceed the sum of the following:

20 a. Ten thousand dollars.

21 b. For each year in which the owner or operator has not paid the annual license
22 fee under s. 77.9961 (1) for the dry cleaning facility, an amount equal to the average
23 annual license fee paid under s. 77.9961 (1) for that year.

24 c. For each year in which the dry cleaning solvents fee under s. 77.9962 was
25 imposed and the dry cleaning facility was not in operation, an amount equal to the

1 total amount collected under s. 77.9962 for that year divided by the number of dry
2 cleaning facilities in operation during that year.

3 d. If the owner or operator did not pay the inventory fee under s. 77.9963 with
4 respect to the dry cleaning facility, an amount equal to the total amount collected
5 under s. 77.9963 divided by the number of dry cleaning facilities paying the
6 inventory fee.

7 (f) *Maximum awards.* 1. The department may not issue financial assistance
8 under this section that exceeds \$600,000 for reimbursement for costs incurred at a
9 single dry cleaning facility.

10 2. The department may not issue financial assistance under this section to an
11 owner or operator in one program year that totals more than the following:

12 a. For an owner or operator of 10 or fewer dry cleaning facilities, \$250,000.

13 b. For an owner or operator of more than 10 dry cleaning facilities, \$500,000.

14 (g) *Waiver of deductible.* Notwithstanding par. (e), the department may waive
15 the requirement that an owner or operator pay the deductible amount if the
16 department determines that the owner or operator is unable to pay. If the
17 department waives the requirement that an owner or operator pay the deductible,
18 the department shall record a statement of lien with the register of deeds of the
19 county in which the dry cleaning facility is located. If the department records the
20 statement of lien, the department has a lien on the property on which the dry
21 cleaning facility is located in the amount of the deductible that was waived. The
22 property remains subject to the lien until that amount is paid in full.

23 (h) *Contributory negligence.* The department may not diminish or deny an
24 award under this section as a result of negligence attributable to the applicant or any
25 person who is entitled to submit an application, except as provided in par. (d) 3.

1 (i) *Assignment of awards.* The filing by an applicant with the department of
2 an assignment of an award under this section to a person who loans money to the
3 applicant for the purpose of conducting activities required under sub. (4) creates and
4 perfects a lien in favor of the assignee in the proceeds of the award. The lien secures
5 all principal, interest, fees, costs and expenses of the assignee related to the loan.
6 The lien under this paragraph has priority over any previously existing or
7 subsequently created lien, assignment, security interest or other interest in the
8 proceeds of the award.

9 (j) *Reduction of awards.* 1. If an owner or operator prepares and submits an
10 application that includes ineligible costs that are identified under subd. 3., the
11 department shall calculate the award by determining the amount that the award
12 would otherwise be under pars. (e) and (f) based only on the eligible costs and then
13 by reducing that amount by 50% of the ineligible costs under subd. 2. that are
14 included in the application.

15 2. If a consultant prepares an application that is submitted by an owner or
16 operator and that includes ineligible costs that are identified under subd. 3., the
17 consultant shall pay to the department an amount equal to 50% of the ineligible costs
18 identified under subd. 3. that are included in the application. A consultant may not
19 charge the owner or operator for any amount that the consultant is required to pay
20 under this subdivision. Payments made under this subdivision shall be deposited
21 in the dry cleaner environmental response fund.

22 3. The department shall promulgate a rule identifying the ineligible costs to
23 which subds. 1. and 2. apply.

24 **(9) RECOVERY OF AWARDS.** (a) *Right of action.* A right of action under this section
25 shall accrue to the state against an owner or operator only if the owner or operator

1 submits a fraudulent application or does not meet the requirements under this
2 section and if an award is issued under this section to the owner or operator for
3 eligible costs under this section.

4 (b) *Action to recover awards.* The attorney general shall take appropriate
5 actions to recover awards to which the state is entitled under par. (a). The
6 department shall request that the attorney general take action if the department
7 discovers a fraudulent application after an award is issued.

8 (c) *Disposition of funds.* The net proceeds of the recovery under par. (b) shall
9 be paid into the dry cleaner environmental response fund.

10 **(10) LIABILITY.** (a) No common law liability, and no statutory liability that is
11 provided in a statute other than this section, for damages resulting from a dry
12 cleaning facility is affected by this section. Except as provided in par. (b), the
13 authority, power and remedies provided in this section are in addition to any
14 authority, power or remedy provided in any statute other than this section or
15 provided at common law.

16 (b) An award under this section is the exclusive method for the recovery of the
17 amount of eligible costs equal to the amount of the award that may be issued under
18 this section.

19 (c) If a person conducts a remedial action activity for a discharge at a dry
20 cleaning facility site, whether or not the person files an application under this
21 section, the remedial action activity conducted and any application filed under this
22 section are not evidence of liability or an admission of liability for any potential or
23 actual environmental pollution.

24 **(11) INTERVENTION IN 3RD-PARTY ACTIONS.** An owner or operator of a dry cleaning
25 facility shall notify the department of any action by a 3rd party against the owner

1 or operator for compensation for bodily injury or property damage caused by a dry
2 cleaning solvent discharge from the dry cleaning facility if the owner or operator may
3 be eligible for an award under this section. The department may intervene in any
4 action by a 3rd party against an owner or operator for compensation for bodily injury
5 or property damage caused by a dry cleaning solvent discharge from a dry cleaning
6 facility if the owner or operator may be eligible for an award under this section for
7 compensation awarded in the action.

8 **(12) RECORDS.** (a) The department shall promulgate rules prescribing
9 requirements for the records to be maintained by an owner, operator or service
10 provider and the periods for which they must retain those records.

11 (b) The department may inspect any document in the possession of an owner,
12 operator or service provider or any other person if the document is relevant to an
13 application for reimbursement under this section.

14 **(13) COUNCIL.** The dry cleaner environmental response council shall advise the
15 department concerning the programs under this section and s. 292.66. The dry
16 cleaner environmental response council shall evaluate the program under this
17 section at least every 5 years, using criteria developed by the council.

18 **(14) SUNSET.** This section does not apply after June 30, 2032.

19 **SECTION 3721m.** 292.66 of the statutes is created to read:

20 **292.66 Assistance for purchase and installation of interim remedial**
21 **equipment at dry cleaning facilities.** (1) The department shall allocate 46% of
22 the funds appropriated under s. 20.370 (6) (eq) in each fiscal year for awards to
23 reimburse owners and operators for costs of preliminary site screening and the
24 purchase and installation of equipment to begin the cleanup of discharges of dry
25 cleaning solvent from dry cleaning facilities before the completion of full site

1 investigations and remedial action plans. The department may not make an award
2 under this section before September 1, 1998, or after June 30, 2002.

3 (2) The owner or operator of a dry cleaning facility is eligible for an award under
4 this section if all of the following apply:

5 (a) The owner or operator reports the dry cleaning solvent discharge to the
6 department in a timely manner, as provided in s. 292.11.

7 (b) The owner or operator conducts a preliminary site screening, including an
8 onsite mobile laboratory analysis of any soil and groundwater affected by the
9 discharge to determine the location for installation of the interim remedial
10 equipment.

11 (c) An emergency does not exist at the affected dry cleaning facility.

12 (d) The owner or operator installs equipment that is approved by the
13 department to begin the cleanup of the discharge of dry cleaning solvent.

14 (e) The dry cleaning facility is operating at the time that the owner or operator
15 applies for assistance under this section.

16 (f) The owner or operator submits an application for reimbursement in a form
17 and manner specified by the department and complies with any inspection
18 requirements established by the department.

19 (3) An award under this section may not exceed \$15,000, of which not more
20 than \$2,500 may be for the cost of conducting the preliminary site screening.

21 (4) The department may promulgate rules for determining the usual and
22 customary costs for items for which it may make awards under this section and may
23 use the rules to determine the amount of an applicant's eligible costs.

24 (5) (a) Notwithstanding s. 292.11 (3) and (7), if an owner or operator applies and
25 is eligible under sub. (2) for an award under this section and also applies for an award

1 under s. 292.65, the owner or operator and any person who caused the discharge of
2 dry cleaning solvent is not required to conduct a site investigation or proceed with
3 other remedial action until the department informs the owner or operator that
4 funding is available for an award to the owner or operator under s. 292.65.

5 (b) Paragraph (a) does not apply if the department determines that an
6 emergency exists because of the discharge of dry cleaning solvent.

7 **SECTION 2709.** 292.81 (2) (a) (intro.) of the statutes is amended to read:

8 292.81 (2) (a) (intro.) Before incurring expenses under s. 292.11, or 292.31 (1),
9 (3) or (7) ~~or 292.41 (4)~~ with respect to a property, the department shall provide to the
10 current owner of the property and to any mortgagees of record a notice containing
11 all of the following:

12 **SECTION 2710.** 292.81 (2) (a) 1. of the statutes is amended to read:

13 292.81 (2) (a) 1. A brief description of the property for which the department
14 expects to incur expenses under s. 292.11, or 292.31 (1), (3) or (7) ~~or 292.41 (4)~~.

15 **SECTION 2711.** 292.81 (2) (a) 2. of the statutes is amended to read:

16 292.81 (2) (a) 2. A brief description of the types of activities that the department
17 expects may be conducted at the property under s. 292.11, or 292.31 (1), (3) or (7) ~~or~~
18 ~~292.41 (4)~~.

19 **SECTION 2712.** 292.81 (2) (d) of the statutes is amended to read:

20 292.81 (2) (d) No notice under this subsection is necessary in circumstances in
21 which entry onto the property without prior notice is authorized under s. 292.11 (8)
22 ~~or under s. 292.41 (5)~~.

23 **SECTION 2713.** 292.81 (3) of the statutes is amended to read:

24 292.81 (3) Any expenditures made by the department under s. 292.11 or 292.31
25 (1), (3) or (7) ~~or, subject to s. 292.41 (6) (d), under s. 292.41 (4)~~ shall constitute a lien

1 upon the property for which expenses are incurred if the department files the lien
2 with the register of deeds in the county in which the property is located. A lien under
3 this section shall be superior to all other liens that are or have been filed against the
4 property, except that if the property is residential property, as defined in s. 895.52
5 (1) (i), the lien may not affect any valid prior lien on that residential property.

6 **SECTION 3727g.** 292.85 of the statutes is created to read:

7 **292.85 Certified remediation professionals. (1) DEFINITIONS.** In this
8 section:

9 (a) "Certificate" means a remediation professional certificate issued under this
10 section.

11 (b) "Covered activity" means corrective action under s. 94.73, petroleum
12 storage tank remedial action under s. 101.143 or 101.144, hazardous waste facility
13 closure under s. 291.29, corrective action under s. 291.37, a response to a discharge
14 of a hazardous substance under s. 292.11, remedial action under s. 292.15 (2), an
15 environmental assessment under s. 292.21 (1) (c) 2., environmental repair under s.
16 292.31 (3), an abandoned container response under s. 292.41 or any other
17 environmental remedial action specified by the department by rule, except that
18 "covered activity" does not include an emergency response under s. 292.11, 292.31 (3)
19 or 292.41.

20 (c) "Report" means a report of a site investigation, a report of interim actions
21 prior to remedial action, a report of the design of a proposed remedial action plan,
22 a report of a site closure or any other report designated by the department of natural
23 resources, the department of commerce or the department of agriculture, trade and
24 consumer protection by rule.

1 **(2) RULES.** The department shall promulgate rules necessary to implement this
2 section. The department shall develop the rules in consultation with all state
3 agencies that have oversight responsibility for programs related to environmental
4 remediation and with other interested persons. The rules shall include
5 requirements for education, continuing education, training, experience and
6 standards of professional conduct for certified remediation professionals. The
7 requirements and standards shall be sufficiently stringent so that covered activities
8 conducted by or under the direction or supervision of a certified remediation
9 professional and all reports related to covered activities that are prepared by or
10 under the direction or supervision of certified remediation professionals are
11 rendered in a manner that protects public health, safety, welfare and the
12 environment and that is consistent with applicable statutes and rules.

13 **(3) CERTIFICATE REQUIRED FOR CERTAIN ACTIVITIES.** (a) Beginning on the effective
14 date of this paragraph [revisor inserts date], a person may not submit a report to
15 the department of natural resources, the department of commerce or the department
16 of agriculture, trade and consumer protection with respect to a covered activity
17 unless the report is prepared by, or under the direction or supervision of, a certified
18 remediation professional, except as provided in sub. (6).

19 (b) Beginning on the effective date of this paragraph [revisor inserts date],
20 a person may not conduct a covered activity unless the person is, or is under the
21 direction or supervision of, a certified remediation professional, except as provided
22 in sub. (6).

23 **(4) DEPARTMENT MAY CERTIFY.** (a) An individual may apply for a remediation
24 professional certificate. Each application for an initial or renewal certificate shall

1 be accompanied by a fee in an amount established by the department by rule that is
2 sufficient to cover all costs of administering and enforcing this section.

3 (b) The department may issue a certificate under this section only to an
4 individual. A certificate issued under this section may not be transferred.

5 (c) The department shall periodically publish notice of each application for a
6 certificate, approval or denial of a certificate, revocation of a certificate and
7 termination of a certificate. The department may not approve an application for an
8 initial certificate or a renewal certificate until at least 30 days after the notice of
9 application for the initial certificate or renewal certificate has been published. The
10 department shall promulgate rules for the periodic publication of notice under this
11 paragraph.

12 (d) The department of natural resources may grant an initial certificate or
13 renew a certificate only if the department of natural resources determines that the
14 applicant or the holder of the certificate is in compliance with all requirements under
15 this section and under rules promulgated by the department of natural resources,
16 the department of commerce and the department of agriculture, trade and consumer
17 protection. The department of natural resources shall suspend or revoke a certificate
18 if it determines, or the department of commerce or the department of agriculture,
19 trade or consumer protection determines, that the individual holding the certificate
20 fails to comply with all requirements under this section and under rules promulgated
21 by the department of natural resources, the department of commerce and the
22 department of agriculture, trade and consumer protection.

23 (e) The department may bar an individual whose application for an initial
24 certificate or a renewal certificate is denied, or whose certificate is revoked, from
25 applying for a certificate for the period determined by the department. If the

1 department revokes a certificate, it may permanently bar the individual from
2 applying for a certificate.

3 (f) A certified remediation professional shall obtain and maintain insurance
4 against loss, expense and liability, including loss, expense and liability caused by
5 pollution, resulting from errors, omissions or neglect in the performance of any
6 professional service in an amount of at least \$1,000,000 per claim and \$1,000,000 in
7 annual aggregate claims, with a deductible of no more than \$100,000 per claim.

8 **(5) PROHIBITION.** No person may advertise or otherwise hold himself or herself
9 out to be a certified remediation professional unless that person possesses a valid
10 certificate issued by the department.

11 **(6) EXEMPTION.** Subsection (3) does not apply to a report prepared, or an activity
12 performed, by an employe of this state acting within the scope of his or her
13 employment.

14 **(7) DEPARTMENTS MAY INVESTIGATE.** (a) Employes or agents of the department
15 of natural resources, the department of commerce or the department of agriculture,
16 trade and consumer protection may at any reasonable time enter any site or building
17 for the purpose of investigating, sampling or inspecting any condition, equipment,
18 practice or property relating to a covered activity conducted, supervised or directed
19 by a certified remediation professional.

20 (b) Employes or agents of the department of natural resources, the department
21 of commerce or the department of agriculture, trade and consumer protection may
22 seek a special inspection warrant under s. 66.122 authorizing entry to a site or
23 building under par. (a) if permission to enter is denied or if one of those departments
24 determines that entry without prior notice is necessary to enforce this section.

1 (c) A certified remediation professional shall provide any information
2 requested by the department of natural resources, the department of commerce or
3 the department of agriculture, trade and consumer protection relating to his or her
4 activities as a certified remediation professional. If one of those departments has
5 reason to suspect that a violation of any statute or rule related to a covered activity
6 has occurred or may occur, it may issue to a certified remediation professional an
7 order requiring the production or analysis of samples, requiring the production of
8 records or requiring any action by the certified remediation professional that may be
9 necessary to prevent or eliminate the violation.

10 (8) MEMORANDUM OF UNDERSTANDING. The department of natural resources, the
11 department of commerce and the department of agriculture, trade and consumer
12 protection shall enter a memorandum of understanding with respect to common
13 areas of responsibility that relate to this section. A memorandum of understanding
14 under this subsection does not take effect until it is approved by the secretary of
15 administration.

16 (9) APPEALS. Any person aggrieved by a determination or order of the
17 department under this section may request a contested case hearing under ch. 227.

18 **SECTION 2714.** 295.11 (4) of the statutes is amended to read:

19 295.11 (4) "Nonmetallic mining reclamation" means the rehabilitation of a
20 nonmetallic mining site to achieve a land use specified in an approved nonmetallic
21 mining reclamation plan, including removal or reuse of nonmetallic mining refuse,
22 grading of the nonmetallic mining site, removal, storage and replacement of topsoil,
23 stabilization of soil conditions, ~~establishment~~ reestablishment of vegetative cover,
24 control of surface water and groundwater, prevention of environmental pollution,

1 ~~construction of fences where necessary and, if practical, restoration of plant, fish and~~
2 ~~wildlife habitat.~~

3 **SECTION 2715.** 295.11 (5) of the statutes is amended to read:

4 295.11 (5) “Nonmetallic mining refuse” means waste soil, rock, mineral, ~~liquid~~
5 ~~and vegetation~~ and other waste natural material resulting from nonmetallic mining.
6 This term does not include ~~merchantable~~ marketable by-products resulting directly
7 from or displaced by the nonmetallic mining.

8 **SECTION 2716.** 295.11 (6) (intro.), (a), (b), (c) and (d) of the statutes are
9 renumbered 295.11 (6) (a) (intro.), 1., 2., 3. and 4., and 295.11 (6) (a) (intro.), 1. and
10 2., as renumbered, are amended to read:

11 295.11 (6) (a) (intro.) “Nonmetallic mining site” means all of the following,
12 except as provided in par. (b):

13 1. The location where nonmetallic mining is proposed or conducted, ~~including~~
14 ~~all surface areas from which materials have been or will be removed.~~

15 2. Storage and processing areas related to the that are in or contiguous to areas
16 excavated for nonmetallic mining.

17 **SECTION 2717.** 295.11 (6) (a) 5. of the statutes is created to read:

18 295.11 (6) (a) 5. Areas where grading or regrading is necessary to conduct
19 nonmetallic mining or to achieve a land use specified in an approved nonmetallic
20 mining reclamation plan.

21 **SECTION 2718.** 295.11 (6) (b) of the statutes is created to read:

22 295.11 (6) (b) “Nonmetallic mining site” does not include any area described in
23 par. (a) 1. to 5. that is not used for nonmetallic mining or for purposes related to
24 nonmetallic mining on or after the effective date of this paragraph [revisor inserts
25 date].

1 **SECTION 2719.** 295.11 (6) (e) of the statutes is repealed.

2 **SECTION 2720.** 295.11 (9) of the statutes is amended to read:

3 295.11 (9) "Replacement of topsoil" means the replacement of the topsoil that
4 was removed or disturbed by nonmetallic mining, or the provision of soil that is at
5 least as adequate as material to substitute for the topsoil that was removed or
6 disturbed, for the purposes of providing adequate vegetative cover and stabilization
7 of soil conditions to achieve a land use specified in an approved nonmetallic mining
8 reclamation plan.

9 **SECTION 2721.** 295.12 (1) (c) of the statutes is amended to read:

10 295.12 (1) (c) Uniform statewide standards requirements and procedures for
11 the administration of a nonmetallic mining reclamation ordinance program by any
12 county, city, village or town.

13 **SECTION 2722.** 295.12 (1) (d) of the statutes is repealed.

14 **SECTION 2723.** 295.12 (2) (a) of the statutes is amended to read:

15 295.12 (2) (a) The department shall establish nonmetallic mining reclamation
16 standards under sub. (1) (a) that are applicable to activities related to nonmetallic
17 mining reclamation both during nonmetallic mining and after the termination of
18 nonmetallic mining.

19 **SECTION 2724.** 295.12 (2) (b) and (c) of the statutes are repealed.

20 **SECTION 2725.** 295.12 (2) (d) of the statutes is amended to read:

21 295.12 (2) (d) ~~Standards for those portions of a nonmetallic mining site that are~~
22 ~~mined on or after the effective date of the ordinance~~ Nonmetallic mining reclamation
23 standards under sub. (1) (a) shall be designed to encourage the development and
24 reclamation of nonmetallic mining sites in existence on the effective date of this
25 paragraph [revisor inserts date], and shall include requirements necessary to

1 achieve a land use specified in an approved nonmetallic mining reclamation plan,
2 including requirements related to the removal or reuse of nonmetallic mining refuse,
3 removal of roads no longer in use, stabilization of soil conditions, grading the
4 nonmetallic mining site, replacement of topsoil, establishment of vegetative cover,
5 control of surface water flow and groundwater withdrawal, prevention of
6 environmental pollution, ~~construction of fences where necessary and, if practical,~~
7 protection or restoration of plant, fish and wildlife habitat.

8 **SECTION 2726.** 295.12 (2) (e) of the statutes is repealed.

9 **SECTION 2727.** 295.12 (3) (intro.) of the statutes is amended to read:

10 295.12 (3) (title) ~~TEXT OF ORDINANCE~~ PROGRAM REQUIREMENTS. (intro.) The text
11 of the ~~nonmetallic mining reclamation ordinance under~~ rules required by sub. (1) (d)
12 (c) shall include all of the following:

13 **SECTION 2728.** 295.12 (3) (a) and (b) of the statutes are repealed.

14 **SECTION 2729.** 295.12 (3) (c) of the statutes is amended to read:

15 295.12 (3) (c) A requirement for the operator to submit a nonmetallic mining
16 reclamation plan including maps, information about the nonmetallic mining site, a
17 proposed land use for which the nonmetallic mining site will be rehabilitated after
18 the nonmetallic mining is completed, a description of the proposed nonmetallic
19 mining reclamation including methods and procedures to be used and a proposed
20 timetable for completion of various stages of the nonmetallic mining reclamation.
21 The reclamation plan shall be designed to ensure successful nonmetallic mining
22 reclamation consistent with the standards under sub. (1) (a), to minimize the costs
23 of nonmetallic mining reclamation and, to the extent practicable, to minimize the
24 area disturbed by nonmetallic mining at one time and provide for nonmetallic mining

1 reclamation of portions of the nonmetallic mining site while nonmetallic mining
2 continues on other portions of the nonmetallic mining site.

3 **SECTION 2730.** 295.12 (3) (d) of the statutes is amended to read:

4 295.12 (3) (d) A requirement for the operator to obtain a nonmetallic mining
5 reclamation permit in order to engage in nonmetallic mining or in nonmetallic
6 mining reclamation; a requirement for a 5-year permit term unless a shorter permit
7 term is requested by the applicant; standards equal to the period during which
8 nonmetallic mining is conducted; procedures for the issuance, renewal, modification,
9 suspension or revocation of the reclamation permit; a requirement for public notice
10 and an opportunity for a public informational hearing before issuance, renewal,
11 modification, suspension or revocation of the or modification of a reclamation permit;
12 a requirement to conduct a public hearing on the issuance, renewal or modification
13 of a permit, if requested within 30 days after receipt of the nonmetallic mining
14 operation and reclamation plan; for a nonmetallic mine that is not in operation before
15 the date specified under par. (dm); notwithstanding ss. 68.001, 68.03 (8) and (9),
16 68.06 and 68.10 (1) (b), a right for any person who meets the requirements of s. 227.42
17 (1) to obtain a contested case hearing under ch. 68 s. 68.11 on the issuance, renewal,
18 modification, suspension or revocation or denial of a reclamation permit and for a
19 person holding a reclamation permit to a contested case hearing under s. 68.11 to
20 contest an order issued under s. 295.19 (1); a requirement for cooperative issuance
21 of a single reclamation permit if more than one county or municipality has
22 jurisdiction over the nonmetallic mining site; a requirement for issuance of a single
23 permit for all nonmetallic mining sites operated by the same person in a county or
24 municipality, with nonmetallic mining sites to be added or deleted by permit
25 modification and with separate permit conditions, fees and financial assurance for

1 each ~~nonmetallic mining site~~; and a requirement that action approving, denying or
2 conditionally approving a reclamation permit be taken within 90 days after receipt
3 of the ~~mining operation and mining reclamation plans plan~~ or, if a public
4 informational hearing is held, within 60 days after the close of the public hearing.

5 **SECTION 2731.** 295.12 (3) (de) of the statutes is created to read:

6 295.12 (3) (de) Except as provided in par. (dm), a prohibition on issuance of a
7 reclamation permit before approval of the nonmetallic mining reclamation plan
8 under par. (c) by the county, city, village or town operating the program.

9 **SECTION 2732.** 295.12 (3) (dm) of the statutes is created to read:

10 295.12 (3) (dm) A requirement that, when an operator submits an application
11 for a reclamation permit for a nonmetallic mine that is operating before a date
12 specified by the department in the rule, the county, city, village or town issue the
13 permit on the condition that the operator submit a nonmetallic mining reclamation
14 plan under par. (c) that complies with the rules under par. (c) by a deadline
15 established by the county, city, village or town. The deadline shall be from 1 to 3 years
16 after the date of application.

17 **SECTION 2733.** 295.12 (3) (ds) of the statutes is created to read:

18 295.12 (3) (ds) A requirement that the county, city, village or town issue a
19 reclamation permit on the condition that the operator submit proof of financial
20 responsibility in accordance with par. (g) within a time specified by the rule.

21 **SECTION 2734.** 295.12 (3) (e) of the statutes is renumbered 295.12 (3) (e) 1., and

22 295.12 (3) (e) 1. a. and b., as renumbered, are amended to read:

23 295.12 (3) (e) 1. a. The examination and approval of ~~operation plans and~~
24 nonmetallic mining reclamation plans.

25 b. The inspection of ~~nonmetallic mining and~~ nonmetallic mining reclamation.

1 **SECTION 2735.** 295.12 (3) (e) 2. of the statutes is created to read:

2 295.12 (3) (e) 2. A prohibition on basing the fees under subd. 1. on any portion
3 of a nonmetallic mining site that has been reclaimed when the fees are imposed.

4 **SECTION 2736.** 295.12 (3) (g) of the statutes is amended to read:

5 295.12 (3) (g) A requirement for the operator to provide a bond, deposit of funds,
6 established escrow account, letter of credit, demonstration of financial responsibility
7 by meeting net worth requirements or other form of financial assurance conditioned
8 on the faithful performance of all of the requirements of ~~the nonmetallic mining~~
9 ~~reclamation ordinance~~ rules promulgated under this section. The rules shall
10 authorize a county, city, village or town to reduce the amount of financial assurance
11 that an operator is required to provide based on nonmetallic mining reclamation that
12 the operator performs while the nonmetallic mine continues to operate.

13 **SECTION 2737.** 295.12 (3) (h) of the statutes is amended to read:

14 295.12 (3) (h) Provisions to restrict ~~nonmetallic mining or restrict~~, regulate or
15 require certain activities in connection with ~~nonmetallic mining or nonmetallic~~
16 mining reclamation in order to ensure compliance with nonmetallic mining
17 reclamation standards, ~~operation plans~~, nonmetallic mining reclamation plans,
18 licensing standards, financial assurance requirements and other requirements of
19 the ~~nonmetallic mining reclamation ordinance.~~ ~~These restrictions, regulations and~~
20 ~~requirements may include requirements for separations between excavations and~~
21 ~~property boundaries, for depth of excavations and for segregation of topsoil~~ rules
22 promulgated under this section.

23 **SECTION 2738.** 295.12 (3) (i) of the statutes is amended to read:

24 295.12 (3) (i) A prohibition on nonmetallic mining if a proposed nonmetallic
25 mining site, ~~other than a nonmetallic mining site in existence before the effective~~

1 ~~date of the ordinance,~~ cannot be reclaimed in compliance with the nonmetallic
2 mining reclamation standards ~~in the ordinance~~ under sub. (1) (a).

3 **SECTION 2739.** 295.12 (3) (j) of the statutes is repealed.

4 **SECTION 2740.** 295.12 (3) (k) of the statutes is amended to read:

5 295.12 (3) (k) A provision for orders and penalties consistent with s. 295.19 (3).

6 **SECTION 2741.** 295.12 (3) (L) of the statutes is amended to read:

7 295.12 (3) (L) ~~Standards~~ Criteria and procedures for ~~granting exemptions and~~
8 ~~variances from~~ approving alternatives to the requirements of the nonmetallic
9 mining reclamation ~~ordinance~~ standards under sub. (1) (a).

10 **SECTION 2742.** 295.13 of the statutes is amended to read:

11 **295.13 (title) Mandatory enactment and administration of ordinance**
12 **by counties.** (1) MANDATORY ENACTMENT AND ADMINISTRATION OF ORDINANCE. (a)
13 *Requirement to enact and administer ordinance.* Within 6 months after the effective
14 date of the rules under s. 295.12 (1), each county shall enact and begin to administer
15 a nonmetallic mining reclamation ordinance, ~~the text of which is in strict conformity~~
16 ~~with the text of the ordinance established under s. 295.12 (1) (d)~~ that complies with
17 those rules, except as provided in ~~sub.~~ subs. (2) and (2m). This ordinance may be
18 enacted separately from an ordinance enacted under s. 59.69.

19 (2) PREEXISTING COUNTY ORDINANCES. Any county with a nonmetallic mining
20 reclamation ordinance in effect on June 1, 1993, may maintain and administer that
21 ordinance if the department reviews the existing ordinance and determines that it
22 is at least as restrictive as the ~~ordinance established~~ rules under s. 295.12 (1) (d).
23 If the department determines that any part of the existing ordinance is not as
24 restrictive as the ~~ordinance established~~ rules under s. 295.12 (1) (d), the county may
25 amend the ordinance and submit the amended ordinance to the department for

1 ~~approval~~ a determination of whether the amended ordinance is as restrictive as
2 those rules. After obtaining the ~~approval~~ determination of the department under
3 ~~this subsection~~ that an ordinance is as restrictive as the rules under s. 295.12 (1), the
4 county may not amend the ordinance to make it more restrictive. ~~After obtaining the~~
5 ~~approval of the department under this subsection,~~ the A county may not amend the
6 a nonmetallic mining reclamation ordinance to make it less restrictive than the
7 ~~ordinance established~~ requirements in the rules under s. 295.12 (1) (d).

8 (3) APPLICABILITY OF COUNTY ORDINANCE. The An ordinance under sub. (1) or (2)
9 applies to the entire area of the county, except for cities, villages and towns that enact
10 and administer a nonmetallic mining reclamation ordinance under s. 295.14.

11 **SECTION 2743.** 295.13 (2m) of the statutes is created to read:

12 295.13 (2m) OPTION FOR CERTAIN COUNTIES. In a county with a population of
13 700,000 or more, if every city, village and town that contains a nonmetallic mining
14 site has enacted an ordinance under s. 295.14 by the first day of the 4th month
15 beginning after the effective date of the rules promulgated under s. 295.12 (1), the
16 county is not required to enact an ordinance under this section.

17 **SECTION 2744.** 295.14 of the statutes is amended to read:

18 **295.14 Authority to enact and administer ordinance.** (1) AUTHORITY TO
19 ENACT AND ADMINISTER ORDINANCE. A city, village or town may enact and administer
20 a nonmetallic mining reclamation ordinance, ~~the text of which is in strict conformity~~
21 ~~with the text of the ordinance~~ that complies with the rules under s. 295.12 (1) (d).
22 Except as provided in sub. (2), a city, village or town may not administer a
23 nonmetallic mining reclamation ordinance, ~~the text of which is not in strict~~
24 ~~conformity with the text of the ordinance~~ that does not comply with the rules under
25 s. 295.12 (1) (d).

1 **(2) PREEXISTING MUNICIPAL ORDINANCES.** A city, village or town with a
2 nonmetallic mining reclamation ordinance in effect on June 1, 1993, may maintain
3 and administer that ordinance if the department reviews the existing ordinance and
4 determines that it is at least as restrictive as the ~~ordinance established~~ rules under
5 s. 295.12 (1) ~~(d)~~. If the department determines that any part of the existing ordinance
6 is not as restrictive as the ~~ordinance established~~ rules under s. 295.12 (1) ~~(d)~~, the city,
7 village or town may amend the ordinance and submit the amended ordinance to the
8 department for ~~approval~~ a determination of whether the amended ordinance is as
9 restrictive as those rules. After obtaining the ~~approval~~ determination of the
10 department ~~under this subsection~~ that an ordinance is as restrictive as the rules
11 under s. 295.12 (1), the city, village or town may not amend the ordinance to make
12 it more restrictive. ~~After obtaining the approval of the department under this~~
13 ~~subsection, the~~ A city, village or town may not amend the a nonmetallic mining
14 reclamation ordinance to make it less restrictive than the ~~ordinance established~~
15 rules under s. 295.12 (1) ~~(d)~~.

16 **SECTION 2745.** 295.16 (title) of the statutes is amended to read:

17 **295.16 (title) Applicability of ~~ordinance and standards~~ nonmetallic**
18 **mining reclamation requirements.**

19 **SECTION 2746.** 295.16 (1) of the statutes is repealed and recreated to read:

20 **295.16 (1) NONMETALLIC MINING FOR TRANSPORTATION PURPOSES.** (a)
21 Notwithstanding par. (b), any requirements of the department of transportation
22 concerning the restoration of a nonmetallic mining site shall be consistent with the
23 nonmetallic mining reclamation standards established under s. 295.12 (1) (a).

24 (b) A nonmetallic mining ordinance and the rules promulgated under s. 295.12
25 (1) do not apply to nonmetallic mining to obtain stone, soil, sand or gravel for the

1 construction, maintenance or repair of a highway, railroad, airport facility or any
2 other transportation facility, if the nonmetallic mining is subject to the requirements
3 of the department of transportation concerning the restoration of the nonmetallic
4 mining site.

5 **SECTION 2747.** 295.16 (2) of the statutes is amended to read:

6 **295.16 (2) NONMETALLIC MINING IN OR NEAR NAVIGABLE WATERWAYS.** A nonmetallic
7 mining reclamation ordinance, and requirements of this subchapter other than the
8 standards established under s. 295.12 (1) (a), do not apply to any nonmetallic mining
9 site or portion of a nonmetallic mining site that is subject to permit and reclamation
10 requirements of the department under ss. 30.19, 30.195, 30.20, 30.30 and 30.31. The
11 nonmetallic mining standards established under s. 295.12 (1) (a) do apply to a
12 nonmetallic mining site that is subject to permit and reclamation requirements of
13 the department under ss. 30.19, 30.195, 30.20, 30.30 and 30.31.

14 **SECTION 2748.** 295.16 (4) (b) of the statutes is amended to read:

15 **295.16 (4) (b)** Excavations or grading conducted for highway the construction
16 purposes within the highway right-of-way, reconstruction, maintenance or repair
17 of a highway, railroad, airport facility or any other transportation facility if the
18 excavation or grading is within the property boundaries of the transportation
19 facility.

20 **SECTION 2749.** 295.16 (4) (g) of the statutes is amended to read:

21 **295.16 (4) (g)** Any activities ~~conducted at a solid waste or hazardous waste~~
22 ~~disposal site~~ required to prepare, operate or close a solid waste disposal facility under
23 subchs. II to IV of ch. 289 or a hazardous waste disposal facility under ch. 291 that
24 are conducted on the property on which the facility is located, but a nonmetallic
25 mining reclamation ordinance and the standards established under s. 295.12 (1) (a)

1 apply to activities related to solid waste or hazardous waste disposal that are
2 conducted at a nonmetallic mining site that is not ~~part of~~ on the property on which
3 the solid waste or hazardous waste disposal facility is located such as activities to
4 obtain nonmetallic minerals to be used for lining, capping, covering or constructing
5 berms, dikes or roads.

6 **SECTION 2750.** 295.16 (4) (h) of the statutes is repealed.

7 **SECTION 2751.** 295.17 (1) of the statutes is amended to read:

8 295.17 (1) An agent of a county, city, village or town that has a ~~valid~~ nonmetallic
9 mining reclamation ordinance that complies with s. 295.13 or 295.14 may enter a
10 nonmetallic mining site in the performance of his or her official duties at any
11 reasonable time in order to inspect those premises and to ascertain compliance with
12 ~~the nonmetallic mining reclamation ordinance~~ this subchapter. No person may
13 refuse entry or access to an agent of the county, city, village or town who requests
14 entry for purposes of inspection, and who presents appropriate credentials. No
15 person may obstruct, hamper or interfere with the inspection. The county, city,
16 village or town shall furnish to the operator any report prepared by the county, city,
17 village or town regarding the inspection.

18 **SECTION 2752.** 295.18 (1) (intro.) of the statutes is amended to read:

19 295.18 (1) REVIEW. (intro.) The department shall periodically review the
20 nonmetallic mining reclamation program under this subchapter of each county and
21 each city, village or town that exercises jurisdiction under this subchapter to
22 ascertain compliance with this subchapter and the rules promulgated under this
23 subchapter. This review shall include all of the following:

24 **SECTION 2753.** 295.18 (1) (c) of the statutes is amended to read:

1 295.18 (1) (c) A written determination by the department, issued every ~~3~~ at
2 least once every 10 years, of whether ~~or not~~ the county, city, village or town is in
3 compliance with this subchapter and rules promulgated under this subchapter.

4 **SECTION 2754.** 295.18 (2) of the statutes is amended to read:

5 295.18 (2) NONCOMPLIANCE; HEARING. If the department determines under sub.
6 (1) that a county, city, village or town is not in compliance with this subchapter and
7 rules promulgated under this subchapter, the department shall notify the county,
8 city, village or town of that determination. If the department determines that a
9 county, city, village or town has not come into compliance after notification, the
10 department shall consult with the nonmetallic mining council. If the department
11 decides to pursue the matter, it shall conduct a hearing, after 30 days' notice, in the
12 county, city, village or town. As soon as practicable after the hearing, the department
13 shall issue a written decision regarding compliance with this subchapter and rules
14 promulgated under this subchapter.

15 **SECTION 2755.** 295.18 (4) of the statutes is amended to read:

16 295.18 (4) COUNTY NONCOMPLIANCE; CONSEQUENCES. If the department
17 determines issues a written decision under sub. (2) that a county is not in compliance
18 with this subchapter and rules promulgated under this subchapter, the department
19 shall administer the nonmetallic mining reclamation program in that county,
20 including the collection of fees, review and approval of plans, inspection of
21 nonmetallic mining sites and enforcement, except that the department may not
22 administer the nonmetallic mining reclamation program in a city, village or town
23 that enacted an ordinance that complies with s. 295.14 before the department made
24 its determination under sub. (2) and is administering that ordinance. The county
25 may apply to the department at any time to resume administration of the

1 nonmetallic mining reclamation program. The department, after a hearing, may
2 approve the county request to administer the nonmetallic mining reclamation
3 program if the county demonstrates the capacity to comply with this subchapter and
4 rules promulgated under this subchapter. No city, village or town may enact an
5 ordinance ~~under s. 295.14 for and begin to implement a nonmetallic mining~~
6 reclamation program during the time that the department administers the
7 nonmetallic mining reclamation program in the county in which the city, village or
8 town is located.

9 **SECTION 2756.** 295.19 (1) (intro.), (a), (b) and (c) of the statutes are amended
10 to read:

11 295.19 (1) ORDERS; ENFORCEMENT. (intro.) The governing body of a county, city,
12 village or town that has a valid nonmetallic mining reclamation ordinance that
13 complies with s. 295.13 or 295.14, or an agent designated by that governing body,
14 may do any of the following:

15 (a) ~~Issue a compliance order, suspension order or termination~~ an order as
16 authorized in requiring an operator to comply with, or to cease violating, this
17 subchapter, rules promulgated under this subchapter, the nonmetallic mining
18 reclamation ordinance, a nonmetallic mining reclamation permit or an approved
19 nonmetallic mining reclamation plan.

20 (b) ~~Modify, suspend or revoke~~ Issue an order suspending or revoking a
21 nonmetallic mining reclamation permit as authorized in the nonmetallic mining
22 reclamation ordinance.

23 (c) ~~Issue a special~~ an order directing the immediate cessation of an operator to
24 immediately cease an activity regulated under this subchapter, under rules
25 promulgated under this subchapter or under the nonmetallic mining reclamation

1 ~~ordinance~~ until the necessary nonmetallic mining reclamation plan approval is
2 obtained ~~or until the nonmetallic mining site complies with the nonmetallic mining~~
3 ~~reclamation ordinance.~~

4 **SECTION 2757.** 295.19 (2) of the statutes is amended to read:

5 295.19 (2) DEPARTMENT ORDERS. The department may issue a special an order
6 directing the immediate cessation of an activity regulated under this subchapter
7 until the nonmetallic mining site complies with the nonmetallic mining reclamation
8 standards established under s. 295.12 (1) (a).

9 **SECTION 2758.** 295.19 (3) (b) 1. of the statutes is amended to read:

10 295.19 (3) (b) 1. Except for the violations enumerated in par. (a), any person
11 who violates this subchapter or any rule promulgated or any plan approval, ~~license~~
12 ~~or special order~~ issued under this subchapter shall forfeit not less than \$10 nor more
13 than \$5,000 for each violation. Each day of continued violation is a separate offense.
14 While the an order is suspended, stayed or enjoined, this penalty does not accrue.

15 **SECTION 2759.** 295.20 (title) of the statutes is amended to read:

16 **295.20 (title) Preservation of certain marketable nonmetallic mineral**
17 **deposits.**

18 **SECTION 2760.** 295.20 (1) of the statutes is renumbered 295.20 (1) (a) (intro.)
19 and amended to read:

20 295.20 (1) (a) (intro.) Beginning on ~~June 1, 1994~~ the effective date of this
21 paragraph [revisor inserts date], a landowner may register land owned by that
22 person ~~with each county in which the land is located if the~~ under this section if all
23 of the following apply:

24 1. The land has an economically viable a marketable nonmetallic mineral
25 deposit, as evidenced by the certification of a professional geologist registered under

1 s. 443.037 or a professional engineer registered under s. 443.04 and by any other
2 information required under sub. (4).

3 (c) The registration shall delineate the nonmetallic mineral deposit and the
4 necessary buffer areas under the nonmetallic mining reclamation ordinance. The
5 landowner, as a condition of registration, shall submit evidence that a notation of the
6 registration has been is valid only if recorded in the office of the register of deeds in
7 each county in which the nonmetallic mineral deposit or buffer area is located. A

8 (d) Except as provided under sub. (4) (d), a registration under this subsection
9 may not be rescinded by the county or the landowner or his or her successors or
10 assigns lasts for 10 years and may be renewed as provided in the rules under sub.
11 (4) (e).

12 **SECTION 2761.** 295.20 (1) (a) 2. and 3. of the statutes are created to read:

13 295.20 (1) (a) 2. The landowner notifies each county, city, village and town that
14 has authority to zone the land of his or her intent to register the marketable
15 nonmetallic mineral deposit. The notification shall include the evidence required
16 under subd. 1.

17 3. Nonmetallic mining is a permitted or conditional use for the land that is
18 proposed to be registered under any zoning that is in effect on the day on which the
19 landowner makes the notification under subd. 2.

20 **SECTION 2762.** 295.20 (1) (b) of the statutes is created to read:

21 295.20 (1) (b) A governmental unit that receives notification under par. (a) 2.
22 may contest registration under this subsection, in the circuit court for a county in
23 which the land is located, on the grounds that there is not a marketable nonmetallic
24 mineral deposit on the land or that par. (a) 3. is not satisfied. The governmental unit

1 has the burden of proving, by a preponderance of the evidence, that one of those
2 grounds exists.

3 **SECTION 2763.** 295.20 (1m) of the statutes is created to read:

4 **295.20 (1m)** PREVIOUSLY REGISTERED DEPOSITS. Land registered under sub. (1)
5 before the effective date of this subsection [revisor inserts date], shall remain
6 registered for 10 years after the initial date of registration. The registration may be
7 renewed as provided under sub. (4) (f).

8 **SECTION 2764.** 295.20 (2) of the statutes is renumbered 295.20 (2) (a) and
9 amended to read:

10 **295.20 (2) (a)** A county, city, village or town may not by zoning, rezoning,
11 granting a variance, or other official action or inaction, permit the erection of
12 permanent structures upon, or otherwise permit the use of, any registered
13 ~~nonmetallic mineral deposit or registered buffer area~~ land, while a registration
14 under this section is in effect for that land, in a manner that would permanently
15 interfere with the present or future extraction of the nonmetallic mineral deposit ~~or~~
16 ~~maintenance of the buffer area~~ that is located on the land.

17 **SECTION 2765.** 295.20 (2) (b) of the statutes is created to read:

18 **295.20 (2) (b) 1.** A county, city, village or town may enact an ordinance changing
19 the zoning of land that is registered under this section if mining has not begun on
20 any portion of the registered land and the ordinance is necessary to implement a
21 master plan, comprehensive plan or land use plan that was adopted at least one year
22 before the rezoning.

23 **2.** A zoning change authorized by subd. 1. does not apply to the registered land
24 during the registration period in effect when the zoning ordinance takes effect or

1 during the 10-year renewal period under sub. (4) (e) or (f) if the land is eligible for
2 that renewal.

3 3. A zoning change authorized by subd. 1. prevents the registration of the land
4 after the period under subd. 2.

5 **SECTION 2766.** 295.20 (3) (a) and (b) of the statutes are amended to read:

6 295.20 (3) (a) A use of land permissible under a zoning ordinance in effect on
7 the day before a mineral deposit ~~or buffer area~~ is registered under sub. (1).

8 (b) Acquisition of a registered nonmetallic mineral deposit or registered buffer
9 area by a county, city, village or town or other governmental unit for a public purpose
10 ~~if the use of the land does not permanently interfere with the extraction of~~
11 ~~nonmetallic minerals or maintenance of the buffer area.~~

12 **SECTION 2767.** 295.20 (4) of the statutes is created to read:

13 295.20 (4) RULES. The department shall promulgate rules that contain all of
14 the following:

15 (a) A definition of “marketable nonmetallic mineral deposit”.

16 (b) Procedures and requirements for registering land containing a marketable
17 nonmetallic mineral deposit under sub. (1).

18 (c) Procedures and criteria for objecting to the proposed registration of land
19 containing a nonmetallic mineral deposit.

20 (d) Procedures for terminating the registration of land under this section when
21 there is no longer a marketable nonmetallic mineral deposit on the land.

22 (e) Procedures and criteria for renewing the registration of land under sub. (1).

23 The rules shall allow renewal for one 10-year period without review of the
24 marketability of the deposit or the zoning of the land, except that, if mining has
25 begun on any portion of the registered land, the rules shall allow the person to renew

1 the registration for an unlimited number of 10-year periods as long as active mining
2 continues.

3 (f) Procedures and criteria for renewing the registration of land under sub.
4 (1m).

5 (g) Criteria under which contiguous parcels of land owned by the same person
6 and containing the same marketable nonmetallic mineral deposit may be included
7 in one registration.

8 **SECTION 3787e.** 299.15 (3) (cm) 1. of the statutes is repealed.

9 **SECTION 3787g.** 299.15 (3) (cm) 2. of the statutes is amended to read:

10 299.15 (3) (cm) 2. In any fiscal year after ~~fiscal year 1992-93~~, the department
11 may not charge total fees under par. (am) that exceed ~~the total fees that it charges~~
12 ~~under par. (am) for fiscal year 1992-93~~ \$7,450,000.

13 **SECTION 2768.** 299.80 of the statutes is created to read:

14 **299.80 Environmental cooperation pilot program. (1) DEFINITIONS.** In
15 this section:

16 (a) "Approval" means a permit, license or other approval issued by the
17 department under chs. 280 to 295.

18 (b) "Cooperative agreement" means an agreement entered into under sub. (6).

19 (c) "Environmental management system" means an organized set of
20 procedures implemented by the owner or operator of a facility to evaluate the
21 environmental performance of the facility and to achieve measurable or noticeable
22 improvements in that environmental performance through planning and changes in
23 the facility's operations.

1 (d) "Environmental performance" means the effects, whether regulated under
2 chs. 280 to 295 or unregulated, of a facility on air, water, land, natural resources and
3 human health.

4 (e) "Facility" means all buildings, equipment and structures located on a single
5 parcel or on adjacent parcels that are owned or operated by the same person.

6 (f) "Interested person" means a person who is or may be affected by the
7 activities at a facility that is covered or proposed to be covered by a cooperative
8 agreement or a representative of such a person.

9 (g) "Performance evaluation" means a systematic, documented and objective
10 review, conducted by or on behalf of the owner or operator of a facility, of the
11 environmental performance of the facility, including an evaluation of compliance
12 with the cooperative agreement covering the facility, approvals that are not replaced
13 by the cooperative agreement and the provisions of chs. 280 to 295 and rules
14 promulgated under those chapters for which a variance is not granted under sub. (4).

15 (h) "Pollutant" means any of the following:

16 1. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse,
17 oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive
18 substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt or
19 industrial, municipal or agricultural waste discharged into water or onto land.

20 2. Any dust, fumes, mist, liquid, smoke, other particulate matter, vapor, gas,
21 odorous substances or any combination of those things emitted into the air, but not
22 uncombined water vapor.

23 (i) "Violation" means a violation of a cooperative agreement, of an approval that
24 is not replaced by the cooperative agreement or of a provision of chs. 280 to 295 and

1 rules promulgated under those chapters for which a participant has not received a
2 variance under sub. (4).

3 (2) PILOT PROGRAM. The department shall administer a pilot program under
4 which it enters into not more than 10 cooperative agreements to evaluate innovative
5 environmental regulatory methods. In administering the program, the department
6 shall do all of the following:

7 (a) Provide at least the same level of protection of public health and the
8 environment as provided by the environmental regulatory methods under chs. 280
9 to 295.

10 (b) Encourage facility owners and operators to systematically assess the
11 pollution that they cause, directly and indirectly, to the air, water and land.

12 (c) Encourage facility owners and operators to implement efficient and cost-
13 effective pollution reduction strategies for their facilities, while complying with
14 verifiable and enforceable pollution limits.

15 (d) Encourage facility owners and operators to achieve superior environmental
16 performance, both with respect to the effects of a facility that are regulated under
17 chs. 280 to 295 and those effects that are unregulated, to reduce usage of natural
18 resources, to minimize transfers of waste discharges among air, water and land and
19 to reduce waste generation, while achieving a balance among the economic, social
20 and environmental impacts of these efforts that is acceptable to the community in
21 which the facility is located.

22 (e) Recognize and reward facility owners and operators who have
23 demonstrated excellence and leadership in environmental stewardship or pollution
24 prevention and who can achieve reductions in emissions and waste generation
25 through implementation of innovative measures.

1 (f) Encourage the transfer of information about methods for improving
2 environmental performance and the adoption of these methods by others.

3 (g) Consolidate into a cooperative agreement environmental requirements
4 relating to a facility owned or operated by a participant that are otherwise included
5 in separate approvals to the extent that consolidation is practical and efficient.

6 (h) Grant the owners and operators of facilities greater flexibility than would
7 otherwise be allowed under chs. 280 to 295 and rules promulgated under those
8 chapters.

9 (i) Seek to reduce the time and money spent by government and owners and
10 operators of facilities on paperwork and other administrative tasks that do not result
11 in benefits to the environment.

12 (j) Encourage public participation, and consensus among interested persons,
13 in the development of innovative environmental regulatory methods and in
14 monitoring the environmental performance of projects under this section.

15 (k) Seek to improve the provision of useful information to the public about the
16 environmental and human health impacts of facilities on communities.

17 (L) Provide public access to information about performance evaluations
18 conducted by participants in the program under this section.

19 (m) Encourage facility owners and operators and communities to work together
20 to reduce pollution to levels below the levels required under chs. 280 to 295.

21 (n) Seek to increase trust among government, facility owners and operators
22 and the public through open communication and support of early and credible
23 resolution of conflicts over issues concerning the environment and environmental
24 regulation.

1 **(3) CONTENT OF COOPERATIVE AGREEMENTS.** A cooperative agreement shall do all
2 of the following:

3 (a) Identify the facility or facilities, the activities and the pollutants that are
4 covered by the cooperative agreement.

5 (b) Specify any approvals and provisions of approvals that are replaced by the
6 cooperative agreement.

7 (c) Commit the participant to implement an environmental management
8 system that is based on the standards for environmental management systems
9 issued by the International Organization for Standardization, or an alternative
10 environmental management system that is acceptable to the department, at the
11 covered facilities and commit the participant to documenting the environmental
12 management system.

13 (d) Commit the participant to superior environmental performance, to
14 achieving measurable or noticeable improvements in environmental performance,
15 to reducing natural resource usage and to reducing waste generation, while
16 achieving a balance among the economic, social and environmental impacts of these
17 efforts that is acceptable to the community in which the facility is located.

18 (e) Specify waste reduction goals in measurable and verifiable terms.

19 (f) Identify changes in raw materials, in the design, methods of production,
20 distribution or uses of products or in the reuse, recycling or disposal of materials that
21 the participant will implement to achieve process efficiencies, to reduce the pollution
22 of the air, water and land and to reduce water use, energy use or indoor chemical
23 exposure.

1 (g) Contain pollution limits that are verifiable, enforceable and at least as
2 stringent as the pollution limits under chs. 280 to 295 and rules promulgated under
3 those chapters.

4 (h) Describe the operational flexibility granted to the participant and any
5 variances granted under sub. (4).

6 (i) Contain the requirements that would be included in any approvals that are
7 replaced by the cooperative agreement, as modified under pars. (g) and (h).

8 (j) Require the participant to submit a baseline performance evaluation within
9 180 days of the date that the cooperative agreement is entered into and to update the
10 performance evaluation periodically.

11 (k) Require the participant to report any violations discovered during a
12 performance evaluation as required in sub. (12).

13 (L) Ensure that members of the interested persons group, established as
14 required under sub. (5) (b), have the opportunity to comment on the participant's
15 environmental management system and are involved in reviewing the participant's
16 performance under the cooperative agreement and require a process that seeks
17 consensus between the participant and interested persons over issues concerning
18 that performance.

19 (m) Require the participant to assist interested persons to understand the
20 implementation of the cooperative agreement.

21 (n) Require the participant to provide information to the public about the
22 participant's environmental performance and the results of the project, including
23 environmental, social and economic impacts, and to meet with interested persons at
24 least once every 6 months to discuss the implementation of the participant's

1 environmental management system and to receive comments on the progress of the
2 project.

3 (o) Describe how the participant will measure the opinions of its employes and
4 the public concerning its participation in the program under this section.

5 (p) Require the participant to assess the success of the project in reducing the
6 time and money spent by the participant on paperwork and other administrative
7 activities that do not directly benefit the environment.

8 (q) Specify that the term of the agreement is 5 years with the possibility of a
9 renewal for up to 5 years as provided in sub. (6e).

10 **(4) VARIANCES.** (a) If chs. 280 to 295 or rules promulgated under those chapters
11 authorize the department to grant a variance from a requirement that would
12 otherwise apply to a facility covered by a cooperative agreement and the participant
13 qualifies under the standards provided in the statutes or rules for granting the
14 variance, the department may grant a variance from that requirement.

15 (b) If a variance is not authorized under par. (a), the department may grant a
16 participant a variance from a requirement in chs. 280 to 295 that would otherwise
17 apply to a facility covered by a cooperative agreement if the variance results in a
18 measurable reduction in overall levels of pollution caused by the participant and is
19 consistent with subs. (2) and (3) (g) and does one of the following:

20 1. Promotes the reduction in overall levels of pollution to below the levels
21 required under chs. 280 to 295.

22 2. Provides for alternative monitoring, testing, record keeping, notification or
23 reporting requirements that reduce the administrative burden on state agencies or
24 the participant and that provide the information needed to ensure compliance with
25 the cooperative agreement and the provisions of chs. 280 to 295 and rules

1 promulgated under those chapters for which the cooperative agreement does not
2 grant a variance.

3 **(5) APPLICATION.** The department shall solicit applications for participation in
4 the program under this section. The owner or operator of a facility that is required
5 to be covered by at least one approval under chs. 280 to 295 may apply to participate
6 in the pilot program by submitting all of the following:

7 (a) A proposed cooperative agreement that satisfies sub. (3).

8 (b) A description of the process used by the applicant to establish an interested
9 persons group that includes residents of the area in which the facility proposed to be
10 covered by the agreement is located, a list of members of the interested persons group
11 and a description of the involvement of the interested persons group in the
12 development of the proposed cooperative agreement.

13 **(6) ENTERING INTO COOPERATIVE AGREEMENTS.** (a) The department shall review
14 each application submitted under sub. (5). Upon completion of that review, the
15 department shall decide whether to enter into negotiations with the applicant. In
16 determining whether to enter into negotiations and in selecting participants, the
17 department shall seek to ensure participation by a variety of types, sizes and
18 locations of facilities and shall consult with the federal environmental protection
19 agency. A decision by the department not to enter into negotiations is not subject to
20 review under ch. 227. If the department decides to enter into negotiations, it shall
21 prepare a draft cooperative agreement and provide public notice of its decision in the
22 manner provided in sub. (8) (d).

23 (b) During negotiations concerning a proposed cooperative agreement, the
24 department may not modify or revoke any approval for a facility that would be
25 replaced by the cooperative agreement if the applicant is not violating the approval.

1 (c) The department may terminate negotiations with an applicant concerning
2 a proposed cooperative agreement and the decision to terminate negotiations is not
3 subject to review under ch. 227.

4 (d) Except as provided in par. (e), the department may enter into a cooperative
5 agreement with an applicant if the department determines that the applicant's
6 efforts described under sub. (5) (b) were adequate, that the cooperative agreement
7 complies with sub. (3) and that entering into the agreement will assist the
8 department to comply with sub. (2). The decision by the department to enter into a
9 cooperative agreement is not subject to review under ch. 227. A cooperative
10 agreement is subject to review under ch. 227.

11 (e) The department may not enter into an initial cooperative agreement after
12 the first day of the 60th month beginning after the effective date of this paragraph
13 [revisor inserts date].

14 **(6e) EXTENSION OF COOPERATIVE AGREEMENT.** If the department determines that
15 renewal of a cooperative agreement is consistent with sub. (2) and if the participant
16 agrees to renewal, the department may notify the joint committee on finance that the
17 department proposes to renew the cooperative agreement. If, within 14 working
18 days after the date that the department submits the proposal, the cochairpersons of
19 the committee notify the secretary that the committee has scheduled a meeting for
20 the purpose of reviewing the proposal, the department may not renew the
21 cooperative agreement until the committee approves the proposal. If the
22 cochairpersons of the committee do not so notify the secretary, the department may
23 renew the cooperative agreement. A cooperative agreement may be renewed for one
24 5-year term.

1 **(6m)** EXPIRATION OF COOPERATIVE AGREEMENT. If a participant timely submits an
2 application for an approval that is replaced by a cooperative agreement and submits
3 any information requested by the department to enable the department to act on the
4 application, but the department does not issue the approval before the cooperative
5 agreement expires, sub. (9) (a) continues to apply and the provisions of the
6 cooperative agreement continue to apply until the approval is issued.

7 **(7)** AMENDMENT, REVOCATION OF COOPERATIVE AGREEMENT. (a) This subsection
8 applies to the amendment or revocation of a cooperative agreement, notwithstanding
9 any provisions of chs. 280 to 295 concerning the amendment or revocation of
10 approvals.

11 (b) 1. The department may amend a cooperative agreement with the consent
12 of the participant.

13 2. The department may, after an opportunity for a hearing, amend a
14 cooperative agreement for cause, including any of the following:

15 a. A change in federal or state environmental laws.

16 b. A violation of the cooperative agreement.

17 c. Obtaining a cooperative agreement by misrepresentation or failure to fully
18 disclose all relevant information.

19 (c) 1. The department may revoke a cooperative agreement at the request of
20 the participant.

21 2. The department may, after an opportunity for a hearing, revoke a cooperative
22 agreement if it finds any of the following:

23 a. That the participant is in substantial noncompliance with the cooperative
24 agreement, with an approval that is not replaced by the cooperative agreement or

1 with a provision of chs. 280 to 295 or rules promulgated under those chapters for
2 which the cooperative agreement does not grant a variance.

3 b. That the participant has refused the department's request to amend the
4 cooperative agreement.

5 c. That the participant is unable, or has shown an unwillingness, to comply
6 with pollution reduction goals that apply to the participant under the cooperative
7 agreement.

8 d. That the participant has not satisfactorily addressed a substantive issue
9 raised by a majority of the members of the interested persons group, established
10 under sub. (5) (b), within a reasonable time after receiving notice of the issue.

11 3. If the department revokes a cooperative agreement, it shall do all of the
12 following in a written revocation decision:

13 a. Delay any compliance deadlines established in the cooperative agreement
14 if a delay is necessary to provide the participant with a reasonable amount of time
15 to obtain approvals required under chs. 280 to 295 that were replaced by the
16 cooperative agreement.

17 b. Establish practical interim requirements, that do not allow pollution in
18 excess of that allowed under chs. 280 to 295 at the time that the cooperative
19 agreement was entered into, to replace specified requirements of the cooperative
20 agreement until the department issues the approvals required under chs. 280 to 295
21 that were replaced by the cooperative agreement.

22 4. A participant shall comply with the department's revocation decision and
23 with all requirements of the cooperative agreement for which the department does
24 not establish interim requirements until the department issues the approvals
25 required under chs. 280 to 295 that were replaced by the cooperative agreement.

1 (d) A final decision under par. (b) or (c) is subject to review under ch. 227.

2 **(8) PUBLIC NOTICE; MEETINGS.** (a) The department shall provide at least 30 days
3 for public comment on the proposed issuance, amendment or revocation of a
4 cooperative agreement.

5 (b) Before the start of the public comment period under par. (a), the department
6 shall prepare a draft of the cooperative agreement, cooperative agreement
7 amendment or notice of cooperative agreement revocation and a fact sheet that does
8 all of the following:

9 1. Briefly describes the principal facts and the significant factual, legal,
10 methodological and policy questions considered by the department.

11 2. Briefly describes how the proposed action is consistent with subs. (2) and (3).

12 3. Identifies any variances that would be granted under sub. (4) by the proposed
13 action.

14 (c) The department shall prepare a public notice of a proposed action under par.
15 (a) that does all of the following:

16 1. Briefly describes the facility that is the subject of the proposed action.

17 2. Identifies the proposed action and states whether any variances would be
18 granted under sub. (4) by the proposed action.

19 3. Identifies an employe of the department and an employe of the applicant or
20 participant who may be contacted for additional information about the proposed
21 action.

22 4. States that the draft of the proposed action and the fact sheet under par. (b)
23 are available upon request.

1 5. States that comments concerning the proposed action may be submitted to
2 the department during the comment period and states the last date of the comment
3 period.

4 6. Describes the procedures that the department will use to make a final
5 decision on the proposed action, describes how persons may request public
6 informational meetings, contested case hearings or public hearings and how persons
7 may make requests to appear at those meetings and hearings.

8 (d) Before the start of the public comment period, the department shall mail
9 the public notice under par. (c) to the applicant or participant, the federal
10 environmental protection agency, the members of the interested persons group
11 established under sub. (5) (b) and all persons who have asked to receive notice of
12 proposed actions under par. (a). The department shall mail the public notice to any
13 other person upon request. The department shall make a copy of the public notice
14 available at the department's main office, at any other department office in the area
15 of the facility subject to the proposed action and at public libraries in that area. The
16 department shall circulate the public notice in the area of the facility subject to the
17 proposed action by posting the notice in public buildings, publishing the notice in
18 local newspapers and by any other methods that the department determines are
19 effective.

20 (e) The department shall hold a public informational meeting on a proposed
21 action under par. (a) if the comments received during the public comment period
22 demonstrate considerable public interest in the proposed action.

23 **(9) EFFECT OF COOPERATIVE AGREEMENT.** (a) For the purposes of chs. 280 to 295,
24 a cooperative agreement entered into under this section is considered to be an

1 approval that is identified under sub. (3) (b) as being replaced by the cooperative
2 agreement.

3 (b) A provision of an approval that is identified under sub. (3) (b) as being
4 replaced by a cooperative agreement is superceded by the cooperative agreement.

5 **(10) FEES.** A participant shall pay the same fees under chs. 280 to 295 that it
6 would be required to pay if it had not entered into a cooperative agreement.

7 **(11) REPORTING BY PARTICIPANTS.** (a) Reports submitted under a cooperative
8 agreement fulfill the reporting requirements under chs. 280 to 295 relating to the
9 facility, activities and pollutants that are covered by the cooperative agreement,
10 except for any requirements for immediate reporting.

11 (b) A participant shall notify the department before it increases the amount of
12 the discharge or emission of a pollutant from a covered facility and before it begins
13 to discharge or emit a pollutant that it did not discharge or emit from a covered
14 facility when the cooperative agreement was entered into. The notification shall
15 describe any proposed facility expansion, production increase or process
16 modification that would result in the increased or new discharge or emission and
17 shall state the identity and quantity of the pollutant planned to be emitted or
18 discharged. If the increased or new discharge or emission is not authorized under
19 the cooperative agreement, the department may amend the cooperative agreement
20 under sub. (7) in a manner consistent with subs. (2) and (3) or require the participant
21 to obtain an approval if an approval is required under chs. 280 to 295.

22 **(12) REPORTS OF VIOLATIONS.** A participant shall submit a report to the
23 department within 45 days after completion of a performance evaluation if the
24 performance evaluation reveals violations at a facility covered by a cooperative
25 agreement. The report shall contain all of the following:

1 (a) A description of the performance evaluation, including who conducted the
2 performance evaluation, when it was completed, what activities and operations were
3 examined and what was revealed by the performance evaluation.

4 (b) A description of all violations revealed by the performance evaluation.

5 (c) A description of the actions taken or proposed to be taken to correct the
6 violations.

7 (d) A commitment to correct the violations within 90 days of submitting the
8 report or within a compliance schedule approved by the department.

9 (e) If the participant proposes to take more than 90 days to correct the
10 violations, a proposed compliance schedule that contains the shortest reasonable
11 periods for correcting the violations, a statement that justifies the proposed
12 compliance schedule, a description of measures that the participant will take to
13 minimize the effects of the violations during the period of the compliance schedule
14 and proposed stipulated penalties if the participant violates the compliance
15 schedule.

16 (f) A description of the measures that the participant has taken or will take to
17 prevent future violations.

18 **(13) COMPLIANCE SCHEDULES.** (a) If the department receives a report under sub.
19 (12) that contains a proposed compliance schedule under sub. (12) (e), the
20 department shall review the proposed compliance schedule. The department may
21 approve the compliance schedule as submitted or propose a different compliance
22 schedule. If the participant does not agree to implement a compliance schedule
23 proposed by the department, the department shall schedule a meeting with the
24 participant to attempt to reach an agreement on a compliance schedule. If the
25 department and the participant do not reach an agreement on a compliance

1 schedule, the department shall initiate the procedure under sub. (7) (c) 2. to revoke
2 the cooperative agreement. If the parties agree to a compliance schedule, the
3 department shall amend the cooperative agreement to incorporate the compliance
4 schedule.

5 (b) The department may not approve a compliance schedule that extends longer
6 than 12 months beyond the date of approval of the compliance schedule. The
7 department shall consider the following factors in determining whether to approve
8 a compliance schedule:

9 1. The environmental and public health consequences of the violations.

10 2. The time needed to implement a change in raw materials or method of
11 production if that change is an available alternative to other methods of correcting
12 the violations.

13 3. The time needed to purchase any equipment or supplies that are needed to
14 correct the violations.

15 **(14) DEFERRED CIVIL ENFORCEMENT.** (a) 1. This state may not commence a civil
16 action to collect forfeitures for violations at a facility covered by a cooperative
17 agreement that are disclosed in a report that meets the requirements of sub. (12) for
18 at least 90 days after the department receives the report.

19 2. If the participant corrects violations that are disclosed in a report that meets
20 the requirements of sub. (12) within 90 days after the department receives a report
21 that meets the requirements of sub. (12), this state may not commence a civil action
22 to collect forfeitures for the violations.

23 3. This state may not commence a civil action to collect forfeitures for violations
24 covered by a compliance schedule that is approved under sub. (13) during the period
25 of the compliance schedule if the participant is not violating the compliance schedule.

1 If the participant violates the compliance schedule, the department may collect the
2 stipulated penalties in the compliance schedule or may revoke the cooperative
3 agreement. After the department revokes a cooperative agreement, this state may
4 commence civil action to collect forfeitures for the violations.

5 4. If the department approves a compliance schedule under sub. (13) and the
6 participant corrects the violations according to the compliance schedule, this state
7 may not commence a civil action to collect forfeitures for the violations.

8 (b) Notwithstanding par. (a), this state may at any time commence a civil action
9 to collect forfeitures for violations if any of the following apply:

10 1. The violations present an imminent threat to public health or the
11 environment or may cause serious harm to public health or the environment.

12 2. The department discovers the violations before submission of a report under
13 sub. (12).

14 **(15) ACCESS TO RECORDS.** (a) Except as provided in par. (b), the department shall
15 make any record, report or other information obtained in the administration of this
16 section available to the public.

17 (b) The department shall keep confidential any part of a record, report or other
18 information obtained in the administration of this section, other than emission data,
19 discharge data or information contained in a cooperative agreement, upon a showing
20 satisfactory to the department by any person that the part of a record, report or other
21 information would, if made public, divulge a method or process that is entitled to
22 protection as a trade secret, as defined in s. 134.90 (1) (c), of that person.

23 (c) If the department refuses to release information on the grounds that it is
24 confidential under par. (b) and a person challenges that refusal, the department shall
25 inform the applicant or participant of that challenge. Unless the applicant or

1 participant authorizes the department to release the information, the applicant or
2 participant shall pay the reasonable costs incurred by this state to defend the refusal
3 to release the information.

4 (d) Paragraph (b) does not prevent the disclosure of any information to a
5 representative of the department for the purpose of administering this section or to
6 an officer, employe or authorized representative of the federal government for the
7 purpose of administering federal law. When the department provides information
8 that is confidential under par. (b) to the federal government, the department shall
9 also provide a copy of the application for confidential status.

10 **(16) REPORTS CONCERNING THE PROGRAM UNDER THIS SECTION.** (a) Beginning not
11 later than the first day of the 13th month beginning after the effective date of this
12 paragraph ... [revisor inserts date], the secretary of natural resources shall submit
13 an annual progress report on the program under this section to the governor, the
14 environmental performance council and, under s. 13.172 (3), the standing
15 committees of the legislature with jurisdiction over environmental matters.

16 (b) Not later than the first day of the 48th month beginning after the effective
17 date of this paragraph [revisor inserts date], the secretary of natural resources
18 shall submit a report to the governor, the environmental performance council and,
19 under s. 13.172 (2) the legislature on the success of the program under this section.
20 The report shall include recommendations concerning the continuation of the
21 program under this section and any changes that should be made to the program.

22 **SECTION 2769.** 301.01 (4) of the statutes is amended to read:

23 301.01 (4) "State correctional institution" means a state prison under s. 302.01
24 or a secured correctional facility, as defined in s. 938.02 (15m), other than the
25 Mendota Juvenile Treatment Center.

1 **SECTION 2770.** 301.03 (10) (d) of the statutes is amended to read:

2 301.03 (10) (d) Administer the office of juvenile offender review program in the
3 division of juvenile corrections in the department. The ~~program~~ office shall be
4 responsible for decisions regarding case planning and, the release of juvenile
5 offenders from juvenile correctional institutions to aftercare and ~~corrective sanctions~~
6 placements and the transfer of juveniles to the Racine youthful offender correctional
7 facility named in s. 302.01 as provided in s. 938.357 (4) (d).

8 **SECTION 2771.** 301.03 (10) (e) of the statutes is amended to read:

9 301.03 (10) (e) Provide educational programs in all secured correctional
10 facilities, as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment
11 Center.

12 **SECTION 2772.** 301.03 (10) (f) of the statutes is amended to read:

13 301.03 (10) (f) Provide health services and psychiatric services for residents of
14 all secured correctional facilities, as defined in s. 938.02 (15m), other than the
15 Mendota Juvenile Treatment Center.

16 **SECTION 2773.** 301.03 (13) of the statutes is created to read:

17 301.03 (13) Annually notify each person who has been discharged from
18 probation or parole and who owed any supervision fees at the time of discharge of any
19 supervision fees owed by the person to the department.

20 **SECTION 3800m.** 301.031 (2r) (a) 4. of the statutes is amended to read:

21 301.031 (2r) (a) 4. Is for inpatient treatment in excess of an average of 21 days,
22 as provided in s. 51.423 (12), excluding care for patients at ~~the centers~~ a center for
23 the developmentally disabled.

24 **SECTION 2774.** 301.048 (7) of the statutes is amended to read:

1 301.048 (7) REIMBURSEMENT. The department shall provide reimbursement to
2 counties and others for the actual costs incurred under sub. (3), as authorized by the
3 department, from the appropriations under s. 20.410 (1) (ab) and ~~(ai)~~ (b).

4 **SECTION 3820m.** 301.07 of the statutes is amended to read:

5 **301.07 (title) Cooperation and contracts with federal government.** The
6 department may cooperate with the federal government in carrying out federal acts
7 concerning adult corrections and youth corrections and may enter into contracts with
8 the federal government under 18 USC 5003.

9 **SECTION 2775.** 301.08 (1) (c) 1. of the statutes is repealed.

10 **SECTION 2776.** 301.08 (1) (c) 2. of the statutes is amended to read:

11 301.08 (1) (c) 2. Beginning on January 1, 1996, the department may contract
12 with public, private or voluntary vendors for the supervision or for any component
13 of the supervision of probationers and parolees who are under minimum supervision
14 or administrative supervision. The

15 3. Except as provided in subd. 3m., a contract under subd. 2. shall authorize
16 ~~any such a~~ vendor to charge a fee to probationers and parolees sufficient to cover the
17 cost of supervision and administration of the contract.

18 4. If the department collects any moneys from a vendor under the a contract
19 under subd. 2., the department shall credit those moneys to the appropriation
20 account under s. 20.410 (1) (ge).

21 5. The department shall promulgate rules for fees, collections, reporting and
22 verification regarding probationers and parolees supervised by ~~the~~ a vendor who
23 contracts with the department under subd. 2. and shall promulgate rules defining
24 “administrative supervision” and “minimum supervision”.

25 **SECTION 2777.** 301.08 (1) (c) 3m. of the statutes is created to read:

1 301.08 (1) (c) 3m. A contract under subd. 2. shall permit the department to
2 prohibit a vendor from charging a fee to a probationer or parolee who is supervised
3 under the contract if the probationer or parolee demonstrates that he or she is unable
4 to pay the fee because of any of the following:

5 a. The probationer or parolee is undergoing treatment approved by the
6 department and is unable to work.

7 b. The probationer or parolee has a statement from a physician certifying to the
8 department that the probationer or parolee should be excused from working for
9 medical reasons.

10 **SECTION 3824m.** 301.08 (3) of the statutes is created to read:

11 301.08 (3) NOTIFICATION CONCERNING PLANS FOR TRANSITIONAL HOUSING. (a) In
12 this subsection, "political subdivision" means a city, village, town or county.

13 (b) Before contracting under this section for transitional housing for the
14 temporary placement of persons on parole or probation, the department shall notify
15 all of the following of the proposed contract:

16 1. The police department of the political subdivision in which the transitional
17 housing will be located.

18 2. The sheriff for the county in which the transitional housing will be located.

19 3. The chief elected official of the political subdivision in which the transitional
20 housing will be located.

21 4. The newspaper designated as the official newspaper of the political
22 subdivision in which the transitional housing will be located, or, if there is no
23 designated official newspaper, a newspaper published or having general circulation
24 in the political subdivision and eligible under s. 985.03 as an official newspaper.

1 (c) A person notified under par. (b) of a proposed contract for transitional
2 housing shall notify the general public of the proposed contract in a manner and to
3 the extent that the person determines is appropriate.

4 **SECTION 2778.** 301.16 (1p) of the statutes is renumbered 301.16 (1x).

5 **SECTION 2779.** 301.16 (1r) of the statutes is created to read:

6 301.16 (1r) In addition to the institutions under sub. (1), the department shall
7 establish a medium security correctional institution for persons 15 years of age or
8 over, but not more than 21 years of age, who have been placed in a state prison under
9 s. 302.01. The medium security correctional institution under this subsection shall
10 be known as the Racine Youthful Offender Correctional Facility and shall be located
11 at the intersection of Albert Street and North Memorial Drive in the city of Racine.
12 The department shall limit the number of prisoners who may be placed at the Racine
13 Youthful Offender Correctional Facility to no more than 400 at any one time.

14 **SECTION 2780.** 301.18 (1) (by) of the statutes is created to read:

15 301.18 (1) (by) Provide the facilities necessary for the Racine Youthful Offender
16 Correctional Facility under s. 301.16 (1r).

17 **SECTION 3830e.** 301.21 (title) of the statutes is amended to read:

18 **301.21 (title) Contracts with for the transfer and confinement of**
19 **Wisconsin prisoners in other states.**

20 **SECTION 3830m.** 301.21 (1) to (5) of the statutes are renumbered 301.21 (1m)

21 (a) to (e), and 301.21 (1m) (b), (d) and (e), as renumbered, are amended to read:

22 301.21 (1m) (b) Inmates from Wisconsin state prisons while in an institution
23 in another state are subject to all provisions of law and regulation concerning the
24 confinement of persons committed for violations of the laws of that state, except as
25 otherwise provided for by any contract entered into under sub. (1) this subsection.

1 (d) Sections 16.75 and 301.08 (2) do not apply to contracts entered into under
2 ~~sub. (1)~~ this subsection.

3 (e) The provisions of this ~~section~~ subsection are severable, as provided in s.
4 990.001 (11). The provisions of any contract entered into under ~~sub. (1)~~ this
5 subsection are severable. If any provision of such a contract is invalid, or if the
6 application of a provision of the contract to any person or circumstance is invalid, the
7 invalidity does not affect other provisions or applications which can be given effect
8 without the invalid provision or application.

9 **SECTION 3830r.** 301.21 (2m) of the statutes is created to read:

10 301.21 (2m) (a) The department may enter into one or more contracts with a
11 private person for the transfer and confinement in another state of prisoners who
12 have been committed to the custody of the department. Any such contract shall
13 provide for all of the following

14 1. A termination date.

15 2. Provisions concerning the costs of prisoner maintenance, extraordinary
16 medical and dental expenses and any participation in or receipt by prisoners of
17 rehabilitative or correctional services, facilities, programs or treatment, including
18 those costs not reasonably included as part of normal maintenance.

19 3. Provisions concerning any participation in programs of prisoner
20 employment if any, the disposition or crediting of any payments received by prisoners
21 on account of employment, and the crediting of proceeds from or disposal of any
22 products resulting from employment.

23 4. Delivery and retaking of prisoners.

24 5. Regular reporting procedures concerning Wisconsin prisoners by the private
25 person with which the department is contracting.

1 6. Provisions concerning procedures for probation, parole and discharge.

2 7. The same standards of reasonable and humane care as the prisoners would
3 receive in an appropriate Wisconsin institution.

4 8. Any other matters as are necessary and appropriate to fix the obligations,
5 responsibilities and rights of Wisconsin and the private person with which the
6 department is contracting.

7 (b) While in an institution in another state covered by a contract under this
8 subsection, Wisconsin prisoners are subject to all provisions of law and regulation
9 concerning the confinement of persons in that institution under the laws of that
10 state.

11 (c) Any hearing to consider parole to which a prisoner confined under a contract
12 under this subsection may be entitled by the laws of Wisconsin shall be conducted
13 by the Wisconsin parole commission under rules of the department.

14 (e) The provisions of any contract entered into under this subsection are
15 severable. If any provision of such a contract is invalid, or if the application of a
16 provision of the contract to any person or circumstance is invalid, the invalidity does
17 not affect other provisions or applications which can be given effect without the
18 invalid provision or application.

19 **SECTION 2781.** 301.26 (3) (c) of the statutes is amended to read:

20 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd)
21 and ~~(oo)~~ (ko), the department shall allocate funds to each county for services under
22 this section.

23 **SECTION 2782.** 301.26 (4) (a) of the statutes is amended to read:

24 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
25 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd)

1 for the costs of care, services and supplies purchased or provided by the department
2 of corrections for each person receiving services under s. 48.366, 938.183 (2) or 938.34
3 or the department of health and family services for each person receiving services
4 under s. 46.057 or 51.35 (3). The department of corrections may not bill a county for
5 or deduct from a county's allocation the cost of care, services and supplies provided
6 to a person subject to an order under s. 48.366 or 938.183 (2) after the person reaches
7 18 years of age. Payment shall be due within 60 days after the billing date. If any
8 payment has not been received within 60 days, the department of corrections may
9 withhold aid payments in the amount due from the appropriation under s. 20.410 (3)
10 (cd).

11 **SECTION 2783.** 301.26 (4) (b) of the statutes is amended to read:

12 301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on
13 the basis of the per person per day cost estimate specified in par. (d) ~~3m.~~ and 2. to 4.
14 Except as provided in pars. (bm), (c) and (cm), liability shall apply to county
15 departments under s. 46.21, 46.22 or 46.23 in the county of the court exercising
16 jurisdiction under chs. 48 and 938 for each person receiving services from the
17 department of corrections under s. 48.366, 938.183 (2) or 938.34 or the department
18 of health and family services under s. 46.057 or 51.35 (3). Except as provided in pars.
19 (bm), (c) and (cm), in multicounty court jurisdictions, the county of residency within
20 the jurisdiction shall be liable for costs under this subsection. Assessment of costs
21 under par. (a) shall also be made according to the general placement type or level of
22 care provided, as defined by the department, and prorated according to the ratio of
23 the amount designated under sub. (3) (c) to the total applicable estimated costs of
24 care, services and supplies provided by the department of corrections under ss.

1 48.366, 938.183 (2) and 938.34 and the department of health and family services
2 under s. 46.057 or 51.35 (3).

3 **SECTION 2784.** 301.26 (4) (c) of the statutes is amended to read:

4 301.26 (4) (c) Notwithstanding pars. (a), (b) and (bm), the department of
5 corrections shall pay, from the appropriation account under s. 20.410 (3) (hm), the
6 costs of care, services and supplies provided for each person receiving services under
7 s. 46.057, 48.366, 51.35 (3), 938.183 (2) or 938.34 who was under the guardianship
8 of the department of health and family services pursuant to an order under ch. 48
9 at the time that the person was adjudicated delinquent.

10 **SECTION 2785.** 301.26 (4) (cm) 3. of the statutes is amended to read:

11 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile
12 correctional services under this paragraph shall be equal to the per person daily cost
13 assessment to counties under par. (d) ~~3m.~~ and 2. to 4. for juvenile correctional
14 services.

15 **SECTION 2786.** 301.26 (4) (d) 1. of the statutes is amended to read:

16 301.26 (4) (d) 1. Except as provided in pars. (e) to (g), for services under s.
17 938.34, all payments and deductions made under this subsection and uniform fee
18 collections made under s. 46.03 (18) shall be ~~deposited in~~ credited to the
19 appropriation account under s. 20.410 (3) (hm).

20 **SECTION 2787.** 301.26 (4) (d) 1m. of the statutes is amended to read:

21 301.26 (4) (d) 1m. Except as provided in pars. (e) to (g), for services under ss.
22 48.366 and 938.183 (2), all payments and deductions made under this subsection and
23 uniform fee collections made under s. 46.03 (18) shall be ~~deposited in~~ credited to the
24 appropriation account under s. 20.410 (3) (hm).

25 **SECTION 3841m.** 301.26 (4) (d) 2. of the statutes is created to read:

1 301.26 (4) (d) 2. Beginning on July 1, 1997, and ending on December 31, 1997,
2 the per person daily cost assessment to counties shall be \$150.44 for care in a Type 1
3 secured correctional facility, as defined in s. 938.02 (19), \$150.44 for care for juveniles
4 transferred from a juvenile correctional institution under s. 51.35 (3), \$160.22 for
5 care in a child caring institution, including a secured child caring institution, \$111.16
6 for care in a group home for children, \$24.78 for care in a foster home, \$71.35 for care
7 in a treatment foster home, \$88.19 for departmental corrective sanctions services
8 and \$16.98 for departmental aftercare services.

9 **SECTION 3842m.** 301.26 (4) (d) 3. of the statutes is created to read:

10 301.26 (4) (d) 3. In calendar year 1998, the per person daily cost assessment
11 to counties shall be \$154.94 for care in a Type 1 secured correctional facility, as
12 defined in s. 938.02 (19), \$154.94 for care for juveniles transferred from a juvenile
13 correctional institution under s. 51.35 (3), \$161.79 for care in a child caring
14 institution, including a secured child caring institution, \$112.25 for care in a group
15 home for children, \$25.02 for care in a foster home, \$72.05 for care in a treatment
16 foster home, \$80.41 for departmental corrective sanctions services and \$17.18 for
17 departmental aftercare services.

18 **SECTION 2788.** 301.26 (4) (d) 3m. of the statutes is repealed.

19 **SECTION 3844m.** 301.26 (4) (d) 4. of the statutes is amended to read:

20 301.26 (4) (d) 4. Beginning on January 1, 1997 1999, and ending on
21 June 30, 1997 1999, the per person daily cost assessment to counties shall be ~~\$133.82~~
22 \$159.46 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19),
23 ~~\$133.82~~ \$159.46 for care for ~~children~~ juveniles transferred from a juvenile
24 correctional institution under s. 51.35 (3), ~~\$157.08~~ \$163.36 for care in a child caring
25 institution, including a secured child caring institution, ~~\$108.98~~ \$113.34 for care in

1 a group home for children, ~~\$24.29~~ \$25.26 for care in a foster home, ~~\$69.95~~ \$72.75 for
2 care in a treatment foster home, ~~\$82.11~~ \$74.35 for departmental corrective sanctions
3 services and ~~\$14.95~~ \$17.39 for departmental aftercare services.

4 **SECTION 2789.** 301.26 (4) (e) of the statutes is amended to read:

5 301.26 (4) (e) For foster care, treatment foster care, group home care and
6 institutional child care to delinquent ~~children~~ juveniles under ss. 49.19 (10) (d),
7 938.48 (4) and (14) and 938.52 all payments and deductions made under this
8 subsection and uniform fee collections under s. 46.03 (18) shall be ~~deposited in~~
9 credited to the appropriation account under s. 20.410 (3) (ho).

10 **SECTION 2790.** 301.26 (4) (ed) of the statutes is amended to read:

11 301.26 (4) (ed) For foster care, treatment foster care, group home care and
12 institutional child care to serious juvenile offenders under ss. 49.19 (10) (d), 938.48
13 (4) and (14) and 938.52 all uniform fee collections under s. 46.03 (18) shall be
14 ~~deposited in~~ credited to the appropriation account under s. 20.410 (3) (ho).

15 **SECTION 2791.** 301.26 (4) (eg) of the statutes is amended to read:

16 301.26 (4) (eg) For corrective sanctions services under s. 938.533 (2), all
17 payments and deductions made under this subsection and uniform fee collections
18 under s. 46.03 (18) shall be ~~deposited in~~ credited to the appropriation account under
19 s. 20.410 (3) (hr).

20 **SECTION 2792.** 301.26 (4) (g) of the statutes is amended to read:

21 301.26 (4) (g) For juvenile field and institutional aftercare services under ch.
22 938 and for the office of juvenile offender review program, all payments and
23 deductions made under this subsection and uniform fee collections under s. 46.03
24 (18) shall be deposited in the general fund and shall be treated as a nonappropriated
25 receipt.

1 **SECTION 2793.** 301.26 (6) (a) of the statutes is amended to read:

2 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
3 legislature in allocating funding, excluding funding for base allocations, from the
4 appropriations under s. 20.410 (3) (cd) and ~~(ee)~~ (ko) for purposes described in this
5 section.

6 **SECTION 3851m.** 301.26 (7) of the statutes is amended to read:

7 301.26 (7) ALLOCATIONS OF FUNDS. Within the limits of the availability of federal
8 funds and of the appropriations under s. 20.410 (3) (cd) and ~~(ee)~~ (ko), the department
9 shall allocate funds for community youth and family aids for the period beginning
10 on July 1, ~~1996~~ 1997, and ending on June 30, ~~1997~~ 1999, as provided in this
11 subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

12 (a) For community youth and family aids under this section, amounts not to
13 exceed ~~\$37,243,500~~ \$39,132,900 for the last 6 months of ~~1996~~ and ~~\$37,347,600~~ 1997,
14 \$78,265,900 for 1998 and \$39,133,000 for the first 6 months of ~~1997~~ 1999.

15 (e) For emergencies related to community youth and family aids under this
16 section, amounts not to exceed \$125,000 for the last 6 months of ~~1996~~ 1997, \$250,000
17 for 1998 and \$125,000 for the first 6 months of ~~1997~~ 1999. A county is eligible for
18 payments under this paragraph only if it has a population of not more than 45,000.

19 (h) For counties that are participating in the corrective sanctions program
20 under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1996~~ 1997, \$2,124,800 in 1998
21 and \$1,062,400 in the first 6 months of ~~1997~~ 1999 for the provision of corrective
22 sanctions services for children from that county. In distributing funds to counties
23 under this paragraph, the department shall determine a county's distribution by
24 dividing the amount allocated under this paragraph by the number of slots
25 authorized for the program under s. 938.533 (2) and multiplying the quotient by the

1 number of slots allocated to that county by agreement between the department and
2 the county. The department may transfer funds among counties as necessary to
3 distribute funds based on the number of slots allocated to each county.

4 **SECTION 3851p.** 301.26 (8) of the statutes is amended to read:

5 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
6 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
7 6 months of ~~1996~~ 1997, ~~\$1,333,400 in 1998~~ and \$666,700 in the first 6 months of ~~1997~~
8 1999 for alcohol and other drug abuse treatment programs.

9 **SECTION 2794.** 301.265 (2) of the statutes is amended to read:

10 301.265 (2) From the appropriation under s. 20.410 (3) ~~(p)~~ (kp), the department
11 ~~shall allocate~~ may not distribute more than \$300,000 in each fiscal year to the
12 organization that it has contracted with under sub. (1) for alcohol and other drug
13 abuse education and treatment services for participants in that organization's youth
14 diversion program.

15 **SECTION 2795.** 301.32 (1) of the statutes is amended to read:

16 301.32 (1) PROPERTY DELIVERED TO STEWARD; CREDIT AND DEBIT. All money
17 including wages and other property delivered to an officer or employe of any
18 institution for the benefit of a prisoner or resident shall be delivered to the steward,
19 who shall enter the property upon his or her books to the credit of the prisoner or
20 resident. The property may be used only under the direction and with the approval
21 of the superintendent or warden and for the crime victim and witness assistance
22 surcharge under s. 973.045 (4), the delinquency victim and witness assistance
23 surcharge under s. 938.34 (8d) (c), the deoxyribonucleic acid analysis surcharge
24 under s. 973.046 or the benefit of the prisoner or resident. If the money remains
25 uncalled for for one year after the prisoner's or resident's death or departure from the

1 institution, the superintendent shall deposit it in the general fund. If any prisoner
2 or resident leaves property, other than money, uncalled for at an institution for one
3 year, the superintendent shall sell the property and deposit the proceeds in the
4 general fund. If any person satisfies the department, within 5 years after the deposit,
5 of his or her right to the deposit, the department shall direct the department of
6 administration to draw its warrant in favor of the claimant and it shall charge the
7 same to the appropriation made by s. 20.913 (3) (bm).

8 **SECTION 2796.** 301.46 (4) (a) 8. of the statutes is amended to read:

9 301.46 (4) (a) 8. An agency providing child welfare services under s. 48.48 (17)
10 (b) or 48.57 (2).

11 **SECTION 3879m.** 302.01 of the statutes, as affected by 1997 Wisconsin Act 4,
12 is amended to read:

13 **302.01 State prisons named and defined.** The penitentiary at Waupun is
14 named "Waupun Correctional Institution". The correctional treatment center at
15 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay
16 is named "Green Bay Correctional Institution". The medium/maximum penitentiary
17 at Portage is named "Columbia Correctional Institution". The medium security
18 institution at Oshkosh is named "Oshkosh Correctional Institution". The medium
19 security penitentiary near Fox Lake is named "Fox Lake Correctional Institution".
20 The penitentiary at Taycheedah is named "Taycheedah Correctional Institution".
21 The medium security penitentiary at Plymouth is named "Kettle Moraine
22 Correctional Institution". The penitentiary at the village of Sturtevant in Racine
23 county is named "Racine Correctional Institution". The medium security
24 penitentiary at Racine is named "Racine Youthful Offender Correctional Facility".
25 The resource facility at Oshkosh is named "Wisconsin Resource Center". The

1 institutions named in this section, the correctional institutions institution
2 authorized under s. 301.16 (1n) ~~or (1o)~~, correctional institution authorized under
3 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution authorized under s.
4 301.046 (1), correctional institution authorized under s. 301.048 (4) (b), minimum
5 security correctional institutions authorized under s. 301.13, and state-local shared
6 correctional facilities when established under s. 301.14, are state prisons.

7 **SECTION 2797.** 302.02 (3t) of the statutes is amended to read:

8 302.02 (3t) (title) ~~OTHER STATES' INSTITUTIONS~~ INSTITUTIONS LOCATED IN OTHER
9 STATES. For all purposes of discipline and for judicial proceedings, each institution
10 of that is located in another state ~~or of a political subdivision of another state~~ and
11 authorized for use under s. 301.21 and the precincts ~~thereof~~ of the institution shall
12 be deemed to be in a county in which the institution is physically located, and the
13 courts of that county shall have jurisdiction of any activity, wherever located,
14 conducted by the institution.

15 **SECTION 3909b.** 303.01 (2) (em) of the statutes is amended to read:

16 303.01 (2) (em) Lease space, with or without equipment, within the precincts
17 of state prisons, as specified in s. 302.02, or within the confines of correctional
18 institutions operated by the department for holding in secure custody persons
19 adjudged delinquent, to not more than 3 private businesses to employ prison inmates
20 and institution residents to manufacture products or components or to provide
21 services for sale on the open market. The department shall comply with s. 16.75 in
22 selecting businesses under this paragraph. ~~The department may select a business~~
23 ~~or enter into a lease under this paragraph only with the approval of the joint~~
24 ~~committee on finance.~~ The department may enter into a contract under this
25 paragraph only with the approval of the joint committee on finance. The department

1 shall consult with appropriate trade organizations and labor unions prior to issuing
2 requests for proposals and prior to selecting proposals under this paragraph. Each
3 such private business may conduct its operations as a private business, subject to the
4 wage standards under sub. (4), the disposition of earnings under sub. (8), the
5 requirements for notification and hearing under sub. (1) (c), the requirement for
6 prison industries board approval under s. 303.015 (1) (b) and the authority of the
7 department to maintain security and control in its institutions. The private business
8 and its operations are not a prison industry. Inmates employed by the private
9 business are not subject to the requirements of inmates participating in prison
10 industries, except as provided in this paragraph;

11 **SECTION 2798.** 303.01 (8) of the statutes is amended to read:

12 303.01 (8) DISPOSITION OF EARNINGS. The department has the authority to
13 determine how much, if any, of the earnings of an inmate or resident may be spent
14 and for what purposes they may be spent within the confines of the prison or
15 institution. The department shall distribute earnings for the crime victim and
16 witness assistance surcharge under s. 973.045 (4), for the delinquency victim and
17 witness assistance surcharge under s. 938.34 (8d) (c), for the deoxyribonucleic acid
18 analysis surcharge under s. 973.046 (4) and for compliance with s. 303.06 (2) and may
19 distribute earnings for the support of the inmate's or resident's dependents and for
20 other obligations either acknowledged by the inmate or resident in writing or which
21 have been reduced to judgment that may be satisfied according to law. The
22 department shall credit all moneys that it collects from earnings of inmates and
23 residents under sub. (2) (em) to the appropriation account under s. 20.410 (1) (gi).

24 **SECTION 3910g.** 303.063 of the statutes is repealed.

25 **SECTION 3913g.** 303.21 (1) (b) of the statutes is amended to read:

1 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
2 a structured work program away from the institution grounds under s. 302.15 ~~or a~~
3 ~~secure work program under s. 303.063~~. Inmates are not included under par. (a) if
4 they are employed in a prison industry under s. 303.06 (2), participating in a work
5 release program under s. 303.065 (2), participating in employment with a private
6 business under s. 303.01 (2) (em) or participating in the transitional employment
7 program, but they are eligible for worker's compensation benefits under ch. 102.
8 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
9 eligible for worker's compensation benefits under ch. 102.

10 **SECTION 2799.** 304.073 (1) (a) of the statutes is amended to read:

11 304.073 (1) (a) "Administrative supervision" has the meaning given in rules
12 promulgated under s. 301.08 (1) (c) 1-a.

13 **SECTION 2800.** 304.073 (1) (b) of the statutes is amended to read:

14 304.073 (1) (b) "Minimum supervision" has the meaning given in rules
15 promulgated under s. 301.08 (1) (c) 1-b.

16 **SECTION 2801.** 304.073 (2) of the statutes is amended to read:

17 304.073 (2) Beginning on January 1, 1996, the department shall charge a fee
18 to any probationer or parolee who is under minimum or administrative supervision
19 and is supervised by the department. The fee does not apply if the person is
20 supervised by a vendor under s. 301.08 (1) (c) 2. The department shall set the fee
21 sufficient to cover the cost of supervision. The department shall collect moneys for
22 the fee charged under this subsection and credit those moneys to the appropriation
23 account under s. 20.410 (1) (ge).

24 **SECTION 2802.** 304.073 (2m) of the statutes is created to read:

1 304.073 **(2m)** (a) If a probationer or parolee who owes unpaid fees to the
2 department under sub. (2) is discharged from probation or from his or her sentence
3 before the department collects the unpaid fees, the department shall, at the time of
4 discharge, issue a notice to the probationer or parolee that states that he or she owes
5 unpaid fees under sub. (2) and that he or she is responsible for the payment of the
6 unpaid fees. The notice under this paragraph shall be issued with the certificate of
7 discharge required under s. 304.078 or 973.09 (5).

8 (b) The department may request the attorney general to bring a civil action to
9 recover unpaid fees owed to the department under sub. (2) by a person who has been
10 discharged from probation or from his or her sentence and who, at the time of
11 discharge, owed the department unpaid fees under sub. (2). Before requesting the
12 attorney general to bring a civil action under this paragraph, the department shall
13 deduct any fees owed to the department that were inaccurately assessed against the
14 person.

15 **SECTION 2803.** 304.073 (4) of the statutes is created to read:

16 304.073 **(4)** The department may decide not to charge a fee under sub. (2) to
17 any probationer or parolee if the probationer or parolee demonstrates that he or she
18 is unable to pay the fee because of any of the following:

19 (a) The probationer or parolee is undergoing treatment approved by the
20 department and is unable to work.

21 (b) The probationer or parolee has a statement from a physician certifying to
22 the department that the probationer or parolee should be excused from working for
23 medical reasons.

24 **SECTION 2804.** 304.074 (1) (a) of the statutes is amended to read:

1 304.074 (1) (a) “Administrative supervision” has the meaning given in rules
2 promulgated under s. 301.08 (1) (c) 1. a.

3 **SECTION 2805.** 304.074 (1) (b) of the statutes is amended to read:

4 304.074 (1) (b) “Minimum supervision” has the meaning given in rules
5 promulgated under s. 301.08 (1) (c) 1. b.

6 **SECTION 2806.** 304.074 (4m) of the statutes is created to read:

7 304.074 (4m) (a) If a probationer or parolee who owes unpaid fees to the
8 department under sub. (2) is discharged from probation or from his or her sentence
9 before the department collects the unpaid fees, the department shall, at the time of
10 discharge, issue a notice to the probationer or parolee that states that he or she owes
11 unpaid fees under sub. (2) and that he or she is responsible for the payment of the
12 unpaid fees. The notice under this paragraph shall be issued with the certificate of
13 discharge required under s. 304.078 or 973.09 (5).

14 (b) The department may request the attorney general to bring a civil action to
15 recover unpaid fees owed to the department under sub. (2) by a person who has been
16 discharged from probation or from his or her sentence and who, at the time of
17 discharge, owed the department unpaid fees under sub. (2). Before requesting the
18 attorney general to bring a civil action under this paragraph, the department shall
19 deduct any fees owed to the department that were inaccurately assessed against the
20 person.

21 **SECTION 2807.** 340.01 (56) (a) 4. of the statutes is amended to read:

22 340.01 (56) (a) 4. Children as defined under s. 115.76 (2) with exceptional
23 educational needs of a type specified under s. 115.76 (3) (a) to (L) to or from an
24 educational program approved by the department of ~~education~~ public instruction.

25 **SECTION 3961m.** 341.04 (1) (intro.) of the statutes is amended to read:

1 341.04 (1) (intro.) It is unlawful for any person to operate or for an owner to
2 consent to being operated on any highway of this state any motor vehicle, mobile
3 home, trailer or semitrailer or any other vehicle for which a registration fee is
4 specifically prescribed unless at the time of operation the vehicle in question either
5 is registered in this state, or, except for registration under s. 341.30 or 341.305, a
6 complete application for registration, including evidence of any inspection under s.
7 110.20 when required, accompanied by the required fee has been delivered to the
8 department or deposited in the mail properly addressed with postage prepaid, ~~or~~
9 and, if the vehicle is an automobile, station wagon or any other vehicle having a gross
10 vehicle weight rating of 8,000 pounds or less, the vehicle displays a temporary
11 operation plate issued for the vehicle or the operator or owner of the vehicle produces
12 proof that operation of the vehicle is within 2 business days of the vehicle's sale or
13 transfer, or the vehicle in question is exempt from registration.

14 **SECTION 3962m.** 341.04 (1) (a) of the statutes, as affected by 1997 Wisconsin
15 Act (this act), is amended to read:

16 341.04 (1) (a) A vehicle may be operated by a private person after the date of
17 purchase or commencement of the lease of such vehicle by such private person or
18 after the date such person moved to this state if application for registration, except
19 for registration under s. 341.30 or 341.305, and certificate of title has been made and
20 the person otherwise complies with any applicable requirements of this section.

21 **SECTION 2808.** 341.05 (19) of the statutes is amended to read:

22 341.05 (19) ~~Is a motor vehicle last previously registered in another jurisdiction~~
23 ~~or a repaired salvage vehicle operated to or from a location where it is to be inspected~~
24 ~~as required by ss. 342.06 (1) (g) and s. 342.07, or an unregistered vehicle operated to~~
25 ~~or from a location where it is to be inspected as required by s. 110.20.~~

1 **SECTION 3964m.** 341.05 (24) of the statutes is amended to read:

2 341.05 (24) Is a golf cart being operated in accordance with s. 349.18 (1) (b) or
3 (c).

4 **SECTION 2809.** 341.057 of the statutes is amended to read:

5 **341.057 All-terrain vehicles.** All-terrain vehicles are not required to be
6 registered under this chapter but shall be registered under s. 23.33 (2) or (2g).

7 **SECTION 3971g.** 341.09 (1) of the statutes is renumbered 341.09 (1) (a) and
8 amended to read:

9 341.09 (1) (a) The department shall issue temporary operation plates as
10 provided under subs. (2), (2m) and (9) and may issue a temporary operation permit
11 or plate for an unregistered vehicle under any of the circumstances set forth in subs.
12 (2) to (6). Such as otherwise provided under this section. Except as provided in par.
13 (b), the permits or plates shall contain the date of expiration and sufficient
14 information to identify the vehicle for which and the person to whom it is issued. The
15 department may place the information identifying the vehicle and the person to
16 whom the permit or plate is issued on a separate form. Except as provided in subs.
17 (3) to (5), a temporary operation plate issued under this section is valid for a period
18 of 90 days or until the applicant receives the regular registration plates, whichever
19 occurs first.

20 **SECTION 3971h.** 341.09 (1) (b) of the statutes is created to read:

21 341.09 (1) (b) The department shall specify by rule the design of temporary
22 operation plates issued under sub. (2), (2m) or (9) for an automobile, station wagon
23 or any other vehicle having a gross vehicle weight rating of 8,000 pounds or less, and
24 the system to be used to identify the date of issuance of such plates.

25 **SECTION 3971hm.** 341.09 (2) (c) of the statutes is repealed.

1 **SECTION 3971j.** 341.09 (2) (d) of the statutes is amended to read:

2 341.09 (2) (d) The department may issue temporary operation plates for use
3 on any vehicle except buses, for-hire vehicles and vehicles which are subject to
4 registration under the international registration plan if the state is a party to such
5 plan or vehicles which are subject to registration under s. 341.41 (9). The department
6 shall determine the size, color, design, form and specifications of the plate. The
7 department shall charge a fee of ~~\$3~~ \$10 for each temporary operation plate issued
8 under this subsection.

9 **SECTION 3971m.** 341.09 (2) (f) of the statutes is repealed.

10 **SECTION 3972d.** 341.09 (2m) (a) of the statutes is renumbered 341.09 (2m) (a)
11 1. and amended to read:

12 341.09 (2m) (a) 1. Upon request by a dealer licensed in this state who is not a
13 dealer of new motor vehicles, the department may issue any number of temporary
14 operation plates to a dealer under sub. (2) ~~at a fee of \$3 per plate. The~~ without charge.
15 The department shall issue a sufficient number of temporary operation plates
16 without charge to each dealer of new motor vehicles who is licensed in this state.
17 Except as provided in subd. 2., the dealer may issue the temporary operation plate
18 ~~at a fee of \$3~~ to any state resident who purchases from the dealer any type of vehicle
19 except buses, for-hire vehicles and vehicles which are subject to registration under
20 the international registration plan if the state is a party to such plan or vehicles
21 which are subject to registration under s. 341.41 (9).

22 3. Each dealer shall charge a fee of \$10 for each temporary operation plate
23 issued under this paragraph, of which \$7.50 shall be forwarded to the department.

24 The department shall prescribe the manner in which a dealer shall keep records of
25 temporary operation plates issued by the dealer.

1 **SECTION 3972g.** 341.09 (2m) (a) 2. of the statutes is created to read:

2 341.09 **(2m)** (a) 2. Each dealer of new motor vehicles shall issue the temporary
3 operation plate to any state resident for use on an automobile, station wagon or any
4 other vehicle having a gross vehicle weight rating of 8,000 pounds or less, regardless
5 of whether the vehicle is new or the person purchased the vehicle from the dealer,
6 if the dealer is satisfied as to ownership of the vehicle and the person certifies to the
7 dealer that he or she has made application for registration to the department and has
8 neither received the regular registration plates for the vehicle nor has been issued
9 a temporary operation plate under this section for the vehicle.

10 **SECTION 3972h.** 341.09 (2m) (b) of the statutes is repealed.

11 **SECTION 3972j.** 341.09 (2m) (c) of the statutes is repealed.

12 **SECTION 3973e.** 341.09 (4) of the statutes is amended to read:

13 341.09 **(4)** Upon receipt of an application and a fee of ~~\$3~~ \$10, the department
14 shall register a vehicle purchased in this state by a nonresident for a period not to
15 exceed 30 days. The department shall determine the size, color, design, form and
16 specifications of a plate issued under this subsection. The plate may be similar or
17 identical to a plate issued under sub. (2). The department may issue the plates to
18 dealers ~~at a fee of \$3 per plate~~ in the manner and for the purpose provided in sub.
19 (2m).

20 **SECTION 3973g.** 341.09 (5) of the statutes is amended to read:

21 341.09 **(5)** The department may issue a temporary operation permit or plate
22 which is valid for a period of 30 days upon request of the owner of a vehicle which is
23 subject to the inspection required by s. 110.20 (6). The department shall charge a fee
24 of ~~\$3~~ \$10 for each temporary operation permit or plate issued under this subsection.

1 The department shall determine the size, color, design, form and specification of the
2 plate.

3 **SECTION 3973j.** 341.09 (9) of the statutes is created to read:

4 341.09 (9) (a) Notwithstanding any other provision of this section, the
5 department shall issue a temporary operation plate for an automobile, station wagon
6 or any other vehicle having a gross vehicle weight rating of 8,000 pounds or less upon
7 receipt of an application if the department does not immediately issue the regular
8 registration plates for the vehicle and the department determines that the applicant
9 has not otherwise been issued a temporary operation plate under this section.

10 (b) Subject to sub. (1) (b), the department shall determine the size, color, design,
11 form and specifications of the temporary operation plates under this subsection. A
12 temporary operation plate issued under this subsection shall contain sufficient
13 information to identify the vehicle for which and the person to whom it is issued. The
14 department shall charge a fee of \$10 for each temporary operation plate issued under
15 this subsection.

16 **SECTION 3975m.** 341.10 (3) of the statutes is amended to read:

17 341.10 (3) A certificate of title is a prerequisite to registration of the vehicle and
18 ~~the applicant does not hold a valid certificate of title and~~ has not been issued to the
19 applicant for the vehicle and the applicant is not entitled to the issuance of a
20 certificate of title.

21 **SECTION 3980m.** 341.14 (4) of the statutes is amended to read:

22 341.14 (4) For antique motor vehicles as specified in s. 341.265. The special
23 plate for an antique motorcycle under this subsection shall be the same size as the
24 usual registration plate for a motorcycle that is not an antique motorcycle.

1 **SECTION 2810.** 341.14 (6m) (b) (intro.), 1. and 2. of the statutes are amended
2 to read:

3 341.14 **(6m)** (b) (intro.) Except as provided in par. (c), if an individual in
4 possession of special plates under this subsection or of personalized plates under s.
5 341.145 (1) (b) does not maintain membership in the national guard during a year
6 which is not a plate issuance year, the individual shall do all of the following:

- 7 1. Dispose of the special plates in a manner prescribed by the department;
8 2. In addition to the regular application fee, pay a \$4 fee for the issuance of
9 replacement plates; ~~and.~~

10 **SECTION 2811.** 341.14 (6m) (b) 3. of the statutes is repealed.

11 **SECTION 3988g.** 341.14 (6r) (b) 6. of the statutes is created to read:

12 341.14 **(6r)** (b) 6. An additional fee of \$20 that is in addition to the fee under
13 subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual
14 basis for the special group specified under par. (f) 53. An additional fee of \$40 that
15 is in addition to the fee under subd. 3. shall be charged for the issuance or renewal
16 of a plate issued on a biennial basis for the special group specified under par. (f) 53.
17 if the plate is issued or renewed during the first year of the biennial registration
18 period or \$20 for the issuance or renewal if the plate is issued or renewed during the
19 2nd year of the biennial registration period. All moneys received under this
20 subdivision in excess of the initial costs of data processing for the special group plate
21 under par. (f) 53. or \$35,000, whichever is less, shall be deposited in the children's
22 trust fund. To the extent permitted under ch. 71, the fee under this subdivision is
23 deductible as a charitable contribution for purposes of the taxes under ch. 71.

24 **SECTION 3988m.** 341.14 (6r) (bg) 3. b. of the statutes is amended to read:

1 341.14 (6r) (bg) 3. b. Credit Deposit in the general fund and credit to the
2 appropriation account under s. 20.525 (1) ~~(qr)~~ (gm) the amount, if any, by which fees
3 received under subd. 2. during the preceding fiscal quarter exceeded the total cost
4 computed under subd. 3. a., except that with respect to fees received during the 2nd
5 fiscal quarter of the 1998-99 fiscal year, the department shall deposit the amount,
6 if any, in the historical legacy trust fund.

7 **SECTION 3989j.** 341.14 (6r) (c) of the statutes, as affected by 1995 Wisconsin Act
8 445, section 16, is amended to read:

9 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
10 name of the applicable authorized special group, a symbol representing the special
11 group, not exceeding one position, and identifying letters or numbers or both, not
12 exceeding 6 positions and not less than one position. The department shall specify
13 the design for special group plates, but the department shall consult the president
14 of the university of Wisconsin system before specifying the design for the special
15 group plates under par. (f) 35. to 47. ~~and~~, the secretary of natural resources before
16 specifying the design for the special group plate under par. (f) 50. and the child abuse
17 and neglect prevention board before specifying the design for the special group plate
18 under par. (f) 53. Special group plates under par. (f) 50. shall be as similar as possible
19 to regular registration plates in color and design.

20 **SECTION 3989m.** 341.14 (6r) (e) of the statutes, as affected by 1995 Wisconsin
21 Act 445, section 18, is amended to read:

22 341.14 (6r) (e) The department shall specify one combination of colors for
23 special group plates for groups or organizations which are not military in nature and
24 not special group plates under par. (f) 35. to 47. and 50. The department, after
25 consulting the president of the university of Wisconsin system, shall specify one

1 combination of colors for special group plates under par. (f) 35. to 47. The department
2 shall specify the word or words comprising the special group name and the symbol
3 to be displayed upon special group plates for a group or organization which is not
4 military in nature after consultation with the chief executive officer in this state of
5 the group or organization, except that the department may not specify the word or
6 words or the symbol for special group plates under par. (f) 35. to 47. unless the word
7 or words or symbol is approved in writing by the president of the university of
8 Wisconsin system or, with respect to endangered resources, specify the word or words
9 or the symbol for special group plates under par. (f) 50. unless the word or words or
10 symbol is approved in writing by the secretary of natural resources or, with respect
11 to child abuse and neglect prevention, specify any word or words other than
12 “Children First” or the symbol for special group plates under par. (f) 53. unless the
13 word or words or symbol is approved in writing by the child abuse and neglect
14 prevention board. The president may not approve the word or words or symbol for
15 a university specified under par. (f) 35. to 47. unless the chancellor of the university
16 approves in writing the word or words or symbol. The department shall require that
17 the word or words and symbol for a university specified under par. (f) 35. to 47. be
18 a registration decal or tag and affixed to the special group plate and be of the colors
19 for a university specified under par. (f) 35. to 47. that the president of the university
20 of Wisconsin system specifies.

21 **SECTION 3989p.** 341.14 (6r) (f) 53. of the statutes is created to read:

22 341.14 **(6r)** (f) 53. Persons interested in obtaining a plate with the words
23 “Children First” on it to show their support of the prevention of child abuse and
24 neglect.

25 **SECTION 3990m.** 341.14 (6r) (g) (intro.) of the statutes is amended to read:

1 341.14 (6r) (g) (intro.) Except as provided in par. (bm) 1., if an individual in
2 possession of special plates under par. (f) 33., 34. or 48. or of personalized plates
3 under s. 341.145 (1) (c) of the same color and design as special plates under par. (f)
4 33., 34. or 48. does not maintain membership in the applicable authorized special
5 group during a year which is not a plate issuance year, the individual shall do all of
6 the following:

7 **SECTION 2812.** 341.14 (6r) (g) 1. and 2. of the statutes are amended to read:

8 341.14 (6r) (g) 1. Dispose of the special plates in a manner prescribed by the
9 department;~~;~~

10 2. In addition to the regular application fee, pay a \$4 fee for the issuance of
11 replacement plates;~~and.~~

12 **SECTION 2813.** 341.14 (6r) (g) 3. of the statutes is repealed.

13 **SECTION 2814.** 341.145 (5) (intro.), (a) and (b) of the statutes are amended to
14 read:

15 341.145 (5) (intro.) If an individual in possession of a personalized registration
16 plate does not maintain the personalized registration plate under sub. (3) during a
17 year which is not a plate issuance year, the individual shall do all of the following:

18 (a) Dispose of the personalized plate in a manner prescribed by the
19 department;~~;~~

20 (b) In addition to the regular application fee, pay a \$4 fee for the issuance of
21 replacement plates;~~and.~~

22 **SECTION 2815.** 341.145 (5) (c) of the statutes is repealed.

23 **SECTION 4000e.** 341.16 (1) (b) of the statutes, as affected by 1995 Wisconsin Act
24 445, section 22, is amended to read:

1 341.16 (1) (b) Upon satisfactory proof of the loss or destruction of a special plate
2 issued under s. 341.14 (6m) (a) or (6r) (b) or a special personalized plate issued under
3 s. 341.145 (1) (b) or (c) and upon payment of a fee of \$5 for each plate or, if the plate
4 is for a special group specified under s. 341.14 (6r) (f) 35. to 47. or 53., \$6 for each
5 plate, the department shall issue a replacement.

6 **SECTION 4000r.** 341.25 (1) (a) of the statutes is amended to read:

7 341.25 (1) (a) For each automobile or station wagon, a fee of \$40 \$45, except
8 that an automobile registered in this state prior to September 1, 1947, at a fee of less
9 than \$18 shall be registered at such lesser fee plus an additional fee of \$2.

10 **SECTION 2816.** 341.25 (1) (b) of the statutes is amended to read:

11 341.25 (1) (b) For each motorcycle or moped with a curb weight of 1,499 pounds
12 or less, except a specially designed vehicle under s. 341.067, which is designed for the
13 transportation of persons rather than property, a biennial fee of \$20 \$23.
14 Registration plates issued under this paragraph expire on April 30 of
15 even-numbered years.

16 **SECTION 2817.** 341.25 (1) (gg) of the statutes is repealed.

17 **SECTION 2818.** 341.25 (1) (i) of the statutes is amended to read:

18 341.25 (1) (i) For each mobile home ~~25 feet or less in length, a fee of \$12; for each~~
19 ~~mobile home more than 25 feet in length, and for each camping trailer having a gross~~
20 ~~weight of more than 3,000 pounds, a fee of \$18~~ \$15.

21 **SECTION 4003g.** 341.25 (1) (j) 1. to 7. of the statutes are amended to read:

22	341.25 (1) (j) 1. Not more than 5,000	\$ 45	<u>\$ 48.50</u>
23	2. Not more than 8,000	51	<u>55</u>
24	3. Not more than 12,000	63	<u>67.50</u>
25	4. Not more than 16,000	75	<u>80.50</u>

1	5. Not more than 20,000	87	<u>93.50</u>
2	6. Not more than 26,000	99	<u>106.50</u>
3	7. More than 26,000	111	<u>119.50</u>
4	SECTION 4003m. 341.25 (2) (a) to (q) of the statutes are amended to read:		
5	341.25 (2) (a) Not more than 4,500	\$ 45	<u>\$ 48.50</u>
6	(b) Not more than 6,000	57	<u>61.50</u>
7	(c) Not more than 8,000	72	<u>77.50</u>
8	(cm) Not more than 10,000	111	<u>119.50</u>
9	(d) Not more than 12,000	150	<u>161</u>
10	(e) Not more than 16,000	203	<u>218</u>
11	(f) Not more than 20,000	255	<u>274</u>
12	(g) Not more than 26,000	340	<u>365.50</u>
13	(h) Not more than 32,000	436	<u>468.50</u>
14	(i) Not more than 38,000	552	<u>593.50</u>
15	(j) Not more than 44,000	659	<u>708.50</u>
16	(k) Not more than 50,000	761	<u>818</u>
17	(km) Not more than 54,000	812	<u>873</u>
18	(L) Not more than 56,000	865	<u>930</u>
19	(m) Not more than 62,000	978	<u>1,051.50</u>
20	(n) Not more than 68,000	1,104	<u>1,187</u>
21	(o) Not more than 73,000	1,256	<u>1,350</u>
22	(p) Not more than 76,000	1,489	<u>1,600.50</u>
23	(q) Not more than 80,000	1,832	<u>1,969.50</u>

24 **SECTION 4003p.** 341.255 (title) of the statutes is repealed and recreated to read:

25 **341.255 (title) Special transaction fees.**

1 **SECTION 4003r.** 341.255 (4) of the statutes is created to read:

2 341.255 (4) The department shall charge a fee of \$5 for each transaction
3 relating to a certificate of title or a registration, or both, that is transmitted
4 electronically to the department by a financial institution, as defined in s. 705.01 (3).

5 **SECTION 4006m.** 341.26 (3) (a) 1. of the statutes is amended to read:

6 341.26 (3) (a) 1. For each farm truck having a gross weight of 12,000 pounds
7 or less, a biennial fee of ~~\$42~~ \$45. Registration plates issued under this subdivision
8 expire on the last day of February of even-numbered years.

9 **SECTION 2819.** 341.26 (3) (b) of the statutes is amended to read:

10 341.26 (3) (b) For each farm trailer not coming within the provisions of s.
11 341.264, an annual fee which is 25% of the fee prescribed by s. 341.25 (2) for a motor
12 truck having the same gross weight, ~~except that a farm trailer used with a farm truck~~
13 ~~tractor shall be registered at a fee of \$5.~~

14 **SECTION 4007m.** 341.26 (3) (g) 1. to 17. of the statutes are amended to read:

15	341.26 (3) (g) 1. Not more than 4,500	\$ 24	<u>\$ 26</u>
16	2. Not more than 6,000	34	<u>36.50</u>
17	3. Not more than 8,000	40	<u>43</u>
18	3m. Not more than 10,000	56	<u>60</u>
19	4. Not more than 12,000	72	<u>77.50</u>
20	5. Not more than 16,000	102	<u>109.50</u>
21	6. Not more than 20,000	132	<u>142</u>
22	7. Not more than 26,000	177	<u>190.50</u>
23	8. Not more than 32,000	228	<u>245</u>
24	9. Not more than 38,000	288	<u>309.50</u>
25	10. Not more than 44,000	345	<u>371</u>

1	11. Not more than 50,000	396	<u>425.50</u>
2	11m. Not more than 54,000	424	<u>456</u>
3	12. Not more than 56,000	453	<u>487</u>
4	13. Not more than 62,000	513	<u>551.50</u>
5	14. Not more than 68,000	579	<u>622.50</u>
6	15. Not more than 73,000	660	<u>709.50</u>
7	16. Not more than 76,000	780	<u>838.50</u>
8	17. Not more than 80,000	960	<u>1,032</u>

9 **SECTION 4007p.** 341.265 (1) of the statutes is amended to read:

10 341.265 (1) Any person who is a resident of this state and the owner or
11 subsequent transferee of a motor vehicle which has a model year of 1945 or earlier
12 and which has not been altered or modified from the original manufacturer's
13 specifications may upon application register the same as an antique vehicle upon
14 payment of a fee of \$5, and be furnished registration plates of a distinctive design,
15 in lieu of the usual registration plates, which shall show in addition to the
16 registration number that the vehicle is an antique. The registration shall be valid
17 while the vehicle is owned by the applicant without the payment of any additional
18 fee. The vehicle shall only be used for special occasions such as display and parade
19 purposes or for necessary testing, maintenance and storage purposes. A motorcycle
20 may be registered as an antique vehicle if all of the requirements for registration
21 specified in this subsection are satisfied.

22 **SECTION 4007r.** 341.265 (1m) of the statutes is amended to read:

23 341.265 (1m) A person who registers an antique motor vehicle under sub. (1)
24 may furnish and display on the vehicle a historical plate from or representing the
25 model year of the vehicle if the registration and plates issued by the department are

1 simultaneously carried in or, with respect to an antique motorcycle, with the vehicle
2 and are available for inspection.

3 **SECTION 2820.** 341.267 (1) (b) of the statutes is amended to read:

4 341.267 (1) (b) "School" means a public or nonpublic school having an approved
5 driver education program as certified by the department of ~~education~~ public
6 instruction or the technical college system board.

7 **SECTION 2821.** 341.267 (1m) of the statutes is amended to read:

8 341.267 (1m) The department of ~~education~~ public instruction shall establish
9 uniform marking standards for a motor vehicle which is used as a driver education
10 vehicle. The markings shall be removed when the owned or leased vehicle is being
11 operated for other than behind-the-wheel instruction or necessary maintenance
12 and storage.

13 **SECTION 2822.** 341.267 (2) of the statutes is amended to read:

14 341.267 (2) A driver education vehicle shall be registered as provided in s.
15 341.26 (2). If a driver education vehicle is replaced, reassignment of the plate to a
16 replacement driver education vehicle shall be made by the department on request
17 without payment of an additional fee. ~~The department shall issue plates of a~~
18 ~~distinctive design upon the registration of a driver education vehicle.~~

19 **SECTION 4022m.** 341.35 (6r) of the statutes is created to read:

20 341.35 (6r) USE OF FEE PROCEEDS. Any municipality or county receiving moneys
21 under sub. (6) shall use the moneys only for transportation related purposes.

22 **SECTION 2823.** 342.01 (2) (a) of the statutes is renumbered 342.01 (2) (am).

23 **SECTION 2824.** 342.01 (2) (ag) of the statutes is created to read:

24 342.01 (2) (ag) "Deliver" includes electronic transmission.

25 **SECTION 2825.** 342.06 (1) (intro.) of the statutes is amended to read:

1 342.06 (1) (intro.) An application for a certificate of title shall be made to the
2 department upon a form or in an automated format prescribed by it and shall be
3 accompanied by the required fee. Each application for certificate of title shall include
4 the following information:

5 **SECTION 2826.** 342.06 (1) (g) of the statutes is amended to read:

6 342.06 (1) (g) If the vehicle is a used motor vehicle which was last previously
7 registered in another jurisdiction, the applicant shall furnish any certificate of
8 ownership issued by the other jurisdiction and a statement pertaining to the title
9 history and ownership of such motor vehicle, such statement to be in the form the
10 department prescribes, ~~and shall furnish a certification by a person designated by~~
11 ~~the department by rule to the effect that the physical description of the motor vehicle~~
12 ~~has been checked and conforms to the description given in the application.~~

13 **SECTION 2827.** 342.06 (1) (i) of the statutes is amended to read:

14 342.06 (1) (i) A place for an applicant who is a natural person to designate that
15 the applicant's name, street address, post-office box number and 9-digit extended
16 zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the
17 effect of making such a designation and a place for an applicant who has made a
18 designation under this paragraph to reverse the designation. The department may
19 provide for these designations and statement on an alternative form or in an
20 automated format.

21 **SECTION 2828.** 342.06 (1m) of the statutes is amended to read:

22 342.06 (1m) On the form or in the automated format for application for a
23 certificate of title, the department may show the fee under s. 342.14 (3m) separately
24 from the fee under s. 342.14 (1) or (3).

25 **SECTION 2829.** 342.10 (6) of the statutes is created to read:

1 342.10 **(6)** A certificate of title may be issued by the department in an
2 automated format.

3 **SECTION 4043m.** 342.14 (1) of the statutes is amended to read:

4 342.14 **(1)** For filing an application for the first certificate of title, ~~\$5~~ \$7.50, by
5 the owner of the vehicle.

6 **SECTION 2830.** 342.14 (1r) of the statutes is created to read:

7 342.14 **(1r)** Upon filing an application under sub. (1) for a new vehicle being
8 registered for the first time, an environmental impact fee of \$5, by the person filing
9 the application. All moneys collected under this subsection shall be credited to the
10 environmental fund for environmental management.

11 **SECTION 4044m.** 342.14 (3) of the statutes is amended to read:

12 342.14 **(3)** For a certificate of title after a transfer, ~~\$5~~ \$7.50, by the owner of the
13 vehicle.

14 **SECTION 2831.** 342.155 (1) (b) of the statutes is amended to read:

15 342.155 **(1)** (b) The mileage disclosure statement required under par. (a) shall
16 be made in the spaces provided on the certificate of title or on a form or in an
17 automated format authorized by the department. The transferee shall print his or
18 her name on the mileage disclosure statement, sign the statement and return a copy
19 of the statement to the transferor. Except as authorized by rule of the department,
20 no person may sign a mileage disclosure statement as both the transferor and
21 transferee in the same transaction.

22 **SECTION 2832.** 342.17 (4) (b) 4. of the statutes is amended to read:

23 342.17 **(4)** (b) 4. The limit in subd. 3. does not apply if the surviving spouse is
24 proceeding under s. 867.03 ~~(1)~~ (1g) and the total value of the decedent's solely owned

1 property in the state, including the vehicles transferred under this paragraph, does
2 not exceed \$10,000.

3 **SECTION 2833.** 342.20 (1) of the statutes is amended to read:

4 342.20 (1) The owner shall immediately execute, in the space provided therefor
5 on the certificate of title or on a separate form or in an automated format prescribed
6 by the department, an application to name the secured party on the certificate,
7 showing the name and address of the secured party, and cause the certificate,
8 application and the required fee to be delivered to the secured party.

9 **SECTION 2834.** 343.06 (1) (c) of the statutes is amended to read:

10 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
11 school program or high school equivalency program and is not a habitual truant as
12 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
13 declaration of high school graduation equivalency or is enrolled in a home-based
14 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
15 completed a course in driver education in public schools approved by the department
16 of ~~education~~ public instruction, or in technical colleges approved by the technical
17 college system board, or in nonpublic and private schools which meet the minimum
18 standards set by the department of ~~education~~ public instruction, or has satisfactorily
19 completed a substantially equivalent course in driver training approved by the
20 department and given by a school licensed by the department under s. 343.61, or has
21 satisfactorily completed a substantially equivalent course in driver education or
22 training approved by another state and has attained the age of 16, except as provided
23 in s. 343.07 (1). The department shall not issue a license to any person under the age
24 of 18 authorizing the operation of "Class M" vehicles unless the person has
25 successfully completed a basic rider course approved by the department. The

1 department may, by rule, exempt certain persons from the basic rider course
2 requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135
3 are exempt from the driver education, basic rider or driver training course
4 requirement. The secretary shall prescribe rules for licensing of schools and
5 instructors to qualify under this paragraph. The driver education course shall be
6 made available to every eligible student in the state. Except as provided under s.
7 343.16 (1) (c) and (2) (cm) to (e), no operator's license may be issued unless a driver's
8 examination has been administered by the department.

9 **SECTION 2835.** 343.06 (1) (j) of the statutes is amended to read:

10 343.06 (1) (j) To any person applying for his or her first license or identification
11 card or for a reinstated license in this state unless the person has submitted
12 satisfactory proof of his or her name and date and place of birth.

13 **SECTION 2836.** 343.07 (5) of the statutes is amended to read:

14 343.07 (5) DEFINITION. In this section, "qualified instructor" means a person
15 employed by a public or private school, holding an operator's license and meeting the
16 teaching certification standards of the department of ~~education~~ public instruction or
17 the technical college system board to teach driver education, or an instructor of a
18 school licensed under s. 343.61, or a teacher or student teacher in a driver education
19 course for teachers conducted by an institution of higher education.

20 **SECTION 2837.** 343.14 (3) (a) of the statutes is amended to read:

21 343.14 (3) (a) The department shall, as part of the application process, take a
22 photograph of the applicant to comply with s. 343.17 (3) (a) 2. Except where
23 specifically exempted by statute or by rule of the department, no application may be
24 processed without the photograph being taken. In the case of renewal licenses, the
25 photograph shall be taken once every ~~4~~ 8 years, and shall coincide with the

1 appearance for examination which is required under s. 343.16 (3). The department
2 may make provision for issuance of a license without a photograph if the applicant
3 is stationed outside the state in military service and in specific situations where the
4 department deems such action appropriate.

5 **SECTION 2838.** 343.14 (4) of the statutes is repealed.

6 **SECTION 2839.** 343.16 (1) (c) (intro.) of the statutes is amended to read:

7 343.16 (1) (c) *Driver education course.* (intro.) The department may, after
8 consultation with the department of ~~education~~ public instruction and the technical
9 college system board, provide for administration of and certification of the results of
10 the test of an applicant's knowledge of the traffic laws and ability to read and
11 understand highway signs in conjunction with a course in driver education specified
12 in this paragraph, by an instructor in that course. The test under this paragraph
13 does not include that part of a driver's examination involving the actual
14 demonstration of ability to exercise ordinary and reasonable control in the operation
15 of a motor vehicle required for the issuance of a license other than an instruction
16 permit. The test under this paragraph may be administered and certified by an
17 instructor in any of the following:

18 **SECTION 2840.** 343.16 (1) (c) 1. of the statutes is amended to read:

19 343.16 (1) (c) 1. A course in driver education in public schools approved by the
20 department of ~~education~~ public instruction.

21 **SECTION 2841.** 343.16 (1) (c) 3. of the statutes is amended to read:

22 343.16 (1) (c) 3. A course in driver education in nonpublic and private schools
23 that meets the minimum standards set by the department of ~~education~~ public
24 instruction.

25 **SECTION 2842.** 343.16 (3) (a) of the statutes is amended to read:

1 343.16 (3) (a) The Except as provided in s. 343.20 (1) (f), the department shall
2 examine every applicant for the renewal of an operator's license once every 4-8 years.
3 The department may institute a method of selecting the date of renewal so that such
4 examination shall be required for each applicant for renewal of a license to gain a
5 uniform rate of examinations. The examination shall consist of a test of eyesight.
6 The department shall make provisions for giving such examinations at examining
7 stations in each county to all applicants for an operator's license. The person to be
8 examined shall appear at the examining station nearest the person's place of
9 residence or at such time and place as the department designates in answer to an
10 applicant's request. In lieu of examination, the applicant may present or mail to the
11 department a report of examination of the applicant's eyesight by an
12 ophthalmologist, optometrist or physician licensed to practice medicine. The report
13 shall be based on an examination made not more than 3 months prior to the date it
14 is submitted. The report shall be on a form furnished and in the form required by
15 the department. The department shall decide whether, in each case, the eyesight
16 reported is sufficient to meet the current eyesight standards.

17 **SECTION 2843.** 343.17 (3) (a) 12. of the statutes is amended to read:

18 343.17 (3) (a) 12. If the person is not the legal drinking age, as defined in s.
19 125.02 (8m), at the time of issuance of the license, a distinctive ~~background color for~~
20 ~~the license document designated~~ appearance specified by the department that
21 clearly identifies to the public that the person was not the legal drinking age at the
22 time of issuance of the license.

23 **SECTION 2844.** 343.19 (1) of the statutes is amended to read:

24 343.19 (1) If a license issued under this chapter or an identification card issued
25 under s. 343.50 is lost or destroyed or the name or address named in the license or

1 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. no
2 longer applies, the person to whom the license or identification card was issued may
3 obtain a duplicate thereof or substitute therefor upon furnishing proof satisfactory
4 to the department of name, and date ~~and~~ place of birth and that the license or
5 identification card has been lost or destroyed or that application for a duplicate
6 license or identification card is being made for a change of address or name or
7 because the condition specified in s. 343.17 (3) (a) 12. no longer applies. If the original
8 license or identification card is found it shall immediately be transmitted to the
9 department. Duplicates of nonphoto licenses shall be issued as nonphoto licenses.

10 **SECTION 2845.** 343.20 (1) (a) of the statutes is amended to read:

11 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
12 reinstated licenses, probationary licenses issued under s. 343.085 and original
13 licenses other than instruction permits shall expire 2 years from the date of the
14 applicant's next birthday. All other licenses and license endorsements shall expire
15 ~~4~~ 8 years after the date of issuance. The department may institute any system of
16 initial license issuance which it deems advisable for the purpose of gaining a uniform
17 rate of renewals. In order to put such a system into operation, the department may
18 issue licenses which are valid for any period less than the ordinary effective period
19 of such license. If the department issues a license that is valid for less than the
20 ordinary effective period as authorized by this paragraph, the fees due under s.
21 343.21 (1) (a), (b) and (d) shall be prorated accordingly.

22 **SECTION 2846.** 343.20 (1) (f) of the statutes is created to read:

23 343.20 (1) (f) During the transition to the issuance of renewal licenses under
24 par. (a) that are valid for a period of 8 years, the department may issue licenses for
25 renewal periods of less than 8 years for the purpose of gaining a uniform rate of

1 renewals. The department may process an application under this paragraph by mail
2 without requiring an applicant to have his or her photograph taken under s. 343.14
3 (3) or to submit to an examination under s. 343.16 (3). If the department issues a
4 license under this paragraph, any applicable fees due shall be prorated accordingly.
5 This paragraph does not apply after December 31, 2001.

6 **SECTION 2847.** 343.21 (1) (a) of the statutes is amended to read:

7 343.21 (1) (a) For the initial issuance of a license authorizing only the operation
8 of "Class D" motor vehicles, ~~\$15~~ \$18.

9 **SECTION 2848.** 343.21 (1) (am) of the statutes is amended to read:

10 343.21 (1) (am) For the renewal of a license authorizing only the operation of
11 "Class D" motor vehicles, ~~\$10~~ \$24.

12 **SECTION 2849.** 343.21 (1) (b) of the statutes is amended to read:

13 343.21 (1) (b) For the initial issuance ~~or renewal~~ of authorization to operate
14 "Class M" motor vehicles, ~~\$4~~ \$12 in addition to any other fees due.

15 **SECTION 2850.** 343.21 (1) (bg) of the statutes is created to read:

16 343.21 (1) (bg) For the renewal of authorization to operate "Class M" motor
17 vehicles, \$8 in addition to any other fees due.

18 **SECTION 2851.** 343.21 (1) (d) of the statutes is amended to read:

19 343.21 (1) (d) For the initial issuance or renewal of authorization to operate
20 "Class A", "Class B" or "Class C" motor vehicles, or upgrading an existing regular
21 license which only authorizes the operation of "Class D" motor vehicles, ~~\$32~~ \$64.
22 This fee includes issuance of any "H", "N", "P", "S" or "T" endorsements or "Class D"
23 authorization applied for at the same time for which the applicant is qualified.

24 **SECTION 2852.** 343.21 (1) (i) of the statutes is amended to read:

25 343.21 (1) (i) ~~For~~ Except as provided in par. (im), for an instruction permit, \$20.

1 **SECTION 2853.** 343.21 (1) (im) of the statutes is created to read:

2 343.21 (1) (im) For an instruction permit authorizing the operation of “Class
3 M” vehicles, \$22.

4 **SECTION 2854.** 343.38 (2) (intro.) and (a) of the statutes are consolidated,
5 renumbered 343.38 (2) and amended to read:

6 343.38 (2) REINSTATEMENT OF NONRESIDENT’S OPERATING PRIVILEGE AFTER
7 REVOCATION BY WISCONSIN. A nonresident’s operating privilege revoked pursuant to
8 the laws of this state is reinstated as a matter of law when the period of revocation
9 has expired and such nonresident: ~~(a) Obtains~~ obtains a valid operator’s license ~~in~~
10 issued by the jurisdiction of the nonresident’s residence; and.

11 **SECTION 2855.** 343.38 (2) (b) of the statutes is repealed.

12 **SECTION 2856.** 343.50 (3) of the statutes is amended to read:

13 343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as
14 an operator’s license but shall be of a design which is readily distinguishable from
15 the design of an operator’s license and bear upon it the words “IDENTIFICATION
16 CARD ONLY”. The information on the card shall be the same as specified under s.
17 343.17 (3). The card may serve as a document of gift under s. 157.06 (2) (b) and (c)
18 and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may
19 also serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i).
20 The card shall contain the holder’s photograph and, if applicable, ~~comply with the~~
21 requirement of shall be of the design specified under s. 343.17 (3) (a) 12.

22 **SECTION 2857.** 343.50 (4) of the statutes is amended to read:

23 343.50 (4) APPLICATION. The application for an identification card shall include
24 the information required under s. 343.14 (2) (a) and (b) and (2m), such further
25 information as the department may reasonably require to enable it to determine

1 whether the applicant is entitled by law to an identification card and, for applicants
2 who are aged 65 years or older, material, as provided by the department, explaining
3 the voluntary program that is specified in s. 71.55 (10) (b). The department shall,
4 as part of the application process, take a photograph of the applicant to comply with
5 sub. (3). ~~No~~ Except as provided in sub. (6) (b), no application may be processed
6 without the photograph being taken. Misrepresentations are punishable as
7 provided in s. 343.14 (5).

8 **SECTION 2858.** 343.50 (5) of the statutes is amended to read:

9 343.50 (5) VALID PERIOD; FEES. The fee for an original card and for the
10 reinstatement of an identification card after cancellation under sub. (10) shall be \$4
11 \$12. The card shall be valid for the succeeding period of ~~4~~ 8 years from the
12 applicant's next birthday after the date of issuance.

13 **SECTION 2859.** 343.50 (6) of the statutes is renumbered 343.50 (6) (a) and
14 amended to read:

15 343.50 (6) (a) At least 30 days prior to the expiration of the card, the
16 department shall mail a renewal application to the last-known address of each
17 identification card holder. The department shall include with the application
18 information, as developed by all organ procurement organizations in cooperation
19 with the department, that promotes anatomical donations and which relates to the
20 anatomical donation opportunity available under s. 343.175. The fee for a renewal
21 identification card shall be ~~\$4~~ \$12, which card shall be valid for ~~4~~ 8 years.

22 **SECTION 2860.** 343.50 (6) (b) of the statutes is created to read:

23 343.50 (6) (b) During the transition to the issuance of renewal identification
24 cards under par. (a) that are valid for a period of 8 years, the department may issue
25 identification cards for renewal periods of less than 8 years for the purpose of gaining

1 a uniform rate of renewals. The department may process an application under this
2 paragraph by mail without requiring an applicant to have his or her photograph
3 taken to comply with sub. (3). If the department issues a renewal identification card
4 under this paragraph, the fee due under par. (a) shall be prorated accordingly. This
5 paragraph does not apply after December 31, 2001.

6 **SECTION 2861.** 343.50 (7) of the statutes is amended to read:

7 343.50 (7) DUPLICATE. The fee for a duplicate card is ~~\$3~~ \$6.

8 **SECTION 2862.** 343.60 (1) of the statutes is amended to read:

9 343.60 (1) "Driver school" means the business of giving instruction, for
10 compensation, in the driving of motor vehicles, except that it does not include a high
11 school or technical college which teaches driver training as part of its regular school
12 program and whose course of study in driver training has been approved by the
13 department of ~~education~~ public instruction or technical college system board and it
14 does not include an institution of higher learning which teaches driver training as
15 part of its teacher training program.

16 **SECTION 2863.** 343.61 (3) of the statutes is amended to read:

17 343.61 (3) The required fee for any driver school license, or for any annual
18 renewal thereof, is ~~\$25~~ \$75 or, for licenses issued or renewed after August 31, 1998,
19 \$95.

20 **SECTION 2864.** 343.62 (3) of the statutes is amended to read:

21 343.62 (3) The required fee for any instructor's license, or for any annual
22 renewal thereof, is ~~\$5~~ \$25.

23 **SECTION 2865.** 344.42 of the statutes is created to read:

24 **344.42 Submission of certifications and recertifications by insurers.**

25 If the sum of certifications and recertifications under ss. 344.31, 344.32 and 344.34

1 that are submitted by an insurer to the department in any year exceeds 1,000, the
2 insurer shall pay to the department a transaction fee of \$1.50 per certification or
3 recertification that is not transmitted electronically to the department. The
4 department shall promulgate rules establishing procedures for the collection of
5 transaction fees under this section.

6 **SECTION 2866.** 345.26 (1) (b) 1. of the statutes is amended to read:

7 345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic
8 regulation, the person need not appear in court at the time fixed in the citation, and
9 the person will be deemed to have tendered a plea of no contest and submitted to a
10 forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment,
11 if required by s. 302.46 (1), and a crime laboratories and drug law enforcement
12 assessment, if required by s. 165.755, plus any applicable fees prescribed in ch. 814,
13 not to exceed the amount of the deposit that the court may accept as provided in s.
14 345.37; and

15 **SECTION 2867.** 345.26 (2) (b) of the statutes is amended to read:

16 345.26 (2) (b) In addition to the amount in par. (a), the deposit shall include
17 court costs, including any applicable fees prescribed in ch. 814, any applicable
18 penalty assessment and, any applicable jail assessment and any applicable crime
19 laboratories and drug law enforcement assessment.

20 **SECTION 2868.** 345.36 (2) (b) of the statutes is amended to read:

21 345.36 (2) (b) Deem the nonappearance a plea of no contest and enter judgment
22 accordingly. If the defendant has posted bond for appearance at that date, the court
23 may also order the bond forfeited. The court shall promptly mail a copy of the
24 judgment to the defendant. The judgment shall allow not less than 20 days from the
25 date thereof for payment of any forfeiture, penalty assessment, jail assessment,

1 crime laboratories and drug law enforcement assessment and costs imposed. If the
2 defendant moves to open the judgment within 20 days after the date set for trial, and
3 shows to the satisfaction of the court that the failure to appear was due to mistake,
4 inadvertence, surprise or excusable neglect, the court shall open the judgment,
5 reinstate the not guilty plea and set a new trial date. The court may impose costs
6 under s. 814.07. The court shall immediately notify the department to delete the
7 record of conviction based upon the original judgment.

8 **SECTION 2869.** 345.37 (1) (b) of the statutes is amended to read:

9 345.37 (1) (b) Deem the nonappearance a plea of no contest and enter judgment
10 accordingly. If the defendant has posted bond for appearance at that date, the court
11 may also order the bond forfeited. The court shall promptly mail a copy or notice of
12 the judgment to the defendant. The judgment shall allow not less than 20 days from
13 the date thereof for payment of any forfeiture, penalty assessment, crime
14 laboratories and drug law enforcement assessment and costs imposed. If the
15 defendant moves to open the judgment within 6 months after the court appearance
16 date fixed in the citation, and shows to the satisfaction of the court that the failure
17 to appear was due to mistake, inadvertence, surprise or excusable neglect, the court
18 shall open the judgment, accept a not guilty plea and set a trial date. The court may
19 impose costs under s. 814.07. The court shall immediately notify the department to
20 delete the record of conviction based upon the original judgment. If the offense
21 involved is a nonmoving traffic violation and the defendant is subject to s. 345.28 (5)
22 (c), a default judgment may be entered and opened as provided in s. 345.28 (5) (c).

23 **SECTION 2870.** 345.37 (2) of the statutes is amended to read:

24 345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may
25 serve as the initial pleading and the defendant shall be deemed to have tendered a

1 plea of no contest and submitted to a forfeiture and a penalty assessment, if required
2 by s. 165.87, and a jail assessment, if required by s. 302.46 (1), and a crime
3 laboratories and drug law enforcement assessment, if required by s. 165.755, plus
4 costs, including any applicable fees prescribed in ch. 814, not exceeding the amount
5 of the deposit. The court may either accept the plea of no contest and enter judgment
6 accordingly, or reject the plea and issue a summons under ch. 968. If the defendant
7 fails to appear in response to the summons, the court shall issue a warrant under ch.
8 968. If the court accepts the plea of no contest, the defendant may move within 6
9 months after the date set for the appearance to withdraw the plea of no contest, open
10 the judgment and enter a plea of not guilty upon a showing to the satisfaction of the
11 court that the failure to appear was due to mistake, inadvertence, surprise or
12 excusable neglect. If on reopening the defendant is found not guilty, the court shall
13 immediately notify the department to delete the record of conviction based on the
14 original proceeding and shall order the defendant's deposit returned.

15 **SECTION 2871.** 345.37 (5) of the statutes is amended to read:

16 345.37 (5) Within 5 working days after forfeiture of deposit or entry of default
17 judgment, the official receiving the forfeiture, the penalty assessment, if required by
18 s. 165.87, and the jail assessment, if required by s. 302.46 (1), and the crime
19 laboratories and drug law enforcement assessment, if required by s. 165.755, shall
20 forward to the department a certification of the entry of default judgment or a
21 judgment of forfeiture.

22 **SECTION 2872.** 345.375 (2) of the statutes is amended to read:

23 345.375 (2) Upon default of the defendant corporation or limited liability
24 company or upon conviction, judgment for the amount of the forfeiture, the penalty
25 assessment, if required under s. 165.87, and the jail assessment, if required by s.

1 302.46 (1), and the crime laboratories and drug law enforcement assessment, if
2 required under s. 165.755, shall be entered.

3 **SECTION 2873.** 345.47 (1) (intro.) of the statutes is amended to read:

4 345.47 (1) (intro.) If the defendant is found guilty, the court may enter
5 judgment against the defendant for a monetary amount not to exceed the maximum
6 forfeiture, penalty assessment, if required by s. 165.87, ~~and~~ the jail assessment, if
7 required by s. 302.46 (1), and the crime laboratories and drug law enforcement
8 assessment, if required by s. 165.755, provided for the violation and for costs under
9 s. 345.53 and, in addition, may suspend or revoke his or her operating privilege under
10 s. 343.30. If the judgment is not paid, the court shall order:

11 **SECTION 2874.** 345.47 (1) (b) of the statutes is amended to read:

12 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension
13 or revocation, that the defendant's operating privilege be suspended for 30 days or
14 until the person pays the forfeiture, the penalty assessment, if required by s. 165.87,
15 ~~and~~ the jail assessment, if required by s. 302.46 (1), and the crime laboratories and
16 drug law enforcement assessment, if required by s. 165.755, but not to exceed 5 years.
17 Suspension under this paragraph shall not affect the power of the court to suspend
18 or revoke under s. 343.30 or the power of the secretary to suspend or revoke the
19 operating privilege.

20 **SECTION 2875.** 345.47 (1) (c) of the statutes is amended to read:

21 345.47 (1) (c) If a court or judge suspends an operating privilege under this
22 section, the court or judge shall immediately take possession of the suspended license
23 and shall forward it to the department together with the notice of suspension, which
24 shall clearly state that the suspension was for failure to pay a forfeiture, a penalty
25 assessment, if required by s. 165.87, ~~and~~ a jail assessment, if required by s. 302.46

1 (1), and a crime laboratories and drug law enforcement assessment, if required by
2 s. 165.755, imposed by the court. The notice of suspension and the suspended license,
3 if it is available, shall be forwarded to the department within 48 hours after the order
4 of suspension. If the forfeiture, penalty assessment ~~and~~, jail assessment and crime
5 laboratories and drug law enforcement assessment are paid during a period of
6 suspension, the court or judge shall immediately notify the department. Upon
7 receipt of the notice and payment of the reinstatement fee under s. 343.21 (1) (j), the
8 department shall return the surrendered license.

9 **SECTION 2876.** 345.47 (2) of the statutes is amended to read:

10 345.47 (2) The payment of any judgment may be suspended or deferred for not
11 more than 60 days in the discretion of the court. In cases where a deposit has been
12 made, any forfeitures, penalty assessments, jail assessments, crime laboratories and
13 drug law enforcement assessments and costs shall be taken out of the deposit and
14 the balance, if any, returned to the defendant.

15 **SECTION 2877.** 345.47 (3) of the statutes is amended to read:

16 345.47 (3) When a defendant is imprisoned for nonpayment of a forfeiture, a
17 penalty assessment, ~~or~~ a jail assessment or a crime laboratories and drug law
18 enforcement assessment for an action brought by a municipality located in more
19 than one county, any commitment to a county institution shall be to the county in
20 which the action was tried.

21 **SECTION 2878.** 345.49 (1) of the statutes is amended to read:

22 345.49 (1) Any person imprisoned under s. 345.47 for nonpayment of a
23 forfeiture, a penalty assessment, if required by s. 165.87, ~~or~~ a jail assessment, if
24 required by s. 302.46 (1), or a crime laboratories and drug law enforcement
25 assessment, if required by s. 165.755, may, on request, be allowed to work under s.

1 303.08. If the person does work, earnings shall be applied on the unpaid forfeiture,
2 penalty assessment ~~or~~, jail assessment or crime laboratories and drug law
3 enforcement assessment after payment of personal board and expenses and support
4 of personal dependents to the extent directed by the court.

5 **SECTION 2879.** 345.49 (2) of the statutes is amended to read:

6 345.49 (2) Any person who is subject to imprisonment under s. 345.47 for
7 nonpayment of a forfeiture, penalty assessment ~~or~~, jail assessment or crime
8 laboratories and drug law enforcement assessment may be placed on probation to
9 some person satisfactory to the court for not more than 90 days or until the forfeiture,
10 penalty assessment ~~or~~, jail assessment or crime laboratories and drug law
11 enforcement assessment is paid if that is done before expiration of the 90-day period.
12 The payment of the forfeiture, penalty assessment ~~or~~, jail assessment or crime
13 laboratories and drug law enforcement assessment during that period shall be a
14 condition of the probation. If the forfeiture, penalty assessment ~~or~~, jail assessment
15 or crime laboratories and drug law enforcement assessment is not paid or the court
16 deems that the interests of justice require, probation may be terminated and the
17 defendant imprisoned as provided in sub. (1) or s. 345.47.

18 **SECTION 2880.** 345.61 (2) (c) of the statutes is amended to read:

19 345.61 (2) (c) "Guaranteed arrest bond certificate" as used in this section means
20 any printed card or other certificate issued by an automobile club, association or
21 insurance company to any of its members or insureds, which card or certificate is
22 signed by the member or insureds and contains a printed statement that the
23 automobile club, association or insurance company and a surety company, or an
24 insurance company authorized to transact both automobile liability insurance and
25 surety business, guarantee the appearance of the persons whose signature appears

1 on the card or certificate and that they will in the event of failure of the person to
2 appear in court at the time of trial, pay any fine or forfeiture imposed on the person,
3 including the penalty assessment required by s. 165.87 ~~and~~, the jail assessment
4 required by s. 302.46 (1) and the crime laboratories and drug law enforcement
5 assessment required by s. 165.755, in an amount not exceeding \$200, or \$1,000 as
6 provided in sub. (1) (b).

7 **SECTION 2881.** 346.655 (1) of the statutes is amended to read:

8 346.655 (1) On or after July 1, 1988, if a court imposes a fine or a forfeiture for
9 a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s.
10 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle,
11 it shall impose a driver improvement surcharge in an amount of ~~\$300-\$340~~ in
12 addition to the fine or forfeiture, penalty assessment ~~and~~, jail assessment and crime
13 laboratories and drug law enforcement assessment.

14 **SECTION 2882.** 346.655 (2) of the statutes is amended to read:

15 346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and
16 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40
17 (2) (m). The county treasurer shall then make payment of ~~29.2%~~ 37.6% of the amount
18 to the state treasurer as provided in s. 59.25 (3) (f) 2.

19 (b) If the forfeiture is imposed by a municipal court, the court shall transmit
20 the amount to the treasurer of the county, city, town or village, and that treasurer
21 shall make payment of ~~29.2%~~ 37.6% of the amount to the state treasurer as provided
22 in s. 66.12 (1) (b). The treasurer of the city, town or village shall transmit the
23 remaining ~~70.8%~~ 62.4% of the amount to the treasurer of the county.

24 **SECTION 4177m.** 347.02 (1) (h) of the statutes is amended to read:

25 347.02 (1) (h) Golf carts operated in accordance with s. 349.18 (1) (b) or (c).

1 **SECTION 2883.** 348.26 (2) of the statutes is amended to read:

2 348.26 (2) PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES OR LOADS. Except as
3 provided in sub. (4), single trip permits for oversize or overweight vehicles or loads
4 may be issued by the department for use of the state trunk highways and by the
5 officer in charge of maintenance of the highway to be used in the case of other
6 highways. Such local officials also may issue such single trip permits for use of state
7 trunk highways within the county or municipality which they represent. Every
8 single trip permit shall designate the route to be used by the permittee. Whenever
9 the officer or agency issuing such permit deems it necessary to have a traffic officer
10 accompany escort the vehicle through the municipality or county, a reasonable
11 charge fee for such traffic officer's services shall be paid by the permittee. All moneys
12 received from fees imposed by the department under this subsection shall be
13 deposited in the general fund and credited to the appropriation account under s.
14 20.395 (5) (dg).

15 **SECTION 4187m.** 349.18 (1) (c) of the statutes is created to read:

16 349.18 (1) (c) Regulate the operation of a golf cart to and from a golf course for
17 a distance not to exceed one mile upon a highway under its exclusive jurisdiction.
18 The city, village or town shall place a sign of a type approved by the department to
19 mark any golf cart travel route designated by the ordinance.

20 **SECTION 2884.** 350.108 (2) of the statutes is amended to read:

21 350.108 (2) The department shall develop and issue an educational pamphlet
22 on the intoxicated snowmobiling law to be distributed, beginning in 1989, to persons
23 issued snowmobile registration certificates under s. 350.12 or 350.122.

24 **SECTION 4189g.** 350.11 (1) (a) of the statutes is amended to read:

1 350.11 (1) (a) Except as provided in par. (b) and subs. (2g), (2m) and (3), any
2 person who violates any provision of this chapter shall forfeit not more than \$250.

3 **SECTION 4189m.** 350.11 (1) (b) of the statutes is amended to read:

4 350.11 (1) (b) Except as provided in subs. (2g), (2m) and (3), any person who
5 violates any provision of this chapter and who, within the last 3 years prior to the
6 conviction for the current violation, was 2 or more times previously convicted for
7 violating the same provision of this chapter shall forfeit not more than \$500.

8 **SECTION 4189r.** 350.11 (2g) of the statutes is created to read:

9 350.11 (2g) Any person who violates s. 350.12 (3j) shall forfeit not more than
10 \$1,000.

11 **SECTION 4189t.** 350.12 (title) of the statutes is amended to read:

12 **350.12 (title) Registration of snowmobiles; trail use stickers.**

13 **SECTION 2885.** 350.12 (3) (a) (intro.) of the statutes is amended to read:

14 350.12 (3) (a) (intro.) Except as provided under subs. (2) and (5) (cm), no person
15 may operate and no owner may give permission for the operation of any snowmobile
16 within this state unless the snowmobile is registered for public use or private use
17 under this paragraph or s. 350.122 or as an antique under par. (b) and has the
18 registration decals displayed as required by under sub. (5) or s. 350.122 or unless the
19 snowmobile has a reflectorized plate attached as required under par. (c) 3. A
20 snowmobile that is not registered as an antique under par. (b) may be registered for
21 public use. A snowmobile that is not registered as an antique under par. (b) and that
22 is used exclusively on private property, as defined under s. 23.33 (1) (n), may be
23 registered for private use. A snowmobile public-use registration certificate is valid
24 for 2 years beginning the July 1 prior to the date of application if registration is made
25 prior to April 1 and beginning the July 1 subsequent to the date of application if

1 registration is made after April 1 and ending on June 30, 2 years thereafter. A
2 snowmobile private-use registration certificate is valid from the date of issuance
3 until ownership of the snowmobile is transferred. The fee for the issuance or renewal
4 of a public-use registration certificate is \$20 except the fee is \$5 if it is a snowmobile
5 owned and operated by a political subdivision of this state. There is no fee for the
6 issuance of a private-use registration certificate or for the issuance of a registration
7 certificate to the state.

8 **SECTION 4190g.** 350.12 (3j) of the statutes is created to read:

9 350.12 (3j) TRAIL USE STICKERS. (a) Except as provided in par. (d), no person who
10 is the owner of a snowmobile may operate, or give permission for another person to
11 operate, a snowmobile on a snowmobile trail in this state unless a trail use sticker
12 issued under this subsection is displayed on the snowmobile.

13 (b) The fee for a trail use sticker issued for a snowmobile that is exempt from
14 registration under sub. (2) (b) or (bn) is \$10. A trail use sticker issued for such a
15 snowmobile may be issued only by the department and is valid for one year.

16 (c) There is no fee for a trail use sticker issued for a snowmobile that is
17 registered under this section or s. 23.35 or 350.122. The department or Indian tribe
18 or band shall issue a trail use sticker for such a snowmobile when it issues the
19 registration certificate for the snowmobile. The department shall provide Indian
20 tribes or bands that register snowmobiles under s. 23.35 or 350.122 with a supply of
21 trail use stickers.

22 (d) A snowmobile that is exempt from registration under sub. (2) (a) is exempt
23 from having a trail use sticker displayed under par. (a).

24 **SECTION 4190r.** 350.12 (3m) (title) of the statutes is amended to read:

25 350.12 (3m) (title) SNOWMOBILE REGISTRATION AND TRAIL USE STICKER RECEIPTS.

1 **SECTION 2886.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

2 350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The
3 moneys appropriated from s. 20.370 (3) (aq), (5) (es) and ~~(mw) and (8) (dq)~~ (9) (mu)
4 and (mw) may be used for the following:

5 **SECTION 2887.** 350.12 (4) (c) of the statutes is renumbered 350.12 (4) (c) 1. and
6 amended to read:

7 350.12 (4) (c) 1. Any moneys appropriated under s. 20.370 (1) (mq), (3) (aq), ~~(5)~~
8 ~~(mw) or (8) (dq) or (9) (mw)~~ that lapse at the end of the fiscal year or that lapse after
9 the end of the fiscal year because of the liquidation of an encumbrance shall revert
10 to the snowmobile account in the conservation fund.

11 **SECTION 2888.** 350.12 (4) (c) 2. of the statutes is created to read:

12 350.12 (4) (c) 2. If any moneys appropriated under s. 20.370 (9) (mu) lapse, a
13 portion of those moneys shall revert to the snowmobile account in the conservation
14 fund. The department shall calculate that portion by multiplying the total amount
15 lapsing from the appropriation by the same percentage the department used for the
16 fiscal year to determine the amount to be expended under the appropriation for
17 snowmobile registration.

18 **SECTION 4193g.** 350.12 (5) (title) of the statutes is amended to read:

19 350.12 (5) (title) REGISTRATION DECALS AND TRAIL USE STICKERS TO BE DISPLAYED.

20 **SECTION 4193r.** 350.12 (5) (a) of the statutes is amended to read:

21 350.12 (5) (a) The owner of the snowmobile shall attach the registration decals
22 to the snowmobile in a prominent place, and shall maintain the registration decals
23 in a legible condition at all times. Decals shall be not larger than 3 inches in height
24 and 6 inches in width. Registration decals are to be applied on both sides of the

1 cowling of the snowmobile. The owner of the snowmobile shall attach the trail use
2 sticker to the snowmobile in the manner promulgated by rule by the department.

3 **SECTION 2889.** 350.122 of the statutes is created to read:

4 **350.122 Lac du Flambeau registration program. (1) DEFINITIONS.** In this
5 section:

6 (a) "Band" means the Lac du Flambeau band of Lake Superior Chippewa.

7 (b) "Reservation" means the territory within the boundaries of the Lac du
8 Flambeau reservation that were in existence on April 10, 1996.

9 **(2) AUTHORIZATION FOR ISSUANCE.** The band may issue registration certificates
10 for public use or private use for snowmobiles that are equivalent to the registration
11 certificates for public use or private use that are issued by the department. The band
12 may not register snowmobiles as antiques and may not issue registration certificates
13 to political subdivisions of this state. The band may renew and transfer a
14 registration certificate that it or the department has issued. The band may issue
15 duplicates of only those registration certificates that it issues under this section.

16 **(3) REQUIREMENTS FOR ISSUANCE; FEES; PERIODS OF VALIDITY.** (a) For issuing or
17 renewing any registration certificate under this section, the band shall collect the
18 same fee that would be collected for the equivalent registration certificate under s.
19 350.12 (3) (a). For transferring a registration certificate under this section, the band
20 shall collect the same fee that would be collected for the transfer under s. 350.12 (3)
21 (a) 3. For issuing a duplicate registration certificate under this section, the band
22 shall collect the same fee that would be collected for the duplicate under s. 350.12 (3)
23 (e).

1 (b) The band may not issue, renew or otherwise process registration certificates
2 under this section in conjunction with discount coupons or as part of a promotion or
3 other merchandising offer.

4 (c) For a registration certificate issued, transferred or renewed under this
5 section, the period of validity shall be the same as it would be for the equivalent
6 registration certificate under s. 350.12 (3) (a).

7 (d) The band may issue, renew or otherwise process registration certificates
8 under this section only to persons who appear in person on the reservation.

9 **(4) REQUIREMENTS FOR REGISTRATION: PROCEDURES, APPLICATIONS AND DECALS.** (a)
10 The band shall use registration applications and certificates that are substantially
11 similar to those under s. 350.12 with regard to length, legibility and information
12 content.

13 (b) The band shall use registration decals that are substantially similar to
14 those under s. 350.12 with regard to color, size, legibility, information content, and
15 placement on the snowmobile.

16 (c) The band shall use a sequential numbering system that includes a series
17 of letters or initials that identify the band as the issuing authority.

18 (d) The band shall establish procedures that are substantially similar to the
19 procedures specified in s. 350.12 (3) (a) 2., 3. and 4., (5) (d) and (6) and to the
20 procedures to be used for validating applications for purposes of s. 350.12 (5) (b) and
21 (c).

22 **(5) REGISTRATION INFORMATION; RECORDS; TAX COLLECTION.** (a) The band shall
23 provide registration information to the state in one of the following ways:

24 1. By transmitting all additions, changes or deletions of registration
25 information to persons identified in the agreement described under sub. (6), for

1 incorporation into the registration records of this state, within one working day after
2 the addition, change or deletion.

3 2. By establishing a 24-hour per day data retrieval system, consisting of either
4 a law enforcement agency with 24-hour per day staffing or a computerized data
5 retrieval system to which law enforcement officials of this state have access at all
6 times.

7 (b) Before June 1 annually, the band shall submit a report to the department
8 notifying it of the number of each type of registration certificate that the band issued,
9 transferred or renewed for the period beginning on April 1 of the previous year and
10 ending on March 31 of the year in which the report is submitted.

11 (c) For law enforcement purposes, the band shall make available for inspection
12 by the department during normal business hours the band's records of all
13 registration certificates issued, renewed or otherwise processed, including copies of
14 all applications made for certificates.

15 (d) The band shall ensure that a record of each registration certificate issued,
16 renewed or otherwise processed under this section, including a copy of each
17 application made, is retained for at least 2 years after the date of expiration of the
18 certificate.

19 (e) The band shall collect the sales and use taxes due under s. 77.61 (1) on any
20 snowmobile registered under this section and make the report in respect to those
21 taxes. The band shall use collection and accounting methods approved by the
22 department of revenue. On or before the 15th day of each month, the band shall pay
23 to the department of revenue all taxes that the band collected in the previous month.

24 **(6) APPLICABILITY.** This section does not apply unless the department and the
25 band have in effect a written agreement, approved by the joint committee on finance,

1 under which the band agrees to comply with subs. (2) to (5) and that contains all of
2 the following terms:

3 (a) The manner in which the band will limit its treaty-based right to fish
4 outside the reservation.

5 (b) A requirement that the fees collected by the band under sub. (3) be used only
6 for a program for registering snowmobiles, for regulating snowmobiles and
7 snowmobiling and for providing snowmobile trails, and snowmobile facilities.

8 **SECTION 2890.** 350.125 (1) (a) of the statutes is amended to read:

9 350.125 (1) (a) When a snowmobile dealer sells a snowmobile the dealer, at the
10 time of sale, shall require the buyer to complete an application for a registration
11 certificate, collect the required fee and mail the application and fee to the department
12 no later than 5 days after the date of sale. The department shall provide combination
13 application and receipt forms and the dealer shall furnish the buyer with a completed
14 receipt showing that application for registration has been made. This completed
15 receipt shall be in the possession of the user of the snowmobile until the registration
16 certificate is received. No snowmobile dealer may charge an additional fee to the
17 buyer for performing the service required under this subsection. No snowmobile
18 dealer may perform this service for a registration under s. 350.122

19 **SECTION 2891.** 350.125 (1) (b) of the statutes is amended to read:

20 350.125 (1) (b) When a snowmobile dealer sells a snowmobile to a person from
21 another state who wishes to register ~~that machine~~ the snowmobile in his or her home
22 state or to a person who wishes to register the snowmobile under s. 350.122, the
23 dealer shall, at the time of sale, complete an application for a registration certificate
24 and indicate on the application that the ~~maachine~~ snowmobile is to be registered in
25 another state or under s. 350.122 and mail one copy to the department no later than

1 14 days after the date of sale, furnish the buyer with one copy and retain one copy
2 for the dealer's records.

3 **SECTION 4197m.** 440.03 (7) of the statutes is amended to read:

4 440.03 (7) The department shall establish the style, content and format of all
5 credentials and of all forms for applying to the department for renewal of any
6 credential issued or renewed under chs. 440 to 480. When establishing the format
7 of credential renewal application forms, the department shall provide a place on the
8 form for the information required under s. 440.08 (2g) (b). Upon request of any
9 person who holds a credential and payment of a \$10 fee, the department may issue
10 a wall certificate signed by the governor.

11 **SECTION 4198m.** 440.03 (7m) of the statutes is created to read:

12 440.03 (7m) The department may promulgate rules that establish procedures
13 for submitting an application for a credential or credential renewal by electronic
14 transmission. Any rules promulgated under this subsection shall specify procedures
15 for complying with any requirement that a fee be submitted with the application.
16 The rules may also waive any requirement in chs. 440 to 480 that an application
17 submitted to the department, an examining board or an affiliated credentialing
18 board be executed, verified, signed, sworn or made under oath, notwithstanding ss.
19 440.26 (2) (b), 440.42 (2) (intro.), 440.91 (2) (intro.), 443.06 (1) (a), 443.10 (2) (a),
20 445.04 (2), 445.08 (4), 445.095 (1) (a), 448.05 (7), 450.09 (1) (a), 452.10 (1) and 480.08
21 (2m).

22 **SECTION 2892.** 440.03 (13) of the statutes is created to read:

23 440.03 (13) The department may conduct an investigation to determine
24 whether an applicant for a credential issued under chs. 440 to 480 satisfies any of
25 the eligibility requirements specified for the credential, including whether the

1 applicant does not have an arrest or conviction record. In conducting an
2 investigation under this subsection, the department may require an applicant to
3 provide any information that is necessary for the investigation or, for the purpose of
4 obtaining information related to an arrest or conviction record of an applicant, to
5 complete forms provided by the department of justice or the federal bureau of
6 investigation. The department shall charge the applicant any fees, costs or other
7 expenses incurred in conducting the investigation under this subsection.

8 **SECTION 4201m.** 440.035 (4) of the statutes is amended to read:

9 440.035 (4) Compile and keep current a register of the names and addresses
10 of all persons who are credentialed to be retained by the department and which shall
11 be available for public inspection during the times specified in s. 230.35 (4) (a). The
12 department may also make the register available to the public by electronic
13 transmission.

14 **SECTION 2893.** 440.05 (1) (a) of the statutes is amended to read:

15 440.05 (1) (a) Initial credential: ~~\$39~~ \$41. Each applicant for an initial
16 credential shall pay the initial credential fee to the department when the application
17 materials for the initial credential are submitted to the department.

18 **SECTION 2894.** 440.08 (2) (a) 4. of the statutes is amended to read:

19 440.08 (2) (a) 4. Acupuncturist: July 1 of each odd-numbered year; ~~\$95~~ \$73.

20 **SECTION 2895.** 440.08 (2) (a) 5. of the statutes is amended to read:

21 440.08 (2) (a) 5. Aesthetician: July 1 of each odd-numbered year; ~~\$70~~ \$77.

22 **SECTION 2896.** 440.08 (2) (a) 6. of the statutes is amended to read:

23 440.08 (2) (a) 6. Aesthetics establishment: July 1 of each odd-numbered year;
24 ~~\$116~~ \$41.

25 **SECTION 2897.** 440.08 (2) (a) 7. of the statutes is amended to read:

1 440.08 (2) (a) 7. Aesthetics instructor: July 1 of each odd-numbered year; \$117
2 \$142.

3 **SECTION 2898.** 440.08 (2) (a) 8. of the statutes is amended to read:

4 440.08 (2) (a) 8. Aesthetics school: July 1 of each odd-numbered year; \$74 \$115.

5 **SECTION 2899.** 440.08 (2) (a) 11. of the statutes is amended to read:

6 440.08 (2) (a) 11. Appraiser, real estate, certified general: January 1 of each
7 even-numbered year; ~~\$82~~ \$95.

8 **SECTION 2900.** 440.08 (2) (a) 11m. of the statutes is amended to read:

9 440.08 (2) (a) 11m. Appraiser, real estate, certified residential: January 1 of
10 each even-numbered year; ~~\$82~~ \$101.

11 **SECTION 2901.** 440.08 (2) (a) 12. of the statutes is amended to read:

12 440.08 (2) (a) 12. Appraiser, real estate, licensed: January 1 of each
13 even-numbered year; ~~\$49~~ \$72.

14 **SECTION 2902.** 440.08 (2) (a) 13. of the statutes is amended to read:

15 440.08 (2) (a) 13. Architect: August 1 of each even-numbered year; ~~\$46~~ \$44.

16 **SECTION 2903.** 440.08 (2) (a) 14r. of the statutes is amended to read:

17 440.08 (2) (a) 14r. Auctioneer: January 1 of each odd-numbered year; ~~\$41~~
18 \$100.

19 **SECTION 2904.** 440.08 (2) (a) 15. of the statutes is amended to read:

20 440.08 (2) (a) 15. Audiologist: February 1 of each odd-numbered year; ~~\$41~~ \$44.

21 **SECTION 2905.** 440.08 (2) (a) 17. of the statutes is amended to read:

22 440.08 (2) (a) 17. Barbering or cosmetology instructor: July 1 of each
23 odd-numbered year; ~~\$83~~ \$139.

24 **SECTION 2906.** 440.08 (2) (a) 18. of the statutes is amended to read:

1 440.08 (2) (a) 18. Barbering or cosmetology manager: July 1 of each
2 odd-numbered year; ~~\$52~~ \$61.

3 **SECTION 2907.** 440.08 (2) (a) 19. of the statutes is amended to read:

4 440.08 (2) (a) 19. Barbering or cosmetology school: July 1 of each
5 odd-numbered year; ~~\$78~~ \$138.

6 **SECTION 2908.** 440.08 (2) (a) 20. of the statutes is amended to read:

7 440.08 (2) (a) 20. Barber or cosmetologist: July 1 of each odd-numbered year;
8 ~~\$48~~ \$52.

9 **SECTION 2909.** 440.08 (2) (a) 21. of the statutes is amended to read:

10 440.08 (2) (a) 21. Cemetery authority: January 1 of each odd-numbered year;
11 ~~\$372~~ \$343.

12 **SECTION 2910.** 440.08 (2) (a) 22. of the statutes is amended to read:

13 440.08 (2) (a) 22. Cemetery preneed seller: January 1 of each odd-numbered
14 year; ~~\$59~~ \$61.

15 **SECTION 2911.** 440.08 (2) (a) 23. of the statutes is amended to read:

16 440.08 (2) (a) 23. Cemetery salesperson: January 1 of each odd-numbered
17 year; ~~\$65~~ \$90.

18 **SECTION 2912.** 440.08 (2) (a) 24. of the statutes is amended to read:

19 440.08 (2) (a) 24. Chiropractor: January 1 of each odd-numbered year; ~~\$151~~
20 \$162.

21 **SECTION 2913.** 440.08 (2) (a) 26. of the statutes is amended to read:

22 440.08 (2) (a) 26. Dentist: October 1 of each odd-numbered year; ~~\$96~~ \$98.

23 **SECTION 2914.** 440.08 (2) (a) 27. of the statutes is amended to read:

24 440.08 (2) (a) 27. Designer of engineering systems: February 1 of each
25 even-numbered year; ~~\$41~~ \$47.

1 **SECTION 2915.** 440.08 (2) (a) 30. of the statutes is amended to read:

2 440.08 (2) (a) 30. Electrologist: July 1 of each odd-numbered year; ~~\$56~~ \$77.

3 **SECTION 2916.** 440.08 (2) (a) 32. of the statutes is amended to read:

4 440.08 (2) (a) 32. Electrology instructor: July 1 of each odd-numbered year;
5 ~~\$73~~ \$86.

6 **SECTION 2917.** 440.08 (2) (a) 33. of the statutes is amended to read:

7 440.08 (2) (a) 33. Electrology school: July 1 of each odd-numbered year; ~~\$63~~
8 \$71.

9 **SECTION 2918.** 440.08 (2) (a) 36. of the statutes is amended to read:

10 440.08 (2) (a) 36. Funeral director: January 1 of each even-numbered year; ~~\$94~~
11 \$144.

12 **SECTION 4245m.** 440.08 (2) (a) 37m. of the statutes is amended to read:

13 440.08 (2) (a) 37m. Geologist, professional: August 1 of each even-numbered
14 year; ~~\$41~~ \$42.

15 **SECTION 2919.** 440.08 (2) (a) 38. of the statutes is amended to read:

16 440.08 (2) (a) 38. Hearing instrument specialist: February 1 of each
17 even-numbered year; ~~\$287~~ \$200.

18 **SECTION 2920.** 440.08 (2) (a) 39. of the statutes is amended to read:

19 440.08 (2) (a) 39. Land surveyor: February 1 of each even-numbered year; ~~\$73~~
20 \$69.

21 **SECTION 2921.** 440.08 (2) (a) 43. of the statutes is amended to read:

22 440.08 (2) (a) 43. Manicuring instructor: July 1 of each odd-numbered year;
23 ~~\$138~~ \$112.

24 **SECTION 2922.** 440.08 (2) (a) 44. of the statutes is amended to read:

1 440.08 (2) (a) 44. Manicuring school: July 1 of each odd-numbered year; \$85
2 \$118.

3 **SECTION 2923.** 440.08 (2) (a) 46. of the statutes is amended to read:

4 440.08 (2) (a) 46. Manicurist: July 1 of each odd-numbered year; ~~\$52~~ \$78.

5 **SECTION 2924.** 440.08 (2) (a) 46m. of the statutes is amended to read:

6 440.08 (2) (a) 46m. Marriage and family therapist: July 1 of each
7 odd-numbered year; ~~\$63~~ \$66.

8 **SECTION 2925.** 440.08 (2) (a) 48. of the statutes is amended to read:

9 440.08 (2) (a) 48. Nurse, licensed practical: May 1 of each odd-numbered year;
10 ~~\$49~~ \$48.

11 **SECTION 2926.** 440.08 (2) (a) 51. of the statutes is amended to read:

12 440.08 (2) (a) 51. Nursing home administrator: July 1 of each even-numbered
13 year; ~~\$114~~ \$102.

14 **SECTION 4259m.** 440.08 (2) (a) 53. of the statutes is amended to read:

15 440.08 (2) (a) 53. Occupational therapy assistant: November 1 of each
16 odd-numbered year; ~~\$41~~ \$42.

17 **SECTION 2927.** 440.08 (2) (a) 54. of the statutes is amended to read:

18 440.08 (2) (a) 54. Optometrist: January 1 of each even-numbered year; \$69
19 \$58.

20 **SECTION 2928.** 440.08 (2) (a) 55. of the statutes is amended to read:

21 440.08 (2) (a) 55. Pharmacist: June 1 of each even-numbered year; ~~\$76~~ \$75.

22 **SECTION 4262m.** 440.08 (2) (a) 57. of the statutes is amended to read:

23 440.08 (2) (a) 57. Physical therapist: November 1 of each odd-numbered year;
24 ~~\$45~~ \$46.

25 **SECTION 2929.** 440.08 (2) (a) 58. of the statutes is amended to read:

1 440.08 (2) (a) 58. Physician: November 1 of each odd-numbered year; \$102
2 \$110.

3 **SECTION 2930.** 440.08 (2) (a) 59. of the statutes is amended to read:

4 440.08 (2) (a) 59. Physician assistant: November 1 of each odd-numbered year;
5 \$48 \$51.

6 **SECTION 2931.** 440.08 (2) (a) 60. of the statutes is amended to read:

7 440.08 (2) (a) 60. Podiatrist: November 1 of each odd-numbered year; \$187
8 \$180.

9 **SECTION 2932.** 440.08 (2) (a) 61. of the statutes is amended to read:

10 440.08 (2) (a) 61. Private detective: September 1 of each even-numbered year;
11 \$212 \$178.

12 **SECTION 2933.** 440.08 (2) (a) 63. of the statutes is amended to read:

13 440.08 (2) (a) 63. Private practice school psychologist: October 1 of each
14 odd-numbered year; \$65 \$67.

15 **SECTION 2934.** 440.08 (2) (a) 63m. of the statutes is amended to read:

16 440.08 (2) (a) 63m. Professional counselor: July 1 of each odd-numbered year;
17 \$53 \$55.

18 **SECTION 2935.** 440.08 (2) (a) 63t. of the statutes is amended to read:

19 440.08 (2) (a) 63t. Professional fund-raiser: September 1 of each
20 even-numbered year; \$41 \$61.

21 **SECTION 2936.** 440.08 (2) (a) 64. of the statutes is amended to read:

22 440.08 (2) (a) 64. Psychologist: October 1 of each odd-numbered year; \$124
23 \$107.

24 **SECTION 2937.** 440.08 (2) (a) 65. of the statutes is amended to read:

1 440.08 (2) (a) 65. Real estate broker: January 1 of each odd-numbered year;
2 \$106 \$125.

3 **SECTION 2938.** 440.08 (2) (a) 66. of the statutes is amended to read:

4 440.08 (2) (a) 66. Real estate ~~corporation~~ business entity: January 1 of each
5 odd-numbered year; ~~\$72~~ \$71.

6 **SECTION 2939.** 440.08 (2) (a) 66m. of the statutes is repealed.

7 **SECTION 2940.** 440.08 (2) (a) 67. of the statutes is amended to read:

8 440.08 (2) (a) 67. Real estate salesperson: January 1 of each odd-numbered
9 year; ~~\$70~~ \$73.

10 **SECTION 4278m.** 440.08 (2) (a) 68d. of the statutes is amended to read:

11 440.08 (2) (a) 68d. Social worker: July 1 of each odd-numbered year; ~~\$43~~ \$44.

12 **SECTION 2941.** 440.08 (2) (a) 68h. of the statutes is amended to read:

13 440.08 (2) (a) 68h. Social worker, advanced practice: July 1 of each
14 odd-numbered year; ~~\$47~~ \$46.

15 **SECTION 2942.** 440.08 (2) (a) 68p. of the statutes is amended to read:

16 440.08 (2) (a) 68p. Social worker, independent: July 1 of each odd-numbered
17 year; ~~\$41~~ \$49.

18 **SECTION 2943.** 440.08 (2) (a) 68t. of the statutes is amended to read:

19 440.08 (2) (a) 68t. Social worker, independent clinical: July 1 of each
20 odd-numbered year; ~~\$50~~ \$57.

21 **SECTION 2944.** 440.08 (2) (a) 68v. of the statutes is amended to read:

22 440.08 (2) (a) 68v. Speech-language pathologist: February 1 of each
23 odd-numbered year; ~~\$46~~ \$44.

24 **SECTION 2945.** 440.08 (2) (a) 69. of the statutes is amended to read:

1 440.08 (2) (a) 69. Time-share salesperson: January 1 of each odd-numbered
2 year; ~~\$102~~ \$61.

3 **SECTION 2946.** 440.08 (2) (a) 70. of the statutes is amended to read:

4 440.08 (2) (a) 70. Veterinarian: January 1 of each even-numbered year; ~~\$80~~
5 \$82.

6 **SECTION 4286g.** 440.08 (2g) (a) of the statutes is repealed.

7 **SECTION 4286r.** 440.08 (2g) (b) (intro.) of the statutes is amended to read:

8 440.08 (2g) (b) (intro.) The credential renewal form established under ~~par. (a)~~
9 s. 440.03 (7) shall require ~~the~~ an applicant to do all of the following:

10 **SECTION 4286s.** 440.08 (2g) (c) of the statutes is amended to read:

11 440.08 (2g) (c) Neither the department nor any examining board or affiliated
12 credentialing board may disclose a social security number obtained from an
13 applicant for credential renewal on a form established under ~~par. (a) s. 440.03 (7)~~ to
14 any person except to the department of revenue for the sole purpose of making the
15 determination required under sub. (2r).

16 **SECTION 4290m.** 440.11 (1) of the statutes is amended to read:

17 440.11 (1) An applicant for or recipient of a credential who changes his or her
18 name or moves from the last address provided to the department shall notify the
19 department ~~in writing~~ of his or her new name or address within 30 days of the change
20 in writing or in accordance with other notification procedures approved by the
21 department.

22 **SECTION 4291g.** 440.22 (2) of the statutes is amended to read:

23 440.22 (2) In any disciplinary proceeding against a holder of a credential in
24 which the department or an examining board, affiliated credentialing board or board
25 in the department orders suspension, limitation or revocation of the credential or

1 reprimands the holder, the department, examining board, affiliated credentialing
2 board or board may, in addition to imposing discipline, assess all or part of the costs
3 of the proceeding against the holder. Costs assessed under this subsection are
4 payable to the department. Interest shall accrue on costs assessed under this
5 subsection at a rate of 12% per year beginning on the date that payment of the costs
6 are due as ordered by the department, examining board, affiliated credentialing
7 board or board. Upon the request of the department of regulation and licensing, the
8 department of justice may commence an action to recover costs assessed under this
9 subsection and any accrued interest.

10 **SECTION 4291r.** 440.22 (3) of the statutes is amended to read:

11 440.22 (3) In addition to any other discipline imposed, if the department,
12 examining board, affiliated credentialing board or board assesses costs of the
13 proceeding to the holder of the credential under sub. (2), the department, examining
14 board, affiliated credentialing board or board may not restore, renew or otherwise
15 issue any credential to the holder until the holder has made payment to the
16 department under sub. (2) in the full amount assessed, together with any accrued
17 interest.

18 **SECTION 2947.** 440.26 (2) (b) 1. of the statutes, as affected by 1995 Wisconsin
19 Act 461, is renumbered 440.26 (2) (b).

20 **SECTION 2948.** 440.26 (2) (b) 2. of the statutes, as created by 1995 Wisconsin
21 Act 461, is repealed.

22 **SECTION 2949.** 440.26 (3) of the statutes, as affected by 1995 Wisconsin Act 461,
23 is amended to read:

24 440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an
25 application executed under sub. (2), and after any investigation that it considers

1 necessary, the department shall, if it determines that the applicant is qualified, grant
2 the proper license upon payment of the fee specified in s. 440.05 (1) and the costs,
3 including the costs of record searches, incurred by the department in obtaining
4 information related to the eligibility and qualifications of the applicant. No license
5 shall be issued for a longer period than 2 years, and the license of a private detective
6 shall expire on the renewal date of the license of the private detective agency, even
7 if the license of the private detective has not been in effect for a full 2 years. Renewals
8 of the original licenses issued under this section shall be issued in accordance with
9 renewal forms prescribed by the department and shall be accompanied by the fees
10 specified in s. 440.08. The department may not renew a license unless the applicant
11 provides evidence that the applicant has in force at the time of renewal the bond or
12 liability policy specified in this section.

13 **SECTION 2950.** 440.26 (5m) (a) 1. of the statutes, as created by 1995 Wisconsin
14 Act 461, is amended to read:

15 440.26 (5m) (a) 1. The individual submits an application for a private security
16 permit to the department on a form provided by the department. ~~The department~~
17 ~~may require that an individual provide any information which the department~~
18 ~~determines is reasonably necessary to determine whether the individual meets the~~
19 ~~requirements of this section and rules promulgated under this section or to establish~~
20 ~~the truth of the facts set forth in the application. The department may also require~~
21 ~~under this subdivision that an applicant complete forms provided by the department~~
22 ~~of justice and the federal bureau of investigation.~~

23 **SECTION 2951.** 440.26 (5m) (a) 4. of the statutes, as created by 1995 Wisconsin
24 Act 461, is amended to read:

1 440.26 (5m) (a) 4. The individual pays to the department the fee specified in
2 s. 440.05 (1) and the costs, including the costs of record searches, incurred by the
3 department in obtaining information related to the eligibility and qualifications of
4 the individual.

5 **SECTION 4303m.** 443.06 (1) (a) of the statutes is amended to read:

6 443.06 (1) (a) Application for registration as a land surveyor or a permit to
7 practice shall be made to the section under oath, on forms prescribed by the
8 examining board and provided by the department, which shall require the applicant
9 to submit such information as the section deems necessary. The section may require
10 applicants to pass written or oral examinations or both. Applicants who do not have
11 an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, shall be
12 entitled to be registered or issued a permit to practice as land surveyors when
13 satisfactory evidence is submitted that the applicant has met one or more of the
14 requirements of sub. (2).

15 **SECTION 4304m.** 443.10 (2) (a) of the statutes is amended to read:

16 443.10 (2) (a) Applications for registration or for a certificate of record shall be
17 on forms prescribed by the examining board and provided by the department and
18 shall contain statements made under oath showing the applicant's education and
19 detail summary of the applicant's technical work and not less than 5 references, of
20 whom 3 or more shall have personal knowledge of the applicant's architectural,
21 landscape architectural, geological or engineering experience in the case of an
22 application for registration or of the applicant's technical education or engineering
23 work in the case of an application for a certificate of record.

24 **SECTION 4307e.** 443.14 (10) of the statutes is amended to read:

1 443.14 (10) Any person employed by a county or this state who is engaged in
2 the planning, design, installation or regulation of soil land and water conservation
3 activities under ch. 92 or s. 281.65 and who is certified under s. 92.18.

4 **SECTION 4307g.** 443.14 (11) of the statutes is amended to read:

5 443.14 (11) Any land surveyor registered under s. 443.06 who is engaged in the
6 planning, design, installation or regulation of soil land and water conservation
7 activities under ch. 92 or s. 281.65.

8 **SECTION 4307m.** 445.08 (4) (a) of the statutes is renumbered 445.08 (4) and
9 amended to read:

10 445.08 (4) Applications for the examination at a time and place to be arranged
11 and conducted by the examining board for a reciprocal funeral director's license shall
12 be in writing and verified on a blank to be ~~prescribed~~ and furnished by the examining
13 board, and be accompanied by such proof of compliance with the requirements for a
14 reciprocal funeral director's license and with such other information as the
15 examining board requires and shall be accompanied by the examination fee for each
16 application.

17 **SECTION 4312m.** 448.05 (7) of the statutes is amended to read:

18 448.05 (7) APPLICATION. Application for any class of license or certificate shall
19 be made as a verified statement in such a form provided by the department and at
20 such time and place as the board may designate, and shall be accompanied by
21 satisfactory evidence setting out the qualifications imposed by this section.
22 Application for any class of license to practice medicine and surgery also shall be
23 accompanied by a verified statement that the applicant is familiar with the state
24 health laws and the rules of the department of health and family services as related
25 to communicable diseases.

1 **SECTION 2952.** 448.56 (1) of the statutes is amended to read:

2 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
3 448.52, a person may practice physical therapy only upon the written referral of a
4 physician, chiropractor, dentist or podiatrist. Written referral is not required if a
5 physical therapist provides services in schools to children with exceptional
6 educational needs pursuant to rules promulgated by the department of education
7 public instruction; provides services as part of a home health care agency; provides
8 services to a patient in a nursing home pursuant to the patient's plan of care; provides
9 services related to athletic activities, conditioning or injury prevention; or provides
10 services to an individual for a previously diagnosed medical condition after
11 informing the individual's physician, chiropractor, dentist or podiatrist who made
12 the diagnosis. The affiliated credentialing board may promulgate rules establishing
13 additional services that are excepted from the written referral requirements of this
14 subsection.

15 **SECTION 4315m.** 450.01 (21) of the statutes is amended to read:

16 450.01 (21) "Prescription order" means ~~a written or oral order~~ an order
17 transmitted orally, electronically or in writing by a practitioner for a drug or device
18 for a particular patient.

19 **SECTION 2953.** 450.10 (3) (a) 11. of the statutes is amended to read:

20 450.10 (3) (a) 11. A speech-language pathologist or audiologist licensed under
21 subch. II of ch. 459 or a speech and language pathologist licensed by the department
22 of education public instruction.

23 **SECTION 4316e.** 450.11 (2) of the statutes is amended to read:

24 450.11 (2) PRESCRIPTION ORDER FILE. Every prescription order shall be filed in
25 a suitable book or file and preserved for at least 5 years. Subject to s. 961.38 (2),

1 prescription orders transmitted electronically may be filed and preserved in
2 electronic format.

3 **SECTION 4316m.** 450.11 (5) of the statutes is amended to read:

4 450.11 (5) RENEWALS. No prescription may be renewed except as designated on
5 the prescription order. An accurate record of renewal dispensing shall be maintained
6 showing the date and amount. No prescription may be renewed unless the
7 requirements of sub. (1) have been met and ~~either written or oral,~~ oral or electronic
8 authorization has been given by the prescribing practitioner.

9 **SECTION 4316s.** 450.13 (2) of the statutes is amended to read:

10 450.13 (2) EXCEPTION. A prescriber may indicate, by writing on the face of the
11 prescription order or, with respect to a prescription order transmitted electronically,
12 by designating in electronic format the phrase "No substitutions" or words of similar
13 meaning or the initials "N.S.", that no substitution of the drug product prescribed
14 may be made under sub. (1). If such indication is made, the pharmacist shall
15 dispense the prescription with the specific drug product prescribed. No preprinted
16 statement regarding drug product substitution may appear on the face of the
17 prescription order.

18 **SECTION 2954.** 452.12 (2) (title) of the statutes is repealed and recreated to
19 read:

20 452.12 (2) (title) BUSINESS ENTITIES.

21 **SECTION 4319m.** 453.02 (6m) of the statutes is amended to read:

22 453.02 (6m) "Prescription" means a written ~~or,~~ oral or electronic order from a
23 veterinarian to a pharmacist or to another veterinarian that authorizes the
24 pharmacist or other veterinarian to dispense a drug, or from a veterinarian to a client
25 that authorizes the client to make extra-label use of a drug.

1 **SECTION 2955.** 454.06 (1) (c) of the statutes is amended to read:

2 454.06 (1) (c) The applicant has graduated from high school or has attained
3 high school graduation equivalency as determined by the department of ~~education~~
4 public instruction; is participating in a program approved by the examining board;
5 or is at least 18 years old and meets the ability to benefit rule under 20 USC 1091
6 (d).

7 **SECTION 4320m.** 454.08 (4) of the statutes is amended to read:

8 454.08 (4) The examining board shall, by rule, establish minimum standards
9 concerning the maintenance, equipment, plans and specifications for licensed
10 establishments as they relate to the public health and safety. The examining board
11 may not license an establishment under this section unless it meets the standards
12 established by the examining board. A person proposing to open an establishment
13 in a new location shall apply to the examining board for an inspection and approval
14 of the establishment, submitting an exact description and floor plan of the proposed
15 location of the establishment on a form prescribed provided by the ~~examining board~~
16 department.

17 **SECTION 2956.** 455.04 (4) (d) of the statutes is amended to read:

18 455.04 (4) (d) Submit written verification from the supervising psychologist or
19 a school official or administrator that the applicant has successfully completed one
20 year of experience or internship in school psychology under the supervision of a
21 school psychologist licensed by the department of ~~education~~ public instruction.

22 **SECTION 2957.** 455.04 (4) (e) of the statutes is amended to read:

23 455.04 (4) (e) Hold a regular license as a school psychologist issued by the
24 department of ~~education~~ public instruction.

25 **SECTION 2958.** 457.02 (2) of the statutes is amended to read:

1 457.02 (2) Require any individual who is licensed as a school social worker or
2 school counselor by the department of education public instruction to be certified as
3 a social worker or professional counselor under this chapter in order to use the title
4 “school social worker” or “school counselor”.

5 **SECTION 2959.** 457.02 (4) of the statutes is amended to read:

6 457.02 (4) Authorize any individual who is certified as a social worker or
7 professional counselor under this chapter to use the title “school social worker” or
8 “school counselor” unless the individual is licensed as a school social worker or school
9 counselor by the department of education public instruction.

10 **SECTION 2960.** 459.22 (2) (f) of the statutes is amended to read:

11 459.22 (2) (f) Require an individual to be licensed under this subchapter to
12 engage in the practice of speech-language pathology or audiology in a position for
13 which the department of education public instruction requires licensure as a speech
14 and language pathologist.

15 **SECTION 2961.** 459.42 (2) (f) of the statutes is amended to read:

16 459.42 (2) (f) Require an individual to be registered under this subchapter to
17 engage in the practice of speech-language pathology or audiology in a position for
18 which the department of education public instruction requires licensure as a speech
19 and language pathologist.

20 **SECTION 2962.** 560.03 (19) of the statutes is amended to read:

21 560.03 (19) Establish a ~~permit information and regulatory assistance bureau~~
22 business development assistance center in the department to provide services as set
23 forth in subch. III.

24 **SECTION 4337m.** 560.03 (23) of the statutes is created to read:

1 560.03 **(23)** Review business plans of persons who intend to apply for a permit
2 under s. 170.12 and who have not previously engaged in commercial log raising. If
3 the department determines, after the review, that the business plan is viable, the
4 department shall approve the plan.

5 **SECTION 4338c.** 560.031 of the statutes is renumbered 560.031 (1) and
6 amended to read:

7 560.031 **(1) Recycling market development.** In carrying out its
8 responsibilities under ss. 560.03 and 560.07 the department may promulgate rules
9 for the provision of financial assistance, from the appropriation under s. 20.143 (1)
10 (L), for the development of markets for materials recovered from solid waste if the
11 provision of that financial assistance is a responsibility assigned to the department
12 in a memorandum of understanding, contract or other agreement with the recycling
13 market development board. The rules may provide for the provision of financial
14 assistance, directly or in cooperation with another person, to a governmental entity
15 or a business entity to assist waste generators in the marketing of recovered
16 materials or to develop markets for recovered materials. The financial assistance
17 may be in the form of grants, loans or manufacturing rebates.

18 **SECTION 4338e.** 560.031 (2) of the statutes is created to read:

19 560.031 **(2)** If the department determines that financial assistance is required
20 to stimulate an activity that it determines is needed to assist responsible units, as
21 defined in s. 287.01 (9), in the marketing of recovered materials or to develop markets
22 for recovered materials, the department shall request proposals for that activity,
23 unless the department determines that a request for proposals is not an effective
24 means for distributing the financial assistance for that activity.

25 **SECTION 4338g.** 560.031 (3) of the statutes is created to read:

1 560.031 (3) If the department awards assistance under sub. (1) that results in
2 a loan being made by the recipient to another person, the department may direct that
3 the repayments of the loan's principal and any interest either be repaid to the
4 recipient for use in a revolving loan fund or returned to the department.

5 **SECTION 4338i.** 560.031 (4) of the statutes is created to read:

6 560.031 (4) (a) The department shall credit any funds received under this
7 subsection to the appropriation under s. 20.143 (1) (L).

8 (b) The department shall credit to the appropriation under s. 20.143 (1) (L) any
9 funds received under s. 287.46, 1995 stats.

10 **SECTION 2963.** 560.032 (1) of the statutes is amended to read:

11 560.032 (1) (title) ~~ANNUAL ALLOCATION~~ ALLOCATION. ~~Annually no later than~~
12 ~~October 31, the~~ The department, by rule, shall establish under 26 USC 146 and
13 administer a system for the allocation of the volume cap on the issuance of private
14 activity bonds, as defined under 26 USC 141 (a), ~~for the next year,~~ among all
15 municipalities, as defined in s. 67.01 (5), and any corporation formed on behalf of
16 those municipalities, and among this state, the Wisconsin ~~health~~ Health and
17 ~~educational facilities authority~~ Educational Facilities Authority and the Wisconsin
18 ~~housing~~ Housing and ~~economic development authority~~ Economic Development
19 Authority.

20 **SECTION 4339c.** 560.033 of the statutes is created to read:

21 **560.033 Minority nonprofit organization grant. (1) DEFINITIONS.** In this
22 section:

23 (a) "Business incubator" means a facility designed to encourage the growth of
24 new businesses, if at least 2 of the following apply:

1 1. Space in the facility is rented at a rate lower than the market rate in the
2 community.

3 2. Shared business services are provided in the facility.

4 3. Management training and management and technical assistance are
5 available at the facility.

6 4. Businesses using the facility may obtain financial capital through a direct
7 relationship with at least one financial institution.

8 (b) "Minority business" has the meaning given in s. 560.036 (1) (e).

9 (c) "Minority group member" has the meaning given in s. 560.036 (1) (f).

10 (d) "Nonprofit organization" means an organization that is not a corporation
11 and that is exempt from taxation under section 501 (c) (3) of the Internal Revenue
12 Code.

13 **(2) GRANT.** The department may make a grant of not more than \$100,000 from
14 the appropriation under s. 20.143 (1) (fm) to a nonprofit organization, if all of the
15 following apply:

16 (a) The nonprofit organization owns and operates a business incubator.

17 (b) The business incubator provides services primarily to minority group
18 members or minority businesses.

19 (c) The nonprofit organization submits a plan to the department detailing the
20 project and the proposed use of the grant.

21 (d) If the grant is part of a project that is also funded by contributions from other
22 sources, the nonprofit organization provides the department with the amount of
23 those contributions or pledges for contributions that the nonprofit organization
24 received before the grant is made.

1 (e) The secretary approves the plan submitted under par. (c) before awarding
2 the grant.

3 (f) The nonprofit organization agrees to submit to the department, within 90
4 days after spending the full amount of the grant, a report detailing the actual use of
5 the proceeds of the grant.

6 **(3) APPLICABILITY.** This section does not apply after June 30, 1999.

7 **SECTION 2964.** 560.036 (2) (a) of the statutes is amended to read:

8 560.036 **(2)** (a) For the purposes of ss. 16.75 (3m), 16.855 (10m), 16.87 (2), 18.16,
9 18.64, 18.77, 25.185, 66.911, 119.495 (2), 231.27, ~~234.65 (6)~~ and ~~234.85~~ and 234.35,
10 the department shall establish and periodically update a list of certified minority
11 businesses, minority financial advisers and minority investment firms. Any
12 business, financial adviser or investment firm may apply to the department for
13 certification. For purposes of this paragraph, unless the context otherwise requires,
14 a "business" includes a financial adviser or investment firm.

15 **SECTION 4341c.** 560.037 (3) of the statutes is amended to read:

16 560.037 **(3)** The department may not make grants under sub. (1) that exceed
17 ~~\$80,000~~ \$125,000 in total in any year.

18 **SECTION 4342c.** 560.038 (2) (c) of the statutes is repealed.

19 **SECTION 4342j.** 560.038 (2) (d) of the statutes is repealed.

20 **SECTION 4342m.** 560.038 (3) of the statutes is repealed.

21 **SECTION 4343c.** 560.039 (2) (b) of the statutes is repealed.

22 **SECTION 4343j.** 560.039 (2) (c) of the statutes is repealed.

23 **SECTION 4343m.** 560.039 (3) of the statutes is repealed.

24 **SECTION 2965.** 560.045 of the statutes is amended to read:

560.045 Community development block grant administration.

Notwithstanding s. 16.54 (2) (a), from moneys received under a community development block grant, 42 USC 5301 to 5320, the department shall contract with the department of administration for the administration of housing programs, including the housing improvement grant program and the initial rehabilitation grant program. To the extent allowed under federal law or regulation, the department shall give priority in the awarding of grants under the programs to grants for projects related to the redevelopment of brownfields, as defined in s. 560.60 (1v).

SECTION 2966. 560.06 of the statutes is created to read:

560.06 Memorandum of understanding on use of allocated moneys.

The department may provide assistance to a nonprofit organization that provides assistance to organizations and individuals in urban areas. No later than December 30, 1997, the department of commerce shall enter into a memorandum of understanding with the department of administration that specifies how the department of commerce may use the moneys allocated under s. 20.143 (1) (c) for providing assistance under this section.

SECTION 4349d. 560.09 (5) of the statutes is repealed.

SECTION 2967. 560.13 of the statutes is created to read:

560.13 Brownfields loan and grant programs. (1) In this section:

(a) "Brownfields" means abandoned, idle or underused industrial or commercial facilities or sites, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

(b) "Brownfields redevelopment" means any work or undertaking by a person, municipality or local development corporation to acquire a brownfields facility or site

1 and to raze, demolish, remove, reconstruct, renovate or rehabilitate the facility or
2 existing buildings, structures or other improvements at the site for the purpose of
3 promoting the use of the facility or site for commercial, industrial or other purposes.

4 (c) “Environmental audit” means an investigation, analysis and monitoring of
5 a brownfields facility or site to determine the existence and extent of actual or
6 potential environmental pollution.

7 (d) “Environmental remediation activities” means abating, removing or
8 containing environmental pollution at a brownfields facility or site; or restoring soil
9 or groundwater at a brownfields facility or site.

10 (e) “Local development corporation” means a nonprofit corporation organized
11 under ch. 181 that does all of the following:

12 1. Operates within specific geographic boundaries.

13 2. Promotes economic development within the specific geographic area.

14 3. Demonstrates a commitment to or experience in the redevelopment of
15 brownfields.

16 (f) “Municipality” means a city, village, town or county.

17 (g) “Person” means an individual, partnership, corporation or limited liability
18 company.

19 **(2)** (a) Subject to subs. (4) and (5), from the appropriations under s. 20.143 (1)
20 (br) and (hm) the department may make a loan to a person, municipality or local
21 development corporation, and from the appropriations under s. 20.143 (1) (hm) and
22 (q) the department may make a grant to a person or municipality, if all of the
23 following apply:

24 1. The recipient uses the loan or grant proceeds for brownfields redevelopment,
25 an environmental audit or associated environmental remediation activities.

1 2. The party responsible for the actual or perceived environmental
2 contamination of the facility or site that is the subject of the project is unknown,
3 cannot be located or is financially unable to pay the cost of brownfields
4 redevelopment, an environmental audit or associated environmental remediation
5 activities.

6 3. The recipient contributes to the cost of the project as provided in par. (b).

7 4. If a loan, the recipient agrees to pursue recovery of the costs of the project
8 from the party responsible for the actual or perceived environmental contamination
9 and to repay the department a proportionate amount of the costs actually recovered.

10 (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind.
11 Cash contributions may be of private or public funds, excluding funds obtained under
12 the program under s. 560.17 or under any program under subch. V or VII of this
13 chapter. In-kind contributions shall be limited to actual remediation services.

14 2. For a grant that does not exceed \$300,000, the recipient shall be required to
15 contribute not less than 20% of the cost of the project. For a grant that is greater than
16 \$300,000 but that does not exceed \$700,000, the recipient shall be required to
17 contribute not less than 35% of the cost of the project. For a grant that is greater than
18 \$700,000 but that does not exceed \$1,250,000, the recipient shall be required to
19 contribute not less than 50% of the cost of the project.

20 3. For a loan that does not exceed \$300,000, the recipient shall be required to
21 contribute not less than 20% of the cost of the project. For a loan that is greater than
22 \$300,000 but that does not exceed \$700,000, the recipient shall be required to
23 contribute not less than 35% of the cost of the project. For a loan that is greater than
24 \$700,000 but that does not exceed \$1,250,000, the recipient shall be required to
25 contribute not less than 50% of the cost of the project.

1 **(3)** (a) The department shall award loans and grants under this section on the
2 basis of the following criteria:

- 3 1. The potential of the project to promote economic development in the area.
- 4 2. Whether the project will have a positive effect on the environment.
- 5 3. The amount and quality of the recipient's contribution to the project.
- 6 4. The innovativeness of the recipient's proposal for remediation and
7 redevelopment.

8 (b) If possible, when making a determination under par. (a), the department
9 shall accord a 50% weight to the criterion under par. (a) 1., a 25% weight to the
10 criterion under par. (a) 2., a 15% weight to the criterion under par. (a) 3. and a 10%
11 weight to the criterion under par. (a) 4.

12 **(4)** (a) From the appropriation under s. 20.143 (1) (q), the department shall
13 award all of the following:

- 14 1. A total of \$750,000 in grants that do not exceed \$300,000.
- 15 2. A total of \$1,750,000 in grants that are greater than \$300,000 but that do
16 not exceed \$700,000.
- 17 3. A total of \$2,500,000 in grants that are greater than \$700,000 but that do
18 not exceed \$1,250,000.

19 (am) In each fiscal year, from the appropriation under s. 20.143 (1) (br), the
20 department shall award all of the following:

- 21 1. A total of \$750,000 in loans that do not exceed \$300,000.
- 22 2. A total of \$1,750,000 in loans that are greater than \$300,000 but that do not
23 exceed \$700,000.
- 24 3. A total of \$2,500,000 in loans that are greater than \$700,000 but that do not
25 exceed \$1,250,000.

1 (b) The department may not award a loan or grant that exceeds \$1,250,000.

2 (c) The department shall award at least 7 grants and loans, in the aggregate,
3 for projects that are located in municipalities with a population of less than 30,000.

4 (d) The department shall award 75% of the funds appropriated for the fiscal
5 biennium under s. 20.143 (1) (q) in grants for projects that are located in
6 municipalities with a population of less than 500,000.

7 (5) Before the department awards a loan or grant under this section, the
8 department shall consider the recommendations of the department of
9 administration and the department of natural resources.

10 (6) The department shall promulgate rules that establish criteria, within the
11 guidelines under subs. (2) and (3), for awarding loans and grants under this section,
12 including the circumstances under which loan or grant proceeds may be used for
13 assessment services and loan repayment criteria.

14 (7) On or before December 31, 1998, and annually thereafter, the department
15 shall submit a report on the effectiveness of the program under this section to the
16 legislature under s. 13.172 (2) and to the governor and the department of
17 administration.

18 **SECTION 2968.** 560.135 of the statutes is created to read:

19 **560.135 Mining economic development grants and loans.** (1) In this
20 section:

21 (a) "Area affected by mining" means an area in which all of the following apply:

22 1. Public and private infrastructure are or were provided to support mining
23 activity.

24 2. Public funds are or were expended for costs associated with mining activity.

1 3. Construction of a mine has commenced and economic diversification is
2 necessary to reduce dependence on mining activity for the long-term economic
3 growth and stability of the area.

4 (b) "Board" means the development finance board.

5 (c) "Business" has the meaning given in s. 560.60 (2).

6 (d) "Community-based organization" has the meaning given in s. 560.14 (1) (c).

7 (e) "Local development corporation" means any of the following:

8 1. The elected governing body of a federally recognized American Indian tribe
9 or band in this state or any business created by the elected governing body.

10 2. A nonprofit corporation organized under ch. 181 that does all of the following:

11 a. Operates within specific geographic boundaries.

12 b. Promotes the economic development within the specific geographic area.

13 (f) "Mining" means metallic mineral mining.

14 **(2)** Subject to subs. (3) and (4), the board may award a grant or loan for the
15 purpose specified to any of the following entities located in an area affected by
16 mining:

17 (a) A business, to finance costs associated with start-up, maintenance or
18 expansion in an area affected by mining.

19 (b) A city, village, town or county, to develop an economic diversification plan.

20 (c) A city, village, town, county, community-based organization or local
21 development corporation, to establish a local revolving loan fund to finance
22 businesses that will create long-term employment opportunities.

23 (d) A community-based organization or local development corporation, to
24 conduct a local economic development project that will create long-term employment
25 opportunities and to provide assistance to businesses or entrepreneurs.

1 (e) A business, to obtain professional services related to the start-up,
2 maintenance or expansion of the business, including assistance with feasibility
3 studies or financial and marketing plans and managerial assistance after start-up
4 or expansion.

5 **(3)** The board may not award a grant or loan under sub. (2) if the proceeds will
6 be used to establish or expand a business that is solely dependent on mining activity.

7 **(4)** (a) The board may not award a grant or loan under sub. (2) (a), (b) or (d) that
8 exceeds \$100,000.

9 (b) The board may not award a grant or loan under sub. (2) (c) that exceeds
10 \$200,000.

11 (c) The board may not award a grant or loan under sub. (2) (e) that exceeds
12 \$15,000.

13 **(5)** In awarding grants and loans under sub. (2), the board shall consider all
14 of the following:

15 (a) The factors under s. 560.605 (2) (a) to (e).

16 (b) Whether the project will be located in a targeted area, as determined by the
17 board after considering the factors under s. 560.605 (2m) (a) to (h).

18 (c) The extent to which the business or other entity assisted by the project is
19 likely to provide stable, long-term employment opportunities to reduce the
20 dependence of the area on mining.

21 **(6)** From the appropriations under s. 20.143 (1) (if) and (r), the department
22 shall make grants and loans awarded by the board under sub. (2).

23 **(7)** The department, with the approval of the board, shall promulgate rules
24 establishing policies and standards for awarding grants and loans under sub. (2),
25 consistent with policies and standards established under the rules required under

1 s. 560.602. The department shall promulgate rules regarding the application
2 processes for grants and loans under sub. (2) and for loans made from revolving loan
3 funds established with proceeds awarded under sub. (2) (c).

4 **SECTION 2969.** 560.14 (1) (ar) of the statutes is created to read:

5 560.14 (1) (ar) "Brownfields" has the meaning given in s. 560.60 (1v).

6 **SECTION 4353m.** 560.14 (1) (fm) of the statutes is created to read:

7 560.14 (1) (fm) "Small business" means a business that has fewer than 100
8 full-time employees.

9 **SECTION 2970.** 560.14 (2) (a) 1. of the statutes is amended to read:

10 560.14 (2) (a) 1. Enable a community-based organization or a political
11 subdivision receiving a grant to develop a plan for diversifying its the local or
12 regional economy, attracting new businesses and jobs and promoting economic
13 development.

14 **SECTION 2971.** 560.14 (2) (c) (intro.) of the statutes is renumbered 560.14 (2)
15 (c) and amended to read:

16 560.14 (2) (c) An individual grant under this subsection may not exceed
17 ~~whichever of the following applies: \$30,000.~~

18 **SECTION 2972.** 560.14 (2) (c) 1. of the statutes is repealed.

19 **SECTION 2973.** 560.14 (2) (c) 2. of the statutes is repealed.

20 **SECTION 4357m.** 560.14 (3m) of the statutes is created to read:

21 560.14 (3m) The department may make a grant from the appropriation under
22 s. 20.143 (1) (fg) to a community-based organization for the purpose of creating a
23 revolving loan fund for making loans to small businesses. The department shall
24 promulgate rules for the administration of the program under this subsection.

25 **SECTION 4357r.** 560.14 (3r) of the statutes is created to read:

1 560.14 **(3r)** (a) The department may make a grant from the appropriation
2 under s. 20.143 (1) (fg) to a private, nonprofit foundation, including the National
3 Foundation for Teaching Entrepreneurship to Handicapped and Disadvantaged
4 Youth, or other private, nonprofit organizations if all of the following apply:

5 1. The foundation or organization teaches business skills to economically
6 disadvantaged or socially at-risk children.

7 2. The grant proceeds will be used for costs associated with teaching the skills
8 and developing the knowledge necessary to start and maintain a business
9 enterprise.

10 (b) The department shall promulgate rules for the administration of the
11 program under this subsection.

12 **SECTION 2974.** 560.14 (4m) of the statutes is created to read:

13 560.14 **(4m)** (a) Subject to par. (b), the department may make a grant under
14 this subsection from the appropriation under s. 20.143 (1) (fg) to a community-based
15 organization or private nonprofit organization for a venture capital development
16 conference if all of the following apply:

17 1. The conference will assist entrepreneurs or businesses in the state in
18 obtaining capital for the start-up or development of a business.

19 2. The conference will likely stimulate investment, promote economic
20 development or create or retain jobs in the state.

21 3. The grant applicant submits a plan that describes the proposed activity, how
22 the activity satisfies the criteria under this paragraph, how the grant will be
23 administered, how the grant proceeds will be used to support the activity and how
24 the activity will be coordinated with other venture capital development conferences
25 or programs, including any conferences or programs of the department.

1 4. The secretary approves the plan under subd. 3.

2 5. The grant applicant funds at least 50% of the total cost of the conference by
3 providing cash or in-kind contributions.

4 (b) The department may not award more than \$75,000 in grants under this
5 subsection in any fiscal year.

6 **SECTION 2975.** 560.14 (5) (b) of the statutes is amended to read:

7 560.14 (5) (b) ~~Promulgate~~ Subject to par. (d), promulgate rules to develop
8 criteria for evaluating applications for grants under this section.

9 **SECTION 4359m.** 560.14 (5) (c) of the statutes is amended to read:

10 560.14 (5) (c) Consistent with subs. (2), ~~(3) and (4)~~ to (4m), award grants under
11 this section on a competitive basis, using the criteria developed under par. (b).

12 **SECTION 2976.** 560.14 (5) (d) of the statutes is created to read:

13 560.14 (5) (d) Give priority for grants under this section for projects related to
14 brownfields redevelopment.

15 **SECTION 2977.** 560.16 (title) of the statutes is amended to read:

16 **560.16 (title) Employe ownership assistance loans grants.**

17 **SECTION 2978.** 560.16 (1) (b) of the statutes is amended to read:

18 560.16 (1) (b) "Business" means an employe-owned business or an existing
19 business which is the subject of an application for a loan grant under this section.

20 **SECTION 2979.** 560.16 (2) (title) of the statutes is amended to read:

21 560.16 (2) (title) EMPLOYE OWNERSHIP ASSISTANCE LOANS GRANTS.

22 **SECTION 2980.** 560.16 (2) (a) of the statutes is amended to read:

23 560.16 (2) (a) From the appropriations under s. 20.143 (1) (c) and (ie), the
24 department may make ~~loans~~ grants to existing business groups for a feasibility study

1 to investigate the reorganization or new incorporation of an existing business as an
2 employe-owned business and for professional services to implement the study.

3 **SECTION 2981.** 560.16 (2) (b) of the statutes is amended to read:

4 560.16 (2) (b) The department may not make a loan grant under this section
5 unless the board has approved the loan grant under this section or requested the
6 department to make the grant under s. 560.61 (3).

7 **SECTION 2982.** 560.16 (2) (c) (intro.) of the statutes is amended to read:

8 560.16 (2) (c) (intro.) The board may not approve a loan grant under this section
9 unless the board has considered all of the following:

10 **SECTION 2983.** 560.16 (2) (d) of the statutes is amended to read:

11 560.16 (2) (d) The board may approve a loan grant regardless of the number
12 of employes laid off or to be laid off by the business or, if the business is closed, the
13 length of time that it has been closed.

14 **SECTION 2984.** 560.16 (3) (intro.) of the statutes is amended to read:

15 560.16 (3) (title) LOAN GRANT APPLICATIONS. (intro.) To apply for a loan grant
16 under this section, a group shall submit an application to the department which
17 includes:

18 **SECTION 2985.** 560.16 (3) (e) of the statutes is amended to read:

19 560.16 (3) (e) A description of the group's financial assets available to match
20 the loan grant and a statement indicating the group's willingness to match the loan
21 grant.

22 **SECTION 2986.** 560.16 (3) (f) of the statutes is amended to read:

23 560.16 (3) (f) A written commitment from a person with the recognized
24 expertise and experience necessary to conduct the feasibility study or provide the
25 professional services to be financed by the loan grant.

1 **SECTION 2987.** 560.16 (4) (title) of the statutes is amended to read:

2 560.16 (4) (title) ~~LOAN~~ GRANT LIMITS; CONTRACT APPROVAL.

3 **SECTION 2988.** 560.16 (4) (a) of the statutes is amended to read:

4 560.16 (4) (a) A ~~loan~~ grant to a group under this section may not exceed \$25,000
5 unless the joint committee on finance, under s. ~~13.101 (5m)~~, approves a specified
6 amount exceeding \$25,000 \$15,000.

7 **SECTION 2989.** 560.16 (4) (b) of the statutes is amended to read:

8 560.16 (4) (b) As a condition of approval of a ~~loan~~ grant to a group under this
9 section, the board shall require that the group provide matching funds for at least
10 25% of the cost of the project, except that the board may waive application of that
11 requirement if the board determines that the group is subject to extreme financial
12 hardship.

13 **SECTION 2990.** 560.16 (4) (c) of the statutes is amended to read:

14 560.16 (4) (c) Any contract for any feasibility study or professional services
15 financed by a ~~loan~~ grant under sub. (2) (a) shall be subject to the approval of the ~~board~~
16 department. The ~~board~~ department may not approve such a contract unless it
17 determines that the contractor has the expertise required to provide the necessary
18 study or services and that the contractor's costs are consistent with existing market
19 rates.

20 **SECTION 2991.** 560.16 (5) of the statutes is repealed.

21 **SECTION 2992.** 560.16 (6) (a) (intro.) of the statutes is amended to read:

22 560.16 (6) (a) (intro.) Any feasibility study of an existing business financed by
23 a ~~loan~~ grant under sub. (2) (a) ~~shall~~ may include:

24 **SECTION 2993.** 560.16 (6) (b) of the statutes is amended to read:

1 560.16 (6) (b) The results of a feasibility study of an existing business financed
2 by a loan grant under sub. (2) (a) shall be solely for the use of the group which received
3 the loan grant, except that if the group's bid to purchase the business has been
4 withdrawn, rejected or terminated, the group shall submit a copy of the study and
5 the results of any professional services financed by the loan grant to the board and
6 the board may provide a copy of such results to any person seeking to purchase the
7 existing business.

8 **SECTION 2994.** 560.165 of the statutes is created to read:

9 **560.165 Division of international and export development; fees.** The
10 division of international and export development may charge fees for services it
11 provides to cover the costs incurred by the division in providing the services. The
12 division shall deposit all fees collected under this section in the appropriation
13 account under s. 20.143 (1) (g).

14 **SECTION 2995.** 560.17 (1) (am) of the statutes is created to read:

15 560.17 (1) (am) "Brownfields" has the meaning given in s. 560.60 (1v).

16 **SECTION 2996.** 560.17 (1) (bm) of the statutes is created to read:

17 560.17 (1) (bm) "Job" has the meaning given in s. 560.60 (10).

18 **SECTION 2997.** 560.17 (1) (d) 2. of the statutes is amended to read:

19 560.17 (1) (d) 2. A city, town or village with a population of 4,000 6,000 or less.

20 **SECTION 4383n.** 560.17 (2) (b) of the statutes is amended to read:

21 560.17 (2) (b) The department shall make the grant or loan, except for a grant
22 under sub. (5c), from the appropriation under s. 20.143 (1) (er) or (ir). The
23 department shall make a grant under sub. (5c) from the appropriation under s.
24 20.143 (1) (g).

25 **SECTION 2998.** 560.17 (3) (intro.) of the statutes is amended to read:

1 560.17 (3) (intro.) ~~The Subject to sub. (4m), the~~ board may award a grant ~~or loan~~
2 under this subsection to a business if all of the following apply:

3 **SECTION 2999.** 560.17 (3) (a) of the statutes is amended to read:

4 560.17 (3) (a) The amount of the grant ~~or loan~~ does not exceed \$30,000 \$15,000.

5 **SECTION 3000.** 560.17 (3) (b) of the statutes is amended to read:

6 560.17 (3) (b) The business, together with any affiliate, subsidiary or parent
7 entity, has fewer than ~~25~~ 50 employees.

8 **SECTION 3001.** 560.17 (3) (e) of the statutes is amended to read:

9 560.17 (3) (e) The proceeds of the grant ~~or loan~~ will be used by the business as
10 provided in sub. (5).

11 **SECTION 3002.** 560.17 (4) (c) of the statutes is amended to read:

12 560.17 (4) (c) The number of new jobs created by the business in relation to the
13 amount of the grant ~~or loan~~.

14 **SECTION 3003.** 560.17 (4) (cm) of the statutes is created to read:

15 560.17 (4) (cm) In relation to the amount of the grant, the number of existing
16 jobs that will be retained by the business if the grant is awarded and that likely would
17 not be retained if the grant is not awarded.

18 **SECTION 3004.** 560.17 (4) (f) of the statutes is amended to read:

19 560.17 (4) (f) Whether the business would be able to start or expand its
20 operations without a grant ~~or loan~~.

21 **SECTION 3005.** 560.17 (4m) of the statutes is created to read:

22 560.17 (4m) Of the total amount awarded in grants in a fiscal biennium under
23 sub. (3), the board shall award not less than 25% and not more than 50% for purposes
24 related to an agricultural business. The board shall give priority under this

1 subsection for grants that will be used for purposes related to a dairy farm, as defined
2 in s. 97.22 (1) (a).

3 **SECTION 3006.** 560.17 (5) (intro.) of the statutes is amended to read:

4 560.17 (5) (intro.) A business shall use the proceeds of a grant ~~or loan~~ under
5 sub. (3) to pay for any of the following:

6 **SECTION 3007.** 560.17 (5c) of the statutes is created to read:

7 560.17 (5c) (a) Subject to par. (b), the board may award a grant under this
8 subsection to a person or business proposing to start up, modernize or expand in this
9 state a dairy farm, as defined in s. 97.22 (1) (a), or other agricultural business if all
10 of the following apply:

11 1. The dairy farm or other agricultural business is or will be owned by the
12 person or business.

13 2. The amount of the grant does not exceed \$15,000.

14 3. The grant proceeds will be used to pay for services related to the start-up,
15 modernization or expansion of the dairy farm or other agricultural business, or for
16 management assistance, as defined in s. 560.20 (1) (cf), continuing after the
17 completion of the start-up, modernization or expansion of the dairy farm or other
18 agricultural business.

19 4. The grant is likely to result in the start-up, modernization or expansion of
20 the dairy farm or other agricultural business.

21 (b) The total amount of grants awarded under this subsection in any fiscal year
22 may not exceed \$200,000.

23 **SECTION 3008.** 560.17 (5m) (a) (intro.) of the statutes is amended to read:

1 560.17 (5m) (a) (intro.) Subject to par. (e) (cm), the board may award a grant
2 or loan under this subsection that does not exceed ~~\$25,000~~ \$100,000 to a business if
3 all of the following apply:

4 **SECTION 3009.** 560.17 (5m) (a) 1. of the statutes is amended to read:

5 560.17 (5m) (a) 1. The business, together with any affiliate, subsidiary or
6 parent entity, has fewer than ~~25~~ 50 employees.

7 **SECTION 3010.** 560.17 (5m) (a) 4. of the statutes is amended to read:

8 560.17 (5m) (a) 4. The business ~~received a grant or loan under sub. (3) and with~~
9 ~~the proceeds successfully demonstrated its~~ demonstrates the feasibility of the
10 project.

11 **SECTION 3011.** 560.17 (5m) (b) (intro.) of the statutes is amended to read:

12 560.17 (5m) (b) (intro.) A business shall use the proceeds of a grant or loan
13 under this subsection for any of the following:

14 **SECTION 3012.** 560.17 (5m) (bm) of the statutes is amended to read:

15 560.17 (5m) (bm) If a business receives a grant or loan under this subsection
16 for the purpose specified in par. (b) 3., the department shall ensure that an employe
17 of the business has the option of accepting or declining any relocation assistance that
18 is available as a result of the grant or loan.

19 **SECTION 3013.** 560.17 (5m) (c) of the statutes is repealed.

20 **SECTION 3014.** 560.17 (5m) (cm) of the statutes is created to read:

21 560.17 (5m) (cm) Of the total amount awarded in grants and loans in a fiscal
22 biennium under this subsection, the board shall award not less than 25% and not
23 more than 50% for purposes related to an agricultural business. The board shall give
24 priority under this paragraph for grants or loans that will be used for purposes
25 related to a dairy farm, as defined in 97.22 (1) (a).

1 **SECTION 3015.** 560.17 (6m) of the statutes is repealed and recreated to read:

2 560.17 **(6m)** In order to receive a grant or loan under this section a person or
3 business shall contribute cash, from a source other than the state, in an amount that
4 equals at least 25% of the total cost of the project.

5 **SECTION 3016.** 560.17 (6r) of the statutes is created to read:

6 560.17 **(6r)** The board shall give priority for grants or loans under this section
7 for projects related to brownfields redevelopment.

8 **SECTION 3017.** 560.17 (7) (a) of the statutes is amended to read:

9 560.17 **(7)** (a) The Except as provided in par. (am), the department shall
10 designate staff to evaluate applications for grants or loans and assist the board under
11 this section. The board shall act on an application for a grant or loan at its next
12 regularly scheduled meeting after the department determines that the application
13 is complete.

14 **SECTION 3018.** 560.17 (7) (am) of the statutes is created to read:

15 560.17 **(7)** (am) The department of commerce and the department of
16 agriculture, trade and consumer protection shall designate staff to evaluate
17 applications for grants or loans for purposes related to agricultural businesses and
18 to make recommendations and assist the board with respect to those applications.

19 **SECTION 4404m.** 560.18 of the statutes is created to read:

20 **560.18 Forestry education grant program.** **(1)** From the appropriation
21 under s. 20.143 (1) (t), the department may award grants to nonprofit organizations,
22 as defined in s. 560.20 (1) (d), to develop forestry educational programs and
23 instructional materials for use in the public schools. The department may not award
24 a grant unless it enters into a memorandum of understanding with the grant

1 recipient and the director of the timber management program at the University of
2 Wisconsin-Stevens Point regarding the use of the funds.

3 (2) The recipient of a grant under sub. (1) shall submit the programs and
4 materials developed with the funds to the department and the director of the timber
5 management program at the University of Wisconsin-Stevens Point College of
6 Natural Resources for approval. Upon request, the grant recipient shall provide
7 approved programs and materials to school districts free of charge.

8 **SECTION 3019.** 560.183 (1) (a) of the statutes is repealed.

9 **SECTION 3020.** 560.183 (1) (ac) of the statutes is created to read:

10 560.183 (1) (ac) "Clinic hours" means hours spent working with patients in a
11 clinic.

12 **SECTION 3021.** 560.183 (1) (ag) of the statutes is amended to read:

13 560.183 (1) (ag) "Eligible practice area" means a primary care shortage area,
14 ~~an obstetric shortage area, a psychiatric~~ a mental health shortage area, ~~a state or~~
15 ~~federal prison, an area health education center program established under 42 USC~~
16 ~~295g-1,~~ an American Indian reservation or trust lands of an American Indian tribe.

17 **SECTION 4407j.** 560.183 (1) (aj) of the statutes is created to read:

18 560.183 (1) (aj) "Health professional shortage area" means an area that is
19 designated by the federal department of health and human services under 42 CFR
20 part 5, appendix A, as having a shortage of medical care professionals.

21 **SECTION 3022.** 560.183 (1) (ar) of the statutes is repealed.

22 **SECTION 3023.** 560.183 (1) (b) of the statutes is amended to read:

23 560.183 (1) (b) "Physician" ~~has the meaning given in~~ means a physician, as
24 defined in s. 448.01 (5), who specializes in family practice, general internal medicine,
25 general pediatrics, obstetrics and gynecology, or psychiatry.

1 **SECTION 3024.** 560.183 (1) (c) of the statutes is repealed.

2 **SECTION 3025.** 560.183 (1) (cm) of the statutes is amended to read:

3 560.183 (1) (cm) “Primary care shortage area” means a ~~shortage area~~
4 ~~established under sub. (7), in which the ratio of the population to the number of~~
5 ~~physicians who provide primary care is more than 2,500 to one, or an area that is in~~
6 ~~a primary care health professional shortage area as determined by the federal~~
7 ~~department of health and human services under 42 CFR part 5, appendix A,~~
8 excluding a state or federal prison.

9 **SECTION 3026.** 560.183 (1) (d) of the statutes is renumbered 560.183 (1) (ap)
10 and amended to read:

11 560.183 (1) (ap) “Psychiatric Mental health shortage area” means an area that
12 is designated by the federal department of health and human services under 42 CFR
13 part 5, appendix C, as having a shortage of psychiatric ~~manpower~~ professionals,
14 excluding a state or federal prison and a state or county mental hospital.

15 **SECTION 3027.** 560.183 (3) (a) of the statutes is amended to read:

16 560.183 (3) (a) The department shall enter into a written agreement with the
17 physician. In the agreement, the physician shall agree to practice at least 32 clinic
18 hours per week for 3 years in one or more eligible practice areas in this state
19 ~~primarily in an eligible practice area,~~ except that a physician specializing in
20 ~~obstetrics may only agree to practice obstetrics in an obstetric shortage area and a~~
21 ~~physician specializing in psychiatry may only agree to practice psychiatry in a~~
22 ~~psychiatric mental health shortage area and a physician in the expanded loan~~
23 ~~assistance program under sub. (9) may only agree to practice at a public or private~~
24 nonprofit entity in a health professional shortage area. The physician shall also

1 agree to care for patients who are insured or for whom health benefits are payable
2 under medicare, medical assistance or any other governmental program.

3 **SECTION 3028.** 560.183 (3) (b) of the statutes is amended to read:

4 560.183 (3) (b) The agreement shall specify that the responsibility of the
5 department to make the payments under the agreement is subject to the availability
6 of funds in the appropriations under s. 20.143 (1) (~~fe~~) (f) and (jm).

7 **SECTION 3029.** 560.183 (4) (a) of the statutes is amended to read:

8 560.183 (4) (a) ~~Ten percent~~ Up to 40% of the principal of the loan or \$5,000
9 \$20,000, whichever is less, during the first year of ~~practice~~ participation in the
10 program under this section.

11 **SECTION 3030.** 560.183 (4) (b) of the statutes is amended to read:

12 560.183 (4) (b) ~~An~~ Up to an additional ~~12.5%~~ 40% of the principal of the loan
13 or ~~\$6,250~~ \$20,000, whichever is less, during the 2nd year of ~~practice~~ participation in
14 the program under this section.

15 **SECTION 3031.** 560.183 (4) (c) of the statutes is amended to read:

16 560.183 (4) (c) ~~An~~ Up to an additional ~~15%~~ 20% of the principal of the loan or
17 ~~\$7,500~~ \$10,000, whichever is less, during the 3rd year of ~~practice~~ participation in the
18 program under this section.

19 **SECTION 3032.** 560.183 (4) (d) of the statutes is repealed.

20 **SECTION 3033.** 560.183 (4) (e) of the statutes is repealed.

21 **SECTION 3034.** 560.183 (5) (a) of the statutes is amended to read:

22 560.183 (5) (a) The obligation of the department to make payments under an
23 agreement entered into under sub. (3) (b) is subject to the availability of funds in the
24 appropriations under s. 20.143 (1) (~~fe~~) (f) and (jm).

25 **SECTION 3035.** 560.183 (5) (b) (intro.) of the statutes is amended to read:

1 560.183 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,
2 when added to the cost of loan repayments scheduled under existing agreements,
3 exceeds the total amount in the appropriations under s. 20.143 (1) (~~fe~~) (f) and (jm),
4 the department shall establish priorities among the eligible applicants based upon
5 the following considerations:

6 **SECTION 4421b.** 560.183 (5) (b) 1. of the statutes is amended to read:

7 560.183 (5) (b) 1. The degree to which there is an extremely high need for
8 medical care in the eligible practice area or health professional shortage area in
9 which the physician desires to practice.

10 **SECTION 4421c.** 560.183 (5) (b) 2. of the statutes is amended to read:

11 560.183 (5) (b) 2. The likelihood that a physician will remain in the eligible
12 practice area or health professional shortage area in which he or she desires to
13 practice after the loan repayment period.

14 **SECTION 4421d.** 560.183 (5) (b) 3. of the statutes is amended to read:

15 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
16 professional shortage area in which a physician desires to practice.

17 **SECTION 4421e.** 560.183 (5) (b) 4. of the statutes is amended to read:

18 560.183 (5) (b) 4. The financial or other support for physician recruitment and
19 retention provided by individuals, organizations, or local governments in the eligible
20 practice area or health professional shortage area in which a physician desires to
21 practice.

22 **SECTION 4421f.** 560.183 (5) (b) 5. of the statutes is amended to read:

23 560.183 (5) (b) 5. The geographic distribution of the physicians who have
24 entered into loan repayment agreements under this section and the geographic

1 distribution of the eligible practice areas or health professional shortage areas in
2 which the eligible applicants desire to practice.

3 **SECTION 3036.** 560.183 (6m) of the statutes is created to read:

4 560.183 (6m) PENALTIES. The department shall, by rule, establish penalties to
5 be assessed by the department against physicians who breach an agreement entered
6 into under sub. (3) (a). The rules shall do all of the following:

7 (a) Specify what actions constitute a breach of the agreement.

8 (b) Provide specific penalty amounts for specific breaches.

9 (c) Provide exceptions for certain actions, including breaches resulting from
10 death or disability.

11 **SECTION 3037.** 560.183 (7) of the statutes is repealed.

12 **SECTION 3038.** 560.183 (8) (intro.) of the statutes is amended to read:

13 560.183 (8) ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under
14 s. 20.143 (1) (~~fd~~) (f), the department shall contract with the board of regents of the
15 University of Wisconsin System for administrative services from the office of rural
16 health of the department of professional and community development of the
17 University of Wisconsin Medical School. Under the contract, the office of rural health
18 shall do all of the following:

19 **SECTION 3039.** 560.183 (8) (a) of the statutes is repealed.

20 **SECTION 3040.** 560.183 (8) (b) of the statutes is amended to read:

21 560.183 (8) (b) Advise the department and rural health development council
22 on the identification of eligible practice areas with an extremely high need for
23 medical care.

24 **SECTION 4426n.** 560.183 (9) of the statutes is created to read:

1 560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. The department may agree
2 to repay loans as provided under this section on behalf of a physician under an
3 expanded physician loan assistance program that is funded through federal funds
4 in addition to state matching funds. To be eligible for loan repayment under the
5 expanded physician loan assistance program, a physician must fulfill all of the
6 requirements for loan repayment under this section, as well as all of the following:

7 (a) The physician must be a U.S. citizen.

8 (b) The physician may not have a judgment lien against his or her property for
9 a debt to the United States.

10 (c) The physician must agree to do all of the following:

11 1. Accept medicare assignment as payment in full for services or articles
12 provided.

13 2. Use a sliding fee scale or a comparable method of determining payment
14 arrangements for patients who are not eligible for medicare or medical assistance
15 and who are unable to pay the customary fee for the physician's services.

16 3. Practice at a public or private nonprofit entity in a health professional
17 shortage area.

18 **SECTION 3041.** 560.184 (1) (a) of the statutes is renumbered 560.184 (1) (ad)
19 and amended to read:

20 560.184 (1) (ad) "Council" ~~has the meaning given in s. 560.183 (1) (a)~~ means
21 the rural health development council.

22 **SECTION 3042.** 560.184 (1) (ac) of the statutes is created to read:

23 560.184 (1) (ac) "Clinic hours" has the meaning given in s. 560.183 (1) (ac).

24 **SECTION 3043.** 560.184 (1) (am) of the statutes is amended to read:

1 560.184 (1) (am) “Eligible practice area” means a primary care shortage area,
2 an obstetric shortage area, a state or federal prison, an area health education center
3 program established under 42 USC 295g-1, an American Indian reservation or trust
4 lands of an American Indian tribe.

5 **SECTION 4429p.** 560.184 (1) (bp) of the statutes is created to read:

6 560.184 (1) (bp) “Health professional shortage area” has the meaning given in
7 s. 560.183 (1) (aj).

8 **SECTION 3044.** 560.184 (1) (c) of the statutes is repealed.

9 **SECTION 3045.** 560.184 (3) (a) of the statutes is amended to read:

10 560.184 (3) (a) The department shall enter into a written agreement with the
11 health care provider. In the agreement, the health care provider shall agree to
12 practice at least 32 clinic hours per week for 3 years in one or more eligible practice
13 areas in this state primarily in an eligible practice area, except that a health care
14 provider in the expanded loan assistance program under sub. (8) may only agree to
15 practice at a public or private nonprofit entity in a health professional shortage area.

16 **SECTION 3046.** 560.184 (3) (b) of the statutes is amended to read:

17 560.184 (3) (b) The agreement shall specify that the responsibility of the
18 department to make the payments under the agreement is subject to the availability
19 of funds in the appropriations under s. 20.143 (1) (fe) (f) and (jL).

20 **SECTION 3047.** 560.184 (4) (a) of the statutes is amended to read:

21 560.184 (4) (a) ~~Ten percent~~ Up to 40% of the principal of the loan or \$2,500
22 \$10,000, whichever is less, during the first year of practice participation in the
23 program under this section.

24 **SECTION 3048.** 560.184 (4) (b) of the statutes is amended to read:

1 560.184 (4) (b) ~~An~~ Up to an additional ~~12.5%~~ 40% of the principal of the loan
2 or ~~\$3,125~~ \$10,000, whichever is less, during the 2nd year of practice participation in
3 the program under this section.

4 **SECTION 3049.** 560.184 (4) (c) of the statutes is amended to read:

5 560.184 (4) (c) ~~An~~ Up to an additional ~~15%~~ 20% of the principal of the loan or
6 ~~\$3,750~~ \$5,000, whichever is less, during the 3rd year of practice participation in the
7 program under this section.

8 **SECTION 3050.** 560.184 (4) (d) of the statutes is repealed.

9 **SECTION 3051.** 560.184 (4) (e) of the statutes is repealed.

10 **SECTION 3052.** 560.184 (5) (a) of the statutes is amended to read:

11 560.184 (5) (a) The obligation of the department to make payments under an
12 agreement entered into under sub. (3) is subject to the availability of funds in the
13 appropriations under s. 20.143 (1) (~~fe~~) (f) and (jL).

14 **SECTION 3053.** 560.184 (5) (b) (intro.) of the statutes is amended to read:

15 560.184 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,
16 when added to the cost of loan repayments scheduled under existing agreements,
17 exceeds the total amount in the appropriations under s. 20.143 (1) (~~fe~~) (f) and (jL), the
18 department shall establish priorities among the eligible applicants based upon the
19 following considerations:

20 **SECTION 4439b.** 560.184 (5) (b) 1. of the statutes is amended to read:

21 560.184 (5) (b) 1. The degree to which there is an extremely high need for
22 medical care in the eligible practice area or health professional shortage area in
23 which an eligible applicant desires to practice.

24 **SECTION 4439c.** 560.184 (5) (b) 2. of the statutes is amended to read:

1 560.184 (5) (b) 2. The likelihood that an eligible applicant will remain in the
2 eligible practice area or health professional shortage area in which he or she desires
3 to practice after the loan repayment period.

4 **SECTION 4439d.** 560.184 (5) (b) 3. of the statutes is amended to read:

5 560.184 (5) (b) 3. The per capita income of the eligible practice area or health
6 professional shortage area in which an eligible applicant desires to practice.

7 **SECTION 4439e.** 560.184 (5) (b) 4. of the statutes is amended to read:

8 560.184 (5) (b) 4. The financial or other support for health care provider
9 recruitment and retention provided by individuals, organizations or local
10 governments in the eligible practice area or health professional shortage area in
11 which an eligible applicant desires to practice.

12 **SECTION 4439f.** 560.184 (5) (b) 5. of the statutes is amended to read:

13 560.184 (5) (b) 5. The geographic distribution of the health care providers who
14 have entered into loan repayment agreements under this section and the geographic
15 location of the eligible practice area or health professional shortage area in which an
16 eligible applicant desires to practice.

17 **SECTION 3054.** 560.184 (6m) of the statutes is created to read:

18 560.184 (6m) PENALTIES. The department shall, by rule, establish penalties to
19 be assessed by the department against health care providers who breach an
20 agreement entered into under sub. (3) (a). The rules shall do all of the following:

21 (a) Specify what actions constitute a breach of the agreement.

22 (b) Provide specific penalty amounts for specific breaches.

23 (c) Provide exceptions for certain actions, including breaches resulting from
24 death or disability.

25 **SECTION 3055.** 560.184 (7) (intro.) of the statutes is amended to read:

1 560.184 (7) ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under
2 s. 20.143 (1) (~~fd~~) (f), the department shall contract with the board of regents of the
3 University of Wisconsin System for administrative services from the office of rural
4 health of the department of professional and community development of the
5 University of Wisconsin Medical School. Under the contract, the office of rural health
6 shall do all of the following:

7 **SECTION 4441n.** 560.184 (8) of the statutes is created to read:

8 560.184 (8) EXPANDED LOAN ASSISTANCE PROGRAM. The department may agree
9 to repay loans as provided under this section on behalf of a health care provider under
10 an expanded health care provider loan assistance program that is funded through
11 federal funds in addition to state matching funds. To be eligible for loan repayment
12 under the expanded health care provider loan assistance program, a health care
13 provider must fulfill all of the requirements for loan repayment under this section,
14 as well as all of the following:

15 (a) The health care provider must be a U.S. citizen.

16 (b) The health care provider may not have a judgment lien against his or her
17 property for a debt to the United States.

18 (c) The health care provider must agree to do all of the following:

19 1. Accept medicare assignment as payment in full for services or articles
20 provided.

21 2. Use a sliding fee scale or a comparable method of determining payment
22 arrangements for patients who are not eligible for medicare or medical assistance
23 and who are unable to pay the customary fee for the physician's services.

24 3. Practice at a public or private nonprofit entity in a health professional
25 shortage area.

1 **SECTION 3056.** 560.185 (1) of the statutes is amended to read:

2 560.185 (1) Advise the department as provided in s. 560.183 (7) and on other
3 on matters related to the physician loan assistance program under s. 560.183 and the
4 health care provider loan assistance program under s. 560.184.

5 **SECTION 3057.** Subchapter III (title) of chapter 560 [precedes 560.41] of the
6 statutes is amended to read:

7 **CHAPTER 560**

8 SUBCHAPTER III

9 ~~PERMIT INFORMATION AND~~

10 ~~REGULATORY BUSINESS DEVELOPMENT:~~

11 ASSISTANCE BUREAU CENTER

12 **SECTION 3058.** 560.41 (1) of the statutes is repealed and recreated to read:

13 560.41 (1) “Brownfields” means abandoned, idle or underused industrial or
14 commercial facilities or sites, the expansion or redevelopment of which is adversely
15 affected by actual or perceived environmental contamination.

16 **SECTION 3059.** 560.41 (1m) of the statutes is created to read:

17 560.41 (1m) “Center” means the business development assistance center in the
18 department.

19 **SECTION 3060.** 560.42 (title) of the statutes is amended to read:

20 **560.42 (title) Responsibilities related to permits.**

21 **SECTION 3061.** 560.42 (1) (a) (intro.) of the statutes is amended to read:

22 560.42 (1) (a) (intro.) The ~~bureau~~ center shall expedite the process of applying
23 for permits, of reviewing and making determinations on permit applications and of
24 issuing permits as follows:

25 **SECTION 3062.** 560.42 (1) (a) 1. of the statutes is amended to read:

1 560.42 (1) (a) 1. The ~~bureau~~ center shall discharge its responsibilities under
2 sub. (2) in a manner designed to expedite the process.

3 **SECTION 3063.** 560.42 (1) (a) 2. of the statutes is amended to read:

4 560.42 (1) (a) 2. Upon request by a person applying for a permit and to the
5 extent possible, the ~~bureau~~ center shall resolve misunderstandings between the
6 person and the appropriate regulatory agency and shall prevent or mitigate delays
7 in the process.

8 **SECTION 3064.** 560.42 (1) (a) 3. of the statutes is amended to read:

9 560.42 (1) (a) 3. If the ~~bureau~~ center determines that it is unable to resolve
10 misunderstandings or prevent or mitigate delays under subd. 2., the ~~bureau~~ center
11 shall request the assistance of the secretary and the head of the appropriate
12 regulatory agency.

13 **SECTION 3065.** 560.42 (1) (a) 4. of the statutes is amended to read:

14 560.42 (1) (a) 4. If the ~~bureau~~ center determines that the secretary and head
15 of the appropriate regulatory agency are unable to resolve misunderstandings or
16 prevent or mitigate delays under subd. 3., the ~~bureau~~ center shall request the
17 assistance of the governor.

18 **SECTION 3066.** 560.42 (1) (b) of the statutes is amended to read:

19 560.42 (1) (b) The ~~bureau~~ center shall give priority to businesses new to this
20 state and to businesses expanding within this state in providing assistance under
21 par. (a).

22 **SECTION 3067.** 560.42 (1) (c) of the statutes is amended to read:

23 560.42 (1) (c) The ~~bureau~~ center shall maintain records identifying each person
24 requesting assistance under par. (a) and setting forth assistance rendered and
25 results achieved.

1 **SECTION 3068.** 560.42 (2) (a) (intro.) of the statutes is amended to read:

2 560.42 (2) (a) (intro.) The bureau center shall assist any person requesting
3 information on which permits are required for a particular business activity or on the
4 application process, including criteria applied in making a determination on a
5 permit application and the time period within which a determination will be made.
6 This assistance may include any of the following:

7 **SECTION 3069.** 560.42 (2) (b) of the statutes is amended to read:

8 560.42 (2) (b) If a person receives assistance under this subsection and applies
9 for a permit and if the person requests, the bureau center shall monitor the status
10 of the permit application and periodically report the status to the person.

11 **SECTION 3070.** 560.42 (2m) (intro.) of the statutes is amended to read:

12 560.42 (2m) **ADVOCACY.** (intro.) The bureau center shall provide advocacy
13 services before regulatory agencies on behalf of permit applicants. These services
14 shall include all of the following:

15 **SECTION 3071.** 560.42 (2r) of the statutes is amended to read:

16 560.42 (2r) **MEDIATION AND DISPUTE RESOLUTION SERVICES.** The bureau center
17 may provide mediation or other dispute resolution services to facilitate the
18 resolution of a dispute between a regulatory agency and a person applying for a
19 permit. The provision of mediation or other dispute resolution services under this
20 subsection does not affect any right that the person may have to a contested hearing
21 under ch. 227.

22 **SECTION 3072.** 560.42 (3) (title) of the statutes is amended to read:

23 560.42 (3) (title) **ASSISTANCE BY BUREAU CENTER.**

24 **SECTION 3073.** 560.42 (3) (a) of the statutes is amended to read:

1 560.42 (3) (a) The bureau center may not charge any person for services
2 provided under this subchapter. Any amount charged for services may not exceed
3 the actual cost of the service provided, unless a specific charge for the service, or
4 method of calculating the charge, is provided by law. All amounts received under this
5 paragraph shall be deposited in the appropriation account under s. 20.143 (1) (gc).

6 **SECTION 3074.** 560.42 (3) (b) of the statutes is amended to read:

7 560.42 (3) (b) The bureau center may refer to the appropriate regulatory
8 agency, without giving further assistance, any person seeking information or
9 assistance on a permit under chs. 186, 215, 217, 220 to 224, 440 to 480 and 600 to 646.

10 **SECTION 3075.** 560.42 (3) (c) of the statutes is amended to read:

11 560.42 (3) (c) Advice, assistance, mediation or other dispute resolution services
12 or information rendered by the bureau center under this subchapter does not relieve
13 any person from the obligation to secure a required permit or satisfy a regulatory
14 requirement.

15 **SECTION 3076.** 560.42 (3) (d) of the statutes is amended to read:

16 560.42 (3) (d) The bureau center shall not be liable for any consequences
17 resulting from the failure of a regulatory agency to issue, or the failure of a person
18 to seek, a permit.

19 **SECTION 3077.** 560.42 (4) (a) of the statutes is amended to read:

20 560.42 (4) (a) The bureau center shall maintain and publicize the availability
21 of a toll-free telephone line available to in-state and out-of-state callers to the
22 bureau center.

23 **SECTION 3078.** 560.42 (4) (b) of the statutes is amended to read:

1 560.42 (4) (b) The ~~bureau~~ center shall seek to explain, promote and publicize
2 its services to the public and shall provide information on its services for inclusion
3 in any public informational material on permits provided by regulatory agencies.

4 **SECTION 3079.** 560.42 (4) (c) of the statutes is amended to read:

5 560.42 (4) (c) The ~~bureau~~ center shall, in its efforts under pars. (a) and (b),
6 clearly represent that its services are advisory, informational and facilitative only.

7 **SECTION 3080.** 560.42 (5) (a) of the statutes is amended to read:

8 560.42 (5) (a) *Report.* Annually, on or before April 1, the ~~bureau~~ center shall
9 submit a report containing the information required under pars. (am) and (b) to the
10 appropriate standing committees under s. 13.172 (3).

11 **SECTION 3081.** 560.42 (5) (am) (intro.) of the statutes is amended to read:

12 560.42 (5) (am) *Permit simplification.* (intro.) Based on the experience of the
13 ~~bureau~~ center in assisting persons and discussions with regulatory agencies, the
14 ~~bureau~~ center shall periodically submit a report containing recommendations for the
15 legislature, governor, public records board and regulatory agencies concerning all of
16 the following:

17 **SECTION 3082.** 560.42 (5) (b) (intro.) of the statutes is amended to read:

18 560.42 (5) (b) *Record of assistance.* (intro.) Based on the experiences of the
19 ~~bureau~~ center in assisting persons and on reports received under s. 227.116 (4), the
20 ~~bureau~~ center shall periodically prepare information for the legislature, governor,
21 public records board and regulatory agencies which shall include all of the following:

22 **SECTION 3083.** 560.42 (6) of the statutes is amended to read:

23 560.42 (6) PERMIT CONSOLIDATION. In its annual reports submitted under sub.
24 (5) (a), the ~~bureau~~ center shall include its recommendations concerning the

1 feasibility and desirability of providing consolidated or multiple permit application
2 forms or consolidated hearings on consolidated or multiple permit application forms.

3 **SECTION 3084.** 560.43 (1) (a) of the statutes is amended to read:

4 560.43 (1) (a) Designate a staff person to coordinate regulatory agency
5 cooperation with bureau center staff, provide information to bureau center staff on
6 the permit process and direct bureau center staff to appropriate staff within the
7 regulatory agency.

8 **SECTION 3085.** 560.43 (1) (b) of the statutes is amended to read:

9 560.43 (1) (b) Cooperate with bureau center staff and respond promptly to
10 requests for assistance in expediting and requests for information on the permit
11 process under s. 560.42.

12 **SECTION 3086.** 560.43 (1) (c) of the statutes is amended to read:

13 560.43 (1) (c) Include material provided by the bureau center under s. 560.42
14 (4) in any public informational material on permits that it provides.

15 **SECTION 3087.** 560.43 (1) (g) of the statutes is created to read:

16 560.43 (1) (g) Provide to the center written notification of a change to a permit,
17 along with a copy of the new or revised permit, before the effective date of the change.

18 **SECTION 3088.** 560.43 (2) (intro.) of the statutes is amended to read:

19 560.43 (2) PREAPPLICATION MEETINGS. (intro.) Each regulatory agency shall
20 provide an opportunity for a preapplication meeting with its staff to any person
21 interested in applying for a permit upon request by the person or the bureau center,
22 and shall comply with the following requirements:

23 **SECTION 3089.** 560.43 (2) (d) of the statutes is amended to read:

24 560.43 (2) (d) The regulatory agency shall invite participation by bureau center
25 staff in preapplication meetings when appropriate.

1 **SECTION 3090.** 560.44 of the statutes is created to read:

2 **560.44 Responsibilities related to brownfields redevelopment**

3 **projects. (1) OMBUDSMAN.** The center shall act as an ombudsman for brownfields
4 redevelopment projects. As ombudsman, the center shall do all of the following:

5 (a) Promote brownfields redevelopment projects and related educational
6 efforts.

7 (b) Coordinate interagency activities and responsibilities related to
8 brownfields redevelopment projects.

9 (c) Coordinate, with the department of workforce development, training
10 programs or activities for unemployed persons who reside in the vicinity of a
11 brownfields redevelopment project.

12 **(2) ADMINISTRATION OF BROWNFIELDS GRANT PROGRAM.** The center shall assist in
13 administering the grant program under s. 560.13.

14 **SECTION 3091.** 560.60 (1v) of the statutes is created to read:

15 560.60 (1v) "Brownfields" means abandoned, idle or underused industrial or
16 commercial facilities, the expansion or redevelopment of which is adversely affected
17 by actual or perceived environmental contamination.

18 **SECTION 3092.** 560.60 (3) of the statutes is amended to read:

19 560.60 (3) "Consortium" means an association of a business and a higher
20 educational institution, ~~or an association of a business and the Great Lakes~~
21 ~~composites consortium, which association is subject to an agreement complying with~~
22 ~~this subchapter.~~

23 **SECTION 3093.** 560.60 (4) of the statutes is repealed and recreated to read:

1 560.60 (4) “Eligible recipient” means a governing body or a person who is
2 eligible to receive a grant or loan under s. 560.62, a grant or loan under s. 560.63 or
3 a grant or loan under s. 560.65.

4 **SECTION 3094.** 560.60 (10) of the statutes is amended to read:

5 560.60 (10) “Job” means a regular, nonseasonal full-time position providing
6 full-time equivalent employment for one individual for one year, beginning after a
7 project is completed in which an individual, as a condition of employment, is required
8 to work at least 2,080 hours per year, including paid leave and holidays. “Job” does
9 not include initial training before an employment position begins.

10 **SECTION 3095.** 560.605 (1) (e) 1. of the statutes is amended to read:

11 560.605 (1) (e) 1. Except as provided under ~~subd. 2.~~ and s. 560.68 (6), not less
12 than 25% of the cost of the project.

13 **SECTION 3096.** 560.605 (1) (e) 2. of the statutes is repealed.

14 **SECTION 3097.** 560.605 (1) (f) of the statutes is amended to read:

15 560.605 (1) (f) The project meets all criteria set forth in s. 560.62, 560.625,
16 560.63, 560.65 or 560.66, whichever is appropriate.

17 **SECTION 3098.** 560.605 (1) (g) of the statutes is amended to read:

18 560.605 (1) (g) Funds from the grant or loan under ~~ss. s.~~ 560.62, 560.625,
19 560.63, 560.65 ~~and~~ or 560.66 will not be used to pay overhead costs, except as
20 provided in s. 560.65 (1m) (b), or to replace funds from any other source.

21 **SECTION 3099.** 560.605 (2) (intro.) of the statutes is amended to read:

22 560.605 (2) (intro.) The board shall consider all of the following before
23 awarding a grant or loan to an eligible recipient for a project under ~~ss. s.~~ 560.62,
24 ~~560.625,~~ 560.63 or 560.66:

25 **SECTION 3100.** 560.605 (2m) (intro.) of the statutes is amended to read:

1 560.605 (**2m**) (intro.) When considering whether a project under ~~ss. s.~~ s. 560.62,
2 560.625, 560.63 or 560.66 will be located in a targeted area, the board shall consider
3 all of the following:

4 **SECTION 3101.** 560.605 (6) of the statutes is created to read:

5 560.605 (**6**) The board shall give priority for grants or loans under this section
6 for projects related to brownfields redevelopment.

7 **SECTION 3102.** 560.61 (1) of the statutes is amended to read:

8 560.61 (**1**) Make a grant or loan to an eligible recipient for a project that meets
9 the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, ~~560.625,~~
10 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under
11 s. 20.143 (1) (c), (cb), (ie), (s) and (sm).

12 **SECTION 3103.** 560.61 (3) of the statutes is amended to read:

13 560.61 (**3**) Make a ~~loan~~ grant under s. 560.16 from the appropriations under
14 s. 20.143 (1) (c) and (ie) if the board determines that the ~~loan~~ grant meets the
15 requirements of s. 560.16.

16 **SECTION 3104.** 560.62 (1) (b) of the statutes is amended to read:

17 560.62 (**1**) (b) A technology development loan to a business to provide working
18 capital or fixed asset financing for the development of the infrastructure of the
19 business or for the initial commercialization of ~~the~~ a new industrial product or
20 process if ~~the business received a technology development grant or loan under par.~~
21 ~~(a) and if the research that was funded by the grant or loan under par. (a) resulted~~
22 ~~in the successful development of a new, or the improvement of an existing, industrial~~
23 ~~product or process.~~ A business that receives a loan under this paragraph may use
24 the proceeds only to pay costs related to the production, marketing or sales of ~~the~~ a
25 new or improved industrial product or process.

1 **SECTION 3105.** 560.62 (3) of the statutes is repealed.

2 **SECTION 3106.** 560.625 of the statutes is repealed.

3 **SECTION 3107.** 560.63 (1) of the statutes is amended to read:

4 560.63 (1) The board may award a grant or loan under s. 560.61 to a business
5 to fund a labor training program that provides state residents with job training in
6 ~~new~~ technology, industrial skills or manufacturing processes ~~or that are new to the~~
7 business and in which advances have been made, as determined by the board, or with
8 job training in other employment-related skills or techniques in which advances
9 have been made, as determined by the board, in order to meet the staffing needs of
10 a the business, ~~The board may not award a grant or loan to fund a labor training~~
11 program if the training is ~~not available~~ fairly readily available, in the board's
12 determination, through existing federal, state or local resources except as provided
13 in sub. (4).

14 **SECTION 3108.** 560.63 (4) of the statutes is amended to read:

15 560.63 (4) The contribution required under s. 560.605 (1) (e) ~~2.~~ may consist of
16 funding or of in-kind contributions. Not more than 20% of the contribution of a
17 business may consist of funding which the business receives under the federal job
18 training partnership act, 29 USC 1501 to 1781.

19 **SECTION 4497d.** 560.65 (4) (a) of the statutes is repealed.

20 **SECTION 3109.** 560.66 (1) (intro.) of the statutes is amended to read:

21 560.66 (1) (intro.) The board may award grants and loans under s. 560.61 to
22 eligible recipients for any project that is not eligible for a grant or loan under ~~ss. s.~~
23 560.62, ~~560.625~~ or 560.63, if the board determines that the project is a major
24 economic development project and considers all of the following:

25 **SECTION 3110.** 560.68 (3) of the statutes is created to read:

1 560.68 (3) The department may charge a grant or loan recipient an origination
2 fee of up to 1.5% of the grant or loan amount if the grant or loan exceeds \$200,000
3 and is awarded under s. 560.63 or 560.66. The department shall deposit all
4 origination fees collected under this subsection in the appropriation account under
5 s. 20.143 (1) (gm).

6 **SECTION 4499e.** 560.68 (8) of the statutes is created to read:

7 560.68 (8) At least 10 days before a grant or loan awarded under this
8 subchapter is presented to the eligible recipient of the grant or loan, the department
9 shall notify the senator for the senate district, and the representative to the assembly
10 for the assembly district, in which the eligible recipient is located of the date, time
11 and location of the presentation of the grant or loan.

12 **SECTION 3111.** 560.70 (2m) of the statutes is created to read:

13 560.70 (2m) “Full-time job” means a regular, nonseasonal full-time position
14 in which an individual, as a condition of employment, is required to work at least
15 2,080 hours per year, including paid leave and holidays, and for which the individual
16 receives pay that is equal to at least 150% of the federal minimum wage and benefits
17 that are not required by federal or state law. “Full-time job” does not include initial
18 training before an employment position begins.

19 **SECTION 3112.** 560.70 (6) of the statutes is amended to read:

20 560.70 (6) “Target population” means persons who are members of targeted
21 groups for the purposes of the credit under ss. 71.07 (~~2dj~~) (2dx), 71.28 (1dj) (1dx) and
22 71.47 (~~1dj~~) (1dx).

23 **SECTION 3113.** 560.70 (7) of the statutes is repealed and recreated to read:

24 560.70 (7) “Tax benefits” means the development zones credit under ss. 71.07
25 (2dx), 71.28 (1dx) and 71.47 (1dx).

1 **SECTION 3114.** 560.71 (1m) (d) of the statutes is amended to read:

2 560.71 **(1m)** (d) The number of full-time jobs that are likely to be created or
3 retained in the area as a result of its designation as a development zone.

4 **SECTION 3115.** 560.71 (1m) (e) of the statutes is amended to read:

5 560.71 **(1m)** (e) The number of full-time jobs that are likely to be available to
6 the target population as a result of the designation of the area as a development zone.

7 **SECTION 3116.** 560.72 (2) (h) of the statutes is amended to read:

8 560.72 **(2)** (h) An assessment of the effect of making the area a development
9 zone on full-time jobs available to the targeted population.

10 **SECTION 3117.** 560.73 (1) (e) of the statutes is amended to read:

11 560.73 **(1)** (e) The effect of making the area a development zone on full-time
12 jobs available to the targeted population.

13 **SECTION 3118.** 560.735 (6r) of the statutes is created to read:

14 560.735 **(6r)** Subject to the population limit under sub. (6m), if an area that is
15 nominated or designated as a development zone is comprised of one or more entire
16 counties and a city, village or town is partially located in the area and partially
17 located outside of the area, the entire city, village or town shall be part of the
18 nominated or designated area.

19 **SECTION 3119.** 560.745 (1) (b) of the statutes is amended to read:

20 560.745 **(1)** (b) The local governing body may apply to the department for up
21 to ~~3~~ 5 12-month extensions of the designation. The department shall promulgate
22 rules establishing criteria for approving an extension of a designation of an area as
23 a development zone under this subsection.

24 **SECTION 3120.** 560.745 (2) (a) of the statutes is amended to read:

1 560.745 (2) (a) When the department designates a development zone under s.
2 560.71, it shall establish a limit for tax benefits for the development zone determined
3 by allocating to the development zone a portion of ~~\$28,155,000~~ \$33,155,000.

4 **SECTION 3121.** 560.745 (2) (am) of the statutes is amended to read:

5 560.745 (2) (am) Notwithstanding par. (a), the department may increase the
6 established limit for tax benefits for a development zone ~~that was designated before~~
7 ~~April 25, 1996, by no more than \$500,000.~~

8 **SECTION 3122.** 560.745 (2) (c) 1. of the statutes is amended to read:

9 560.745 (2) (c) 1. Ninety days after the day on which the department
10 determines that the foregone tax revenues under par. (b) will equal or exceed the
11 limit for the development zone established under par. (a) or (am).

12 **SECTION 3123.** 560.75 (8) of the statutes is amended to read:

13 560.75 (8) ~~Verify~~ Annually verify information submitted to the department
14 under ss. s. 71.07 (2di) (d) 2., (2dj) (e) 3., (2dL) (f) and (2ds) (d) 2. (2dx), 71.28 (1di)
15 (d) 2., (1dj) (e) 3., (1dL) (f), (1ds) (d) 2. and (4) (am) and (1dx) or 71.47 (1di) (d) 2., (1dj)
16 ~~(e) 3., (1dL) (f), (1ds) (d) 2. and (4) (am) (1dx)~~.

17 **SECTION 3124.** 560.75 (9) of the statutes is repealed.

18 **SECTION 3125.** 560.765 (3) (c) of the statutes is amended to read:

19 560.765 (3) (c) The number of full-time jobs that will be created, retained or
20 substantially upgraded as a result of the person's economic activity in relation to the
21 amount of tax benefits estimated for the person under sub. (4).

22 **SECTION 3126.** 560.765 (3) (i) of the statutes is repealed.

23 **SECTION 3127.** 560.765 (5) (e) of the statutes is amended to read:

1 560.765 (5) (e) The estimated number of full-time jobs that will be created,
2 retained or significantly upgraded in the development zone because of the person's
3 business.

4 **SECTION 3128.** 560.765 (5) (f) of the statutes is amended to read:

5 560.765 (5) (f) An estimate of the number or percentage of full-time jobs
6 described in par. (e) that are or will likely be held by members of the targeted
7 population.

8 **SECTION 3129.** 560.768 (1) (a) of the statutes is amended to read:

9 560.768 (1) (a) The department shall establish a limit on the maximum amount
10 of tax benefits a person certified under s. 560.765 (3) may claim while an area is
11 designated as a development zone. ~~The limit may specify a minimum amount of the~~
12 ~~total tax benefits that may be used exclusively for the credits under ss. 71.07 (2dj),~~
13 ~~71.28 (1dj) and 71.47 (1dj), subject to s. 560.75 (9).~~

14 **SECTION 3130.** 560.768 (1) (b) 2. of the statutes is amended to read:

15 560.768 (1) (b) 2. Establish a limit which does not greatly exceed a
16 recommended limit, established under rules promulgated by the department based
17 on the cost, number and types of full-time jobs that will be created, retained or
18 upgraded, including full-time jobs available to members of the targeted population,
19 as a result of the economic activity of the person certified under s. 560.765 (3).

20 **SECTION 3131.** 560.78 (1) (a) of the statutes is amended to read:

21 560.78 (1) (a) Result in the direct loss of full-time jobs at another of the person's
22 business locations in this state outside of the development zone.

23 **SECTION 3132.** 560.78 (2) (a) of the statutes is amended to read:

1 560.78 (2) (a) The total number of full-time jobs provided by the person in this
2 state would be reduced if the person were not certified under s. 560.765 (3) or if the
3 person's certification were revoked.

4 **SECTION 3133.** 560.78 (3) (b) of the statutes is amended to read:

5 560.78 (3) (b) Only the department may determine whether sub. (2) (a) or (b)
6 applies to a business relocation described in par. (a) if the business relocation would
7 likely result in the loss of full-time jobs at or transfer of employes from a business
8 location that is in this state but outside the limits of any city, village, town or federally
9 recognized American Indian reservation in which the development zone is located.

10 **SECTION 3134.** 560.785 of the statutes is created to read:

11 **560.785 Rules on eligibility for tax benefits. (1)** For the development zone
12 program under ss. 560.70 to 560.78 and the enterprise development zone program
13 under s. 560.797, the department shall promulgate rules that further define a
14 person's eligibility for tax benefits. The rules shall do at least all of the following:

15 (a) Limit a person's eligibility to claim tax benefits for retaining full-time jobs
16 to those jobs that likely would not have been retained but for the tax benefits.

17 (b) Allow a person to claim up to \$6,500 in tax benefits during the time that an
18 area is designated as a development zone or as an enterprise development zone for
19 any of the following:

- 20 1. Creating a full-time job that is filled by a member of the target population.
- 21 2. Retaining a full-time job that is filled by a member of the target population.

22 (c) Allow a person to claim up to \$4,000 in tax benefits during the time that an
23 area is designated as a development zone or as an enterprise development zone for
24 any of the following:

1 1. Creating a full-time job that is filled by an individual who is not a member
2 of the target population.

3 2. Retaining a full-time job that is filled by an individual who is not a member
4 of the target population.

5 (d) Require at least 25% of the tax benefits claimed by a person to be based on
6 creating or retaining full-time jobs.

7 (e) Require at least one-third of the tax benefits claimed by a person that are
8 based on creating or retaining full-time jobs to be based on creating or retaining
9 full-time jobs that are filled by members of the target population.

10 (f) Specify how long a full-time job that is created or retained by a person must
11 be maintained in order for the person to claim tax benefits for the full-time job.

12 (g) Generally provide incentives for the retention of employees filling full-time
13 jobs upon which tax benefits are based.

14 **(2)** The department may by rule specify circumstances under which the
15 department may grant exceptions to any of the following:

16 (a) The requirements specified under sub. (1) (d) and (e).

17 (b) The requirement under ss. 560.70 (2m) and 560.797 (1) (am) that an
18 individual's pay must equal at least 150% of the federal minimum wage.

19 **SECTION 3135.** 560.795 (3) (b) 6. of the statutes is amended to read:

20 560.795 **(3)** (b) 6. The number of full-time jobs that will be created, retained
21 or substantially upgraded as a result of the corporation's economic activity in
22 relation to the amount of tax benefits estimated for the corporation.

23 **SECTION 3136.** 560.795 (3) (d) of the statutes is amended to read:

1 560.795 (3) (d) The department annually shall verify information submitted
2 to the department under s. 71.07 (2dx), 71.28 (1di) ~~(d) 2., (1dj) (e) 3., (1dL) (f), (1ds)~~
3 ~~(d) 2. and (4) (am) (1dx) or 71.47 (1dx)~~.

4 **SECTION 3137.** 560.797 (1) (am) of the statutes is created to read:

5 560.797 (1) (am) “Full-time job” has the meaning given in s. 560.70 (2m).

6 **SECTION 3138.** 560.797 (2) (b) 4. of the statutes is amended to read:

7 560.797 (2) (b) 4. The number of full-time jobs that are likely to be created as
8 a result of the project.

9 **SECTION 3139.** 560.797 (2) (b) 5. of the statutes is amended to read:

10 560.797 (2) (b) 5. The number of full-time jobs that are likely to be available
11 to the target population as a result of the project.

12 **SECTION 3140.** 560.797 (3) (b) 6. of the statutes is amended to read:

13 560.797 (3) (b) 6. The estimated number of full-time jobs that will be created,
14 retained or substantially upgraded as a result of the person’s project in relation to
15 the amount of tax benefits estimated for the person.

16 **SECTION 3141.** 560.797 (3) (b) 8. of the statutes is amended to read:

17 560.797 (3) (b) 8. The estimated number of full-time jobs that will be filled by
18 members of the target population.

19 **SECTION 3142.** 560.797 (3) (b) 9. of the statutes is repealed.

20 **SECTION 3143.** 560.797 (4) (g) of the statutes is created to read:

21 560.797 (4) (g) The department annually shall verify information submitted
22 to the department under s. 71.07 (2dx), 71.28 (1dx) or 71.47 (1dx).

23 **SECTION 4532p.** 560.80 (5) of the statutes is amended to read:

24 560.80 (5) “Eligible recipient” means a person who is eligible to receive a grant
25 under s. 560.82 (5) or 560.837 or a grant or loan under s. 560.83 (5) or 560.835.

1 **SECTION 4532r.** 560.80 (5m) of the statutes is created to read:

2 560.80 **(5m)** “Finance project” means financial assistance to a minority group
3 member or a minority business described in s. 560.837.

4 **SECTION 3144.** 560.80 (6) of the statutes is amended to read:

5 560.80 **(6)** “Job” means a regular, nonseasonal full-time position providing
6 ~~full-time equivalent employment for one individual for one year, beginning after a~~
7 ~~project is completed~~ in which an individual, as a condition of employment, is required
8 to work at least 2,080 hours per year, including paid leave and holidays. “Job” does
9 not include initial training before an employment position begins.

10 **SECTION 3145.** 560.80 (11) of the statutes is amended to read:

11 560.80 **(11)** “Project” means a development project, a recycling development
12 project ~~or, an early planning project, a finance project or a revolving fund project.~~

13 **SECTION 4534m.** 560.81 (4) of the statutes is created to read:

14 560.81 **(4)** The board awards a grant to the eligible recipient under s. 560.837.

15 **SECTION 3146.** 560.82 (4) (a) (intro.) of the statutes is amended to read:

16 560.82 **(4)** (a) (intro.) Award in a fiscal biennium, for grants under sub. (1), more
17 than ~~10%~~ 25% of the total of all of the following:

18 **SECTION 3147.** 560.83 (title) of the statutes is amended to read:

19 **560.83** (title) **Minority business development and revolving fund**
20 **grants and loans.**

21 **SECTION 3148.** 560.83 (2) (a) of the statutes is renumbered 560.83 (2) (a) (intro.)

22 and amended to read:

23 560.83 **(2)** (a) (intro.) The local development corporation agrees to use the
24 proceeds of grants or loans under this section ~~to~~ for any of the following:

1 1. To make grants or loans not exceeding \$50,000 each to eligible recipients to
2 fund eligible ~~project~~ development project costs.

3 **SECTION 3149.** 560.83 (2) (a) 2. of the statutes is created to read:

4 560.83 (2) (a) 2. To create, expand or continue a revolving fund program that
5 is operated by the local development corporation and that benefits or will benefit
6 minority businesses or minority group members who are residents of this state.

7 **SECTION 3150.** 560.83 (2) (b) of the statutes is repealed and recreated to read:

8 560.83 (2) (b) The local development corporation agrees to use factors similar
9 to those described in s. 560.84 (1) (a) to (k) and (2) (a) to (f) when making grants or
10 loans under par. (a) 1. or under a revolving fund program under par. (a) 2.

11 **SECTION 3151.** 560.83 (3) of the statutes is amended to read:

12 560.83 (3) The board may not award a grant or loan under sub. (1) or (2) unless
13 the eligible recipient or the local development corporation submits an application,
14 or other materials, in a form specified by the department by rule.

15 **SECTION 3152.** 560.83 (4) of the statutes is renumbered 560.83 (4) (a) and
16 amended to read:

17 560.83 (4) (a) In any fiscal biennium, the board ~~or local development~~
18 ~~corporation~~ may not award, to any one eligible recipient or for any one development
19 project, grants or loans under sub. (1) ~~or (2)~~ that total more than \$100,000 in a fiscal
20 biennium.

21 **SECTION 3153.** 560.83 (4) (b) of the statutes is created to read:

22 560.83 (4) (b) In any fiscal year, the board may not award to any one local
23 development corporation grants or loans under sub. (2) that total more than
24 \$200,000.

25 **SECTION 4543p.** 560.837 of the statutes is created to read:

1 **560.837 Minority business development finance grants.** Subject to s.
2 560.84, the board may award a grant under this section to a private financial
3 institution, as defined in s. 234.01 (5k), to fund finance projects if all of the following
4 apply:

5 (1) The financial institution is operating not for profit.

6 (2) The financial institution uses the grant proceeds to make loans for working
7 capital to minority group members and minority businesses.

8 (3) The loans for working capital under sub. (2) do not exceed \$5,000.

9 **SECTION 3154.** 560.84 (1) (intro.) of the statutes is amended to read:

10 560.84 (1) (intro.) The department or board may not award a grant or loan for
11 a project under this subchapter unless, after considering the application or other
12 material submitted by the eligible recipient or local development corporation, the
13 department or board determines all of the following:

14 **SECTION 3155.** 560.84 (1) (e) (intro.) of the statutes is amended to read:

15 560.84 (1) (e) (intro.) That the eligible recipient or local development
16 corporation receiving the grant or loan will contribute, from a source or sources other
17 than the state, whichever of the following applies:

18 **SECTION 3156.** 560.84 (1) (e) 3. of the statutes is created to read:

19 560.84 (1) (e) 3. For a grant or loan funding a revolving fund project, a cash
20 contribution of not less than 50% of the cost of the project.

21 **SECTION 4546c.** 560.84 (1) (f) of the statutes is amended to read:

22 560.84 (1) (f) That the project meets all criteria set forth in s. 560.82, 560.83
23 or, 560.835 or 560.837, whichever is appropriate.

24 **SECTION 4546f.** 560.84 (1) (j) of the statutes is amended to read:

1 560.84 (1) (j) If a development project or, recycling development project or
2 finance project, that funds from the grant or loan will not be used to refinance
3 existing debt.

4 **SECTION 3157.** 560.84 (2) (intro.) of the statutes is amended to read:

5 560.84 (2) (intro.) The board or department shall consider all of the following
6 before awarding a grant or loan to an eligible recipient or local development
7 corporation for a project:

8 **SECTION 4547m.** 560.85 (3) (b) of the statutes is amended to read:

9 560.85 (3) (b) Develop procedures, with the approval of the board, to evaluate
10 applications, monitor project performance and audit grants and loans awarded for
11 development projects under s. 560.83 and, recycling development projects under s.
12 560.835 and finance projects under s. 560.837.

13 **SECTION 3158.** Chapter 561 of the statutes is repealed.

14 **SECTION 3159.** 562.01 (1) of the statutes is amended to read:

15 562.01 (1) “Administrator” means the administrator of the racing division of
16 gaming.

17 **SECTION 3160.** 562.01 (4) of the statutes is created to read:

18 562.01 (4) “Department” means the department of administration.

19 **SECTION 3161.** 562.01 (4m) of the statutes is created to read:

20 562.01 (4m) “Division of gaming” means the division of gaming in the
21 department.

22 **SECTION 3162.** 562.01 (14) of the statutes is amended to read:

23 562.01 (14) “Steward” means any person appointed, contracted for or approved
24 by the board department under s. 562.02 (1) (fm).

25 **SECTION 3163.** 562.017 of the statutes is created to read:

1 **562.017 Racing security.** The department may do any of the following:

2 **(1)** Provide all of the security services for the racing operations under this
3 chapter.

4 **(2)** Monitor the regulatory compliance of racing operations under this chapter.

5 **(3)** Audit the racing operations under this chapter.

6 **(4)** Investigate suspected violations of this chapter.

7 **(5)** Report suspected gaming-related criminal activity to the division of
8 criminal investigation in the department of justice for investigation by that division.

9 **(6)** If the division of criminal investigation in the department of justice chooses
10 not to investigate a report under sub. (5), coordinate an investigation of the suspected
11 criminal activity with local law enforcement officials and district attorneys.

12 **SECTION 3164.** 562.02 (1) (intro.) of the statutes is amended to read:

13 562.02 **(1)** (intro.) The ~~board~~ department shall:

14 **SECTION 3165.** 562.02 (1) (a) of the statutes is amended to read:

15 562.02 **(1)** (a) Regulate racing and on-track pari-mutuel wagering in this state
16 and shall promulgate all rules necessary to administer this chapter. The ~~board~~
17 department shall do everything necessary to ensure that the public interest is
18 protected in relation to racing.

19 **SECTION 3166.** 562.02 (1) (am) (intro.) of the statutes is amended to read:

20 562.02 **(1)** (am) (intro.) Administer the issuance of licenses. The ~~board~~
21 department may not issue any license under s. 562.05 (1) (a) to (c) without a hearing.
22 The ~~board~~ department shall determine which occupations related to racing require
23 licensing, except that the ~~board~~ department shall require licenses for the following:

24 **SECTION 3167.** 562.02 (1) (d) of the statutes is amended to read:

1 562.02 (1) (d) Require by rule that any contract in excess of \$10,000 for the
2 provision of goods and services, including but not limited to concessions contracts,
3 entered into by any licensee, be subject to the approval of the ~~board~~ department and
4 that all contracts for \$10,000 or less shall be filed with the ~~board~~ department.

5 **SECTION 3168.** 562.02 (1) (f) of the statutes is amended to read:

6 562.02 (1) (f) Establish, by rule, a schedule of license suspensions and
7 revocations or forfeitures for violations of this chapter or ~~board~~ department rules
8 which may be imposed by the ~~board~~ department under sub. (2) (f) or by the stewards
9 under s. 562.04 (1) (b). A forfeiture under that schedule may not exceed \$10,000. The
10 rule shall include factors to be considered by stewards in acting under s. 562.04 (1)
11 (b).

12 **SECTION 3169.** 562.02 (1) (h) of the statutes is amended to read:

13 562.02 (1) (h) By rule, specify the types of records and books to be maintained
14 by licensees, and, for submission to the ~~board~~ department, the type of audit of those
15 books and records to be conducted by licensees and the type of financial report to be
16 prepared by licensees.

17 **SECTION 3170.** 562.02 (2) (intro.) of the statutes is amended to read:

18 562.02 (2) (intro.) The ~~board~~ department may:

19 **SECTION 3171.** 562.02 (2) (a) of the statutes is amended to read:

20 562.02 (2) (a) Employ the staff it deems necessary to administer this chapter,
21 including but not limited to any chemist and veterinarian. The ~~board~~ department
22 may not contract for the services of any veterinarian or chemist unless the
23 veterinarian or chemist has not had a conflict of interest under s. 562.025 (2) at any
24 time during the 12 months immediately preceding the date on which the contract for
25 such services is entered into.

1 **SECTION 3172.** 562.02 (2) (b) of the statutes is amended to read:

2 562.02 (2) (b) Require a fidelity bond for the administrator and any other
3 employee of the ~~racing~~ division of gaming or may purchase a bond which covers the
4 administrator and all other employees of the ~~racing~~ division of gaming or designated
5 employees of the ~~racing~~ division of gaming.

6 **SECTION 3173.** 562.02 (2) (e) 3. of the statutes is amended to read:

7 562.02 (2) (e) 3. Is determined by the ~~board~~ department to be a threat to the
8 integrity of racing in this state.

9 **SECTION 3174.** 562.02 (2) (f) of the statutes is amended to read:

10 562.02 (2) (f) Suspend or revoke any license or impose a forfeiture for any
11 violation of this chapter or ~~board~~ department rules relating to pari-mutuel racing.
12 The ~~board~~ department may suspend or revoke an occupational license issued under
13 s. 562.05 (1) (d) or impose a forfeiture on that licensee under this paragraph if the
14 stewards do not hold a meeting under s. 562.04 (1) (b) or hold a meeting but do not
15 suspend the license or impose a forfeiture. Upon appeal, the ~~board~~ department may
16 change any action of the stewards under s. 562.04 (1) (b). Fifty percent of the moneys
17 received under this paragraph shall be ~~deposited in~~ credited to the appropriations
18 appropriation accounts under ss. 20.197 (1) (g) and 20.455 (2) (g) and 20.505 (8) (g).

19 **SECTION 3175.** 562.02 (2) (fm) of the statutes is amended to read:

20 562.02 (2) (fm) Contract with the department of agriculture, trade and
21 consumer protection for any services related to the duties of the ~~board~~ department
22 in ensuring the security and humane treatment of animals.

23 **SECTION 3176.** 562.02 (2) (g) of the statutes is amended to read:

24 562.02 (2) (g) Create a 5-member advisory council, with members representing
25 the racing industry and occupations licensed under s. 562.05 (1) (d), to advise the

1 ~~board~~ department on the administration of its powers and duties under this chapter.
2 No member of that council may be reimbursed for any expense incurred in the
3 performance of his or her duties or for any service as a member of that advisory
4 council.

5 **SECTION 3177.** 562.02 (4) of the statutes is amended to read:

6 562.02 (4) Except as provided under s. 562.05 (2m), the ~~board~~ department shall
7 issue a license under s. 562.05 (1) (a) to any person who satisfies the requirements
8 of this chapter for such a license.

9 **SECTION 3178.** 562.025 (1) (intro.) of the statutes is repealed and recreated to
10 read:

11 562.025 (1) (intro.) No employe in the division of gaming who performs any
12 duty related to racing or the executive assistant or the secretary or deputy secretary
13 of administration and no member of such a person's immediate family, as defined in
14 s. 19.42 (7), may, while that person is employed or serves in such a capacity or for 2
15 years following the termination of his or her employment with the department after
16 having served in such a capacity, do any of the following:

17 **SECTION 3179.** 562.025 (1) (e) of the statutes is amended to read:

18 562.025 (1) (e) Accept or agree to accept money or anything of value from
19 anyone who holds a license or who is regulated by or holds any contract to supply
20 goods or services to the ~~board~~ department.

21 **SECTION 3180.** 562.025 (2) (intro.) of the statutes is amended to read:

22 562.025 (2) (intro.) No person under contract with the ~~board~~ department and
23 no employe of any person under contract with the ~~board~~ department, other than a
24 vendor or an employe of a vendor as defined in s. 565.01 (7), may do any of the
25 following:

1 **SECTION 3181.** 562.025 (2) (a) of the statutes is amended to read:

2 562.025 (2) (a) Hold any license, except a license covering the professional
3 services being provided to the ~~board~~ department, or be employed by or have any
4 direct or indirect interest in any corporation, partnership, limited liability company
5 or association which holds a license.

6 **SECTION 3182.** 562.025 (2) (e) of the statutes is amended to read:

7 562.025 (2) (e) Accept or agree to accept money or anything of value from any
8 person who holds a license or who is regulated by the ~~board~~ department or holds any
9 contract to supply goods or services to the ~~board~~ department other than the contract
10 under which the person provides professional services.

11 **SECTION 3183.** 562.03 (1) (a) of the statutes is amended to read:

12 562.03 (1) (a) The ~~board~~ department shall appoint the administrator after a
13 nationwide search for persons with experience in public gaming management and
14 regulation and with knowledge of animal racing and pari-mutuel wagering.

15 **SECTION 3184.** 562.03 (1) (b) of the statutes is amended to read:

16 562.03 (1) (b) Before appointing an administrator, the ~~board~~ department shall,
17 with the assistance of the department of justice, conduct a background investigation
18 of the proposed administrator. The ~~board~~ department shall require the proposed
19 administrator to be photographed and fingerprinted on 2 fingerprint cards each
20 bearing a complete set of the person's fingerprints. The department of justice may
21 provide for the submission of the fingerprint cards to the federal bureau of
22 investigation for the purposes of verifying the identity of the person fingerprinted
23 and obtaining any record of his or her criminal arrests and convictions.

24 **SECTION 3185.** 562.03 (2) of the statutes is amended to read:

1 562.03 (2) The administrator may employ or provide by contract for the
2 services of stewards, subject to the approval of the ~~board~~ department. Any steward
3 under a contract under this subsection shall be under a contract with the ~~board~~
4 department.

5 **SECTION 3186.** 562.03 (3) (a) of the statutes is amended to read:

6 562.03 (3) (a) The ~~board~~ department may employ the staff it considers
7 necessary to administer this chapter.

8 **SECTION 3187.** 562.03 (3) (b) of the statutes is amended to read:

9 562.03 (3) (b) Before making an appointment under par. (a) and sub. (4), the
10 ~~board~~ department shall conduct a background investigation of the proposed employe
11 and shall require that proposed employe to be photographed and fingerprinted on 2
12 fingerprint cards each bearing a complete set of the person's fingerprints. The
13 department of justice may provide for the submission of the fingerprint cards to the
14 federal bureau of investigation for the purposes of verifying the identity of the person
15 fingerprinted and obtaining any record of his or her criminal arrests and convictions.

16 **SECTION 3188.** 562.04 (1) (a) (intro.) of the statutes is amended to read:

17 562.04 (1) (a) (intro.) Three stewards shall preside over races conducted at a
18 racetrack not at a fair. At least 2 of those stewards shall be employes of the ~~board~~
19 department or providing services to the ~~board~~ department under a professional
20 services contract. The rate of compensation of stewards serving under contract to the
21 ~~board~~ department shall be commensurate with the rate of compensation established
22 for stewards employed by the ~~board~~ department, but less than the rate established
23 for the chief steward. Stewards presiding over a racetrack shall do all of the
24 following:

25 **SECTION 3189.** 562.04 (1) (a) 1. of the statutes is amended to read:

1 562.04 (1) (a) 1. Ensure that races are conducted under the rules of the board
2 department.

3 **SECTION 3190.** 562.04 (1) (a) 5. of the statutes is amended to read:

4 562.04 (1) (a) 5. Perform any other duty assigned by the board department.

5 **SECTION 3191.** 562.04 (1) (b) (intro.) of the statutes is amended to read:

6 562.04 (1) (b) (intro.) If one or more stewards have reasonable cause to believe
7 that a person holding a license under s. 562.05 (1) (d) has violated this chapter or
8 rules of the board department relating to pari-mutuel racing or engaged in any other
9 conduct which in the opinion of the stewards adversely affects the integrity of racing,
10 the following procedures apply:

11 **SECTION 3192.** 562.04 (1) (b) 4. of the statutes is amended to read:

12 562.04 (1) (b) 4. If at least 2 stewards determine that the violation or conduct
13 has occurred, the stewards may, under the schedule established by the board
14 department under s. 562.02 (1) (f), suspend a license issued under s. 562.05 (1) (d)
15 for a period not to exceed 90 days or impose a forfeiture not to exceed \$2,000 or both;
16 or recommend that the board department suspend a license for more than 90 days
17 or impose a forfeiture exceeding \$2,000 or both. Fifty percent of the moneys received
18 under this subdivision shall be ~~deposited in~~ credited to the appropriations
19 appropriation accounts under ss. ~~20.197 (1) (g) and 20.455 (2) (g) and 20.505 (8) (g).~~

20 **SECTION 3193.** 562.04 (1) (b) 5. of the statutes is amended to read:

21 562.04 (1) (b) 5. After the meeting under subd. 1., the stewards shall submit,
22 in writing, all findings and conclusions from that meeting to the licensee and the
23 board department, including the sanctions, if any, imposed by the stewards and shall
24 provide the licensee who is the subject of the meeting with a notice of his or her right
25 to appeal the decision under subd. 6. Within 7 days after receiving the decision, the

1 licensee shall pay any forfeitures imposed by the stewards, regardless of whether the
2 decision is appealed or stayed under subd. 6.

3 **SECTION 3194.** 562.04 (1) (b) 6. of the statutes is amended to read:

4 562.04 (1) (b) 6. Any person adversely affected by a decision issued under subd.
5 4. may appeal that decision to the ~~board~~ department. The appeal shall be filed with
6 the ~~board~~ department within 7 days after receipt of that written decision. An appeal
7 does not automatically stay the decision of the stewards. Any person may request
8 that the administrator stay that decision pending the decision of the ~~board~~
9 department on the appeal. If the administrator receives such a request and
10 determines that the stay will not adversely affect public safety or welfare or the
11 safety or welfare of an animal, the administrator shall order the stay. The procedure
12 for the appeal under this subdivision is under ch. 227. If part or all of any forfeiture
13 imposed under subd. 5. is refunded to the licensee under this subdivision, the refund
14 shall include interest calculated at the rate of 9% per year on that amount. The
15 decision of the ~~board~~ department on the appeal shall be the final administrative
16 decision on any action of the stewards under subd. 4.

17 **SECTION 3195.** 562.04 (2) (intro.) of the statutes is amended to read:

18 562.04 (2) OTHER RACING OFFICIALS. (intro.) The ~~board~~ department shall, by
19 rule, specify all of the following:

20 **SECTION 3196.** 562.04 (2) (d) of the statutes is amended to read:

21 562.04 (2) (d) A fee for the supervision of racing by stewards or other racing
22 officials employed by or under contract with the ~~board~~ department. Any moneys
23 received under this paragraph shall be ~~deposited in~~ credited to the appropriations
24 appropriation accounts under ss. ~~20.197 (1) (g) and 20.455 (2) (g) and 20.505 (8) (g).~~

25 **SECTION 3197.** 562.045 (intro.) of the statutes is amended to read:

1 **562.045 Qualifications of administrator, other employes and stewards.**

2 (intro.) Notwithstanding s. 111.321, no person may serve as an administrator or
3 other employe of the racing division of gaming or as a steward employed by the ~~board~~
4 department or under contract with the ~~board~~ department if any of the following
5 apply:

6 **SECTION 3198.** 562.045 (6) of the statutes is amended to read:

7 562.045 (6) The person has knowingly violated a rule or order of the ~~board~~
8 department relating to pari-mutuel racing or any provision of this chapter, s.
9 182.020 or ch. 945.

10 **SECTION 3199.** 562.05 (1) (intro.) of the statutes is amended to read:

11 562.05 (1) (intro.) No person may engage in any of the following activities
12 without a valid annual license issued by the ~~board~~ department:

13 **SECTION 3200.** 562.05 (1) (d) of the statutes is amended to read:

14 562.05 (1) (d) Any occupation required to be licensed under s. 562.02 (1) (am)
15 or determined by the ~~board~~ department under s. 562.02 (1) (am) to require a license.

16 **SECTION 3201.** 562.05 (1b) of the statutes is amended to read:

17 562.05 (1b) The ~~board~~ department shall approve and conduct an examination
18 to be administered to all applicants for a license under sub. (1) (d) to be a horse
19 trainer. No license may be issued under sub. (1) (d) to a horse trainer unless the ~~board~~
20 department determines that the applicant for the license is qualified as evidenced
21 by the applicant's performance on the examination conducted under this subsection.

22 **SECTION 3202.** 562.05 (1m) of the statutes is amended to read:

23 562.05 (1m) The ~~board~~ department may not issue a license under sub. (1) (a)
24 to (c) except after a public hearing.

25 **SECTION 3203.** 562.05 (2) of the statutes is amended to read:

1 562.05 (2) The ~~board~~ department shall establish, by rule, the qualifications for
2 any license required under sub. (1) and fix the fee for that license and any
3 background investigation under sub. (7) related to that license. Any moneys received
4 under this subsection shall be ~~deposited in~~ credited to the ~~appropriations~~
5 appropriation accounts under ss. ~~20.197 (1) (g) and 20.455 (2) (g) and 20.505 (8) (g).~~

6 **SECTION 3204.** 562.05 (2m) of the statutes is amended to read:

7 562.05 (2m) In issuing a license to own and operate a racetrack not at a fair,
8 the ~~board~~ department shall consider the competitive effects on any other licensee
9 under sub. (1) (a) or (b). These competitive effects shall include, but not be restricted
10 to, the impact on the economic viability of existing licensed racetracks and the jobs
11 that have been created by such licensed racetracks.

12 **SECTION 3205.** 562.05 (3) of the statutes is amended to read:

13 562.05 (3) No person may hold more than one license issued under sub. (1) (a)
14 and one license issued under sub. (1) (b) or (c). If the applicant for any of those
15 licenses is a corporation, association, limited liability company or partnership, the
16 ~~board~~ department shall determine whether the applicant is the same person as
17 another licensee for the purpose of applying this subsection. Nothing in this
18 subsection prohibits any person with a license under sub. (1) from contracting for
19 services with any other person with a license under sub. (1), subject to any rules
20 promulgated by the ~~board~~ department.

21 **SECTION 3206.** 562.05 (3m) of the statutes is amended to read:

22 562.05 (3m) The ~~board~~ department may not accept an application for a license
23 for a race under sub. (1) (c) unless the county board of the county in which that race
24 will be conducted has approved the applicant's sponsorship and management of that
25 race.

1 **SECTION 3207.** 562.05 (3w) (intro.) of the statutes is amended to read:

2 562.05 (**3w**) (intro.) Except as provided under subs. (3) to (3r), the board
3 department may issue a license under sub. (1) (a) if the board department determines
4 that all of the following conditions are met:

5 **SECTION 3208.** 562.05 (3wmr) of the statutes is amended to read:

6 562.05 (**3wmr**) If the condition under sub. (2m) is relevant to its decision, the
7 board department may consider secondary economic impacts of an applicant's
8 proposal for a racetrack if the applicant proves by a preponderance of evidence that
9 the alleged secondary impacts will enhance the success of the applicant's proposed
10 racetrack and the location of the proposed racetrack would compliment existing
11 development with the overall effect of increasing tourism and generating state
12 revenues from out-of-state residents.

13 **SECTION 3209.** 562.05 (3wt) of the statutes is amended to read:

14 562.05 (**3wt**) In the first license issued to each applicant under sub. (1) (a) for
15 each racetrack, the board department shall specify a date by which each of the types
16 of racing authorized under the license shall begin at that racetrack. Upon request
17 of the licensee, the board department may change a specified date to an earlier or
18 later date pursuant to rules of the board department.

19 **SECTION 3210.** 562.05 (4) of the statutes is amended to read:

20 562.05 (**4**) Any application for a license to sponsor and manage a race shall be
21 accompanied by a bond, in an amount determined by the board department, which
22 shall be sufficient to guarantee the payment of fees, taxes and other money due,
23 including animal owners' purses and payouts on winning wagers.

24 **SECTION 3211.** 562.05 (4m) (intro.) of the statutes is amended to read:

1 562.05 (4m) (intro.) Except as provided in sub. (4), the ~~board~~ department may
2 issue a license under sub. (1) (b) if the ~~board~~ department determines that all of the
3 following conditions are met:

4 **SECTION 3212.** 562.05 (5) (a) 5. of the statutes is amended to read:

5 562.05 (5) (a) 5. The person has been convicted of a violation of any law of this
6 or another state or of the United States related to racing, pari-mutuel wagering or
7 of any other form of gambling which is a serious violation, as defined by the ~~board~~
8 department by rule.

9 **SECTION 3213.** 562.05 (5) (a) 6. of the statutes is amended to read:

10 562.05 (5) (a) 6. The person has knowingly violated a rule or order of the ~~board~~
11 department relating to pari-mutuel racing or any provision of this chapter or of ch.
12 27, 182 or 945.

13 **SECTION 3214.** 562.05 (5) (b) 4. of the statutes is amended to read:

14 562.05 (5) (b) 4. A restriction under par. (a) 2. to 8. does not apply to a
15 partnership, limited liability company, association or corporation if the ~~board~~
16 department determines that the partnership, association, limited liability company
17 or corporation has terminated its relationship with each individual whose actions
18 directly contributed to the application of that restriction to the partnership,
19 association, limited liability company or corporation.

20 **SECTION 3215.** 562.05 (5) (c) 2. of the statutes is amended to read:

21 562.05 (5) (c) 2. Except as otherwise provided in this subdivision, if after the
22 application for a license is made or a license is issued any new officer, director,
23 partner, member or owner subject to par. (a), as specified in par. (b), or any other new
24 person with a present or future direct or indirect financial or management interest
25 in the application or license joins the applicant or licensee, the applicant or licensee

1 shall, within 5 working days, notify the ~~board~~ department of the change and provide
2 the affidavit under subd. 1. After an application for a license under sub. (1) (a) or (b)
3 is made or after a license under sub. (1) (a) or (b) is issued, no ownership interest or
4 right of ownership in the applicant or licensee may be transferred unless the
5 applicant or licensee provides the affidavit under subd. 1. for the proposed new owner
6 and the proposed new owner is approved by the ~~board~~ department. The ~~board~~
7 department shall conduct the background investigations required under sub. (7) of
8 any new officer, director, partner, member, shareholder or proposed owner of an
9 applicant or licensee named in a notice to the ~~board~~ department under this
10 subdivision.

11 **SECTION 3216.** 562.05 (6m) (b) (intro.) of the statutes is amended to read:

12 562.05 **(6m)** (b) (intro.) The ~~board~~ department may not issue an intertrack
13 wagering license unless the ~~board~~ department determines that all of the following
14 conditions are met:

15 **SECTION 3217.** 562.05 (6m) (b) 2. of the statutes is amended to read:

16 562.05 **(6m)** (b) 2. At least 250 race performances were conducted at the
17 racetrack for which the applicant is licensed under sub. (1) (a) or (b) during the
18 calendar year immediately preceding the year in which the applicant proposes to
19 conduct intertrack wagering. The ~~board~~ department may waive the requirement in
20 this subdivision if the ~~board~~ department determines that the waiver is in the public
21 interest.

22 **SECTION 3218.** 562.05 (6m) (c) of the statutes is amended to read:

23 562.05 **(6m)** (c) In considering whether to grant an intertrack wagering license,
24 the ~~board~~ department shall give due consideration to the best interests of the public
25 and to maximizing revenue to the state.

1 **SECTION 3219.** 562.05 (6m) (d) of the statutes is amended to read:

2 562.05 **(6m)** (d) On each intertrack wagering license that the ~~board~~ department
3 issues, the ~~board~~ department shall identify the racetrack at which intertrack
4 wagering may be conducted, the times and number of days or specific dates, as
5 determined by the ~~board~~ department, during which intertrack wagering may be
6 conducted, and the host track from which the simulcast of each race performance on
7 which intertrack wagering may be conducted shall originate.

8 **SECTION 3220.** 562.05 (6m) (e) (intro.) of the statutes is amended to read:

9 562.05 **(6m)** (e) (intro.) The ~~board~~ department shall revoke an intertrack
10 wagering license if the ~~board~~ department determines that any of the following
11 applies:

12 **SECTION 3221.** 562.05 (7) (a) (intro.) of the statutes is amended to read:

13 562.05 **(7)** (a) (intro.) Except as provided under par. (ag), before the ~~board~~
14 department issues a license under this section, the ~~board~~ department, with the
15 assistance of the department of justice, shall conduct a background investigation of
16 the applicant for the license and of any of the following related to the applicant:

17 **SECTION 3222.** 562.05 (7) (ag) (intro.) of the statutes is amended to read:

18 562.05 **(7)** (ag) (intro.) Paragraph (a) applies to any person required under s.
19 562.02 (1) (am) to have a license except for any person determined by the ~~board~~
20 department under s. 562.02 (1) (am) to require a license. Before the ~~board~~
21 department issues a license to any person determined by the ~~board~~ department
22 under s. 562.02 (1) (am) to require a license, the ~~board~~ department may, with the
23 assistance of the department of justice, conduct a background investigation of the
24 applicant for that license and of any of the following related to the applicant:

25 **SECTION 3223.** 562.05 (7) (b) of the statutes is amended to read:

1 562.05 (7) (b) The ~~board~~ department shall require any person subject to an
2 investigation under par. (a) to be photographed and fingerprinted on 2 fingerprint
3 cards each bearing a complete set of that person's fingerprints. The department of
4 justice may provide for the submission of the fingerprint cards to the federal bureau
5 of investigation for the purpose of verifying the identity of that person and obtaining
6 any record of that person's criminal arrests and convictions.

7 **SECTION 3224.** 562.05 (7) (bg) of the statutes is amended to read:

8 562.05 (7) (bg) The ~~board~~ department may require any person subject to an
9 investigation under par. (ag) to be photographed and fingerprinted on 2 fingerprint
10 cards each bearing a complete set of that person's fingerprints. The department of
11 justice may provide for the submission of the fingerprint cards to the federal bureau
12 of investigation for the purpose of verifying the identity of that person and obtaining
13 any record of that person's criminal arrests and convictions.

14 **SECTION 3225.** 562.05 (8) (a) of the statutes is amended to read:

15 562.05 (8) (a) The ~~board~~ department may revoke or suspend a license for good
16 cause after notice and hearing under s. 227.44.

17 **SECTION 3226.** 562.05 (8) (b) of the statutes is amended to read:

18 562.05 (8) (b) The ~~board~~ department shall permanently revoke the license of
19 any licensee whom the ~~board~~ department determines under par. (a) has
20 administered a medication or foreign substance to an animal in violation of s. 562.09
21 (1).

22 **SECTION 3227.** 562.05 (8) (c) of the statutes is amended to read:

23 562.05 (8) (c) The ~~board~~ department shall permanently revoke the license of
24 any licensee who violates s. 562.105.

25 **SECTION 3228.** 562.05 (9) (a) of the statutes is amended to read:

1 562.05 (9) (a) Every license issued under sub. (1) (b) or (c) shall set forth the
2 time and number of days, or the specific dates, during which racing may be conducted
3 under that license, as determined by the ~~board~~ department.

4 **SECTION 3229.** 562.05 (9) (b) of the statutes is amended to read:

5 562.05 (9) (b) A license under sub. (1) (c) may authorize horse races on days on
6 which the fair is conducted and for 2 additional periods not to exceed 5 days each.
7 Either or both of the additional periods may be consecutive with the days on which
8 the fair is conducted. In assigning race days and race times under this paragraph,
9 the ~~board~~ department shall consider the competitive effects on licensees under sub.
10 (1) (a) and (b).

11 **SECTION 3230.** 562.05 (10) of the statutes is amended to read:

12 562.05 (10) The ~~board~~ department shall revoke the license issued under sub.
13 (1) (a) of any person who accepts any public money to construct or operate a racetrack
14 in Wisconsin. This subsection does not apply to any racetrack operated in
15 conjunction with a county fair.

16 **SECTION 3231.** 562.057 (1) of the statutes is amended to read:

17 562.057 (1) An intertrack wagering licensee may accept wagers on races that
18 are conducted at 2 or more host tracks during the same race day with the approval
19 of the ~~board~~ department.

20 **SECTION 3232.** 562.057 (4) of the statutes is amended to read:

21 562.057 (4) Subject to sub. (4m), the ~~board~~ department may permit a licensee
22 under s. 562.05 (1) (b) to receive simulcast races from out-of-state racetracks, to
23 conduct pari-mutuel wagering on those races and to commingle the licensee's
24 wagering pools on those races with those of any out-of-state racetrack from which
25 the licensee is permitted to receive simulcast races. The ~~board~~ department may

1 permit a licensee under s. 562.05 (1) (b) to simulcast races to any out-of-state legal
2 wagering entity, and to commingle the licensee's wagering pools on those races with
3 those of any out-of-state legal wagering entity to which the licensee is permitted to
4 simulcast those races.

5 **SECTION 3233.** 562.057 (4m) (intro.) of the statutes is amended to read:

6 562.057 (4m) (intro.) The board department may not permit a licensee under
7 s. 562.05 (1) (b) to receive simulcast races under sub. (4) unless the board department
8 determines that all of the following conditions are met:

9 **SECTION 3234.** 562.057 (5) of the statutes is amended to read:

10 562.057 (5) The board department shall promulgate rules administering sub.
11 (4).

12 **SECTION 3235.** 562.065 (1) of the statutes is amended to read:

13 562.065 (1) TYPES OF POOLS; PURSES. The board department shall promulgate
14 rules governing types of pari-mutuel pools that are permitted on races and the
15 payment and allocation of purses for races.

16 **SECTION 3236.** 562.065 (3) (a) of the statutes is amended to read:

17 562.065 (3) (a) *Deduction.* From the total amount wagered on all animals
18 selected to win, place or show in a race, a licensee under s. 562.05 (1) (b) and (c) shall
19 deduct 17% or an amount approved by the board department under s. 562.02 (1) (k)
20 up to 20% and pay the balance, minus breakage, to winning ticket holders, except
21 that for a multiple pool, the licensee shall deduct 23% or an amount approved by the
22 board department under s. 562.02 (1) (k) up to 25% and pay the balance, minus
23 breakage, to winning ticket holders. Nothing in this paragraph prohibits the
24 licensee from retaining amounts wagered in multiple pools which are required to be

1 paid to winning ticket holders if there are no winning ticket holders, for the sole
2 purpose of paying these amounts to winning ticket holders of subsequent races.

3 **SECTION 3237.** 562.065 (3) (c) 1. (intro.) of the statutes is amended to read:

4 562.065 (3) (c) 1. (intro.) For horse races, from the total amount deducted under
5 par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~
6 department the following amounts:

7 **SECTION 3238.** 562.065 (3) (c) 2. of the statutes is repealed.

8 **SECTION 3239.** 562.065 (3) (c) 2g. (intro.) of the statutes is amended to read:

9 562.065 (3) (c) 2g. (intro.) For dog races, from the total amount deducted under
10 par. (a) on each race day that is on or after January 1, 1993, a licensee under s. 562.05
11 (1) (b) shall deposit with the ~~board~~ department the following amounts:

12 **SECTION 3240.** 562.065 (3) (c) 4. of the statutes is amended to read:

13 562.065 (3) (c) 4. Annually, not later than February 15, a licensee under s.
14 562.05 (1) (b) shall file with the ~~board~~ department a statement computing the total
15 amount paid to the ~~board~~ department under subd. 1. during the immediately
16 preceding year and the total amount wagered at races sponsored and managed by
17 the licensee during that year. If the total amount paid to the ~~board~~ department under
18 subd. 1. exceeds the amount due under subd. 1. the ~~board~~ department shall refund
19 the difference to the licensee. If the total amount paid is less than the amount due
20 the licensee shall remit the difference to the ~~board~~ department.

21 **SECTION 3241.** 562.065 (3) (d) 1. of the statutes is amended to read:

22 562.065 (3) (d) 1. From the total amount deducted under par. (a) on each race
23 day, a licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~ department an
24 amount equal to 0.75% of the total amount wagered on that race day.

25 **SECTION 3242.** 562.065 (3) (d) 2. of the statutes is amended to read:

1 562.065 (3) (d) 2. The ~~board~~ department shall ~~deposit credit~~ the money received
2 under subd. 1. ~~in to the appropriations~~ appropriation accounts under ss. ~~20.197 (1)~~
3 ~~(g) and 20.455 (2) (g) and 20.505 (8) (g).~~

4 **SECTION 3243.** 562.065 (3m) (c) 1. of the statutes is amended to read:

5 562.065 (3m) (c) 1. From the total amount of the deduction under par. (a)
6 remaining after the payment of purses under par. (b), the licensee under s. 562.05
7 (1) (c) shall retain an amount equal to the licensee's costs related to pari-mutuel
8 racing and wagering conducted under the license. The ~~board~~ department shall, by
9 rule, determine the costs which may be included under this subdivision and require
10 auditing of these costs.

11 **SECTION 3244.** 562.065 (3m) (c) 2. of the statutes is amended to read:

12 562.065 (3m) (c) 2. The licensee may retain 50% of the amount of the deduction
13 under par. (a) remaining after the payment of purses under par. (b), and the payment
14 of the licensee's cost under subd. 1. The licensee shall deposit the remaining 50% of
15 that amount with the ~~board~~ department. The ~~board~~ department shall ~~deposit credit~~
16 moneys received under this subdivision ~~in to the appropriation~~ account under s.
17 ~~20.197 (3) 20.505 (8) (i).~~

18 **SECTION 3245.** 562.065 (3r) of the statutes is amended to read:

19 562.065 (3r) PERIOD FOR DEPOSIT BY LICENSEE. The licensee shall make the
20 deposits required under subs. (3) (c) 1. ~~to~~ and 2g. and (d) 1. and (3m) (c) 2. no later
21 than 48 hours after the close of the race day or, if the 48-hour period does not include
22 a business day, on the first business day immediately following the close of the race
23 day.

24 **SECTION 3246.** 562.065 (4) of the statutes is amended to read:

1 562.065 (4) UNCLAIMED PRIZES. Any winnings on a race which are not claimed
2 within 90 days after the end of the period authorized for racing in that year under
3 s. 562.05 (9) shall be paid to the ~~board~~ department. The ~~board~~ department shall
4 ~~deposit~~ credit moneys received under this subsection ~~in~~ to the ~~appropriations~~
5 appropriation accounts under ss. ~~20.197 (1) (g) and 20.455 (2) (g) and 20.505 (8) (g).~~

6 **SECTION 3247.** 562.075 (1) of the statutes is amended to read:

7 562.075 (1) HORSES FOALED IN THIS STATE. Every licensee to sponsor and manage
8 horse races under s. 562.05 (1) (b) or (c) shall hold at least one race on every race day
9 which is limited to horses foaled in this state, except that another race may be
10 substituted if the licensee is unable, with reasonable effort, to attract sufficient
11 competition for such a race. The ~~board~~ department shall define, by rule, the term
12 “foaled in this state”.

13 **SECTION 3248.** 562.077 of the statutes is amended to read:

14 **562.077 County fair advancement grants.** From the appropriation under
15 s. ~~20.197 (3) 20.505 (8) (i)~~, the ~~board~~ department shall provide grants to the
16 Wisconsin association of fairs for use for the advancement of county fairs throughout
17 the state. The ~~board~~ department shall approve the program for which any grant
18 under this section is used prior to making the grant.

19 **SECTION 3249.** 562.08 (3) of the statutes is amended to read:

20 562.08 (3) Each county, city, village and town receiving moneys under sub. (2)
21 shall use at least part of the moneys to defray the costs of law enforcement, traffic
22 control and other municipal expenditures incidental to the conduct of racing in that
23 county, city, village or town and shall submit annually a report to the ~~board~~
24 department showing how it has expended those moneys.

25 **SECTION 3250.** 562.09 (1) (title) of the statutes is amended to read:

1 562.09 (1) (title) ~~BOARD~~ DEPARTMENT RULES.

2 **SECTION 3251.** 562.09 (1) (a) of the statutes is amended to read:

3 562.09 (1) (a) The ~~board~~ department shall promulgate and enforce rules
4 governing the administration of medication and foreign substances to animals at
5 racetracks where there is racing and medical testing of those animals. The rules
6 shall provide that no medication or foreign substance, as defined by the ~~board~~
7 department, may be administered to an animal within 48 hours prior to its entry in
8 a race and that no animal participating in a race may carry any medication or foreign
9 substance in its body, except as provided in this paragraph. The rules may permit
10 specified levels of the following medications or foreign substances to be present in the
11 body of an animal participating in a race if it is determined by the ~~board~~ department
12 that the medication or foreign substance entered the body of the animal through the
13 food chain: procaine and its metabolites; sulfa drugs and their metabolites;
14 polyethylene glycol; and any other medication or foreign substance that may enter
15 the body of an animal through the food chain and that the ~~board~~ department
16 determines will not affect the integrity of the race or will not be relevant to the
17 wagering public if the medication or foreign substance is present in an animal
18 participating in a race. The rules shall specify the permissible levels of those
19 medications or foreign substances consistent with levels resulting from food
20 ingestion and in a manner that enables the levels to be detected in a urine sample
21 of the animal.

22 **SECTION 3252.** 562.09 (1) (b) of the statutes is amended to read:

23 562.09 (1) (b) The ~~board~~ department shall establish, by rule, the qualifications
24 for any laboratory which the ~~board~~ department uses for testing under this section.

25 **SECTION 3253.** 562.09 (2) (a) of the statutes is amended to read:

1 562.09 (2) (a) The owner or the agent or employe of the owner of any animal
2 on a racetrack shall permit any member, steward, employe or other agent of the ~~board~~
3 department to make any test which the ~~board~~ department determines to be proper
4 to determine if a medication or foreign substance has been administered to that
5 animal in violation of sub. (1).

6 **SECTION 3254.** 562.09 (2) (b) 1. of the statutes is amended to read:

7 562.09 (2) (b) 1. The ~~board~~ department shall require, by rule, that every horse
8 entered in a race be tested before the race to determine if a medication or foreign
9 substance has been administered to the horse in violation of sub. (1). The rule shall
10 require that every horse entered in a race shall be detained from the time the prerace
11 test is administered until the horse leaves the detention area to proceed to the start
12 of the race. The rules shall limit the persons who may be present when samples are
13 taken for the tests and who may be present in the detention area and shall identify
14 who those persons may be.

15 **SECTION 3255.** 562.09 (2) (b) 2. of the statutes is amended to read:

16 562.09 (2) (b) 2. The ~~board~~ department shall require, by rule, that immediately
17 after every race at least one animal, as identified by the ~~board~~ department rule, be
18 tested to determine if a medication or foreign substance has been administered to the
19 animal in violation of sub. (1). A steward or veterinarian employed by, under contract
20 with or approved by the ~~board~~ department may designate additional animals to be
21 tested to determine whether a violation of sub. (1) has occurred.

22 **SECTION 3256.** 562.09 (2) (bm) of the statutes is amended to read:

23 562.09 (2) (bm) The rules which the ~~board~~ department applies at racetracks
24 at fairs under pars. (a) and (b) and sub. (1) may differ from the rules which the ~~board~~
25 department applies under pars. (a) and (b) and sub. (1) at other racetracks.

1 **SECTION 3257.** 562.09 (2) (c) of the statutes is amended to read:

2 562.09 (2) (c) Any finding by the ~~board~~ department that a medication or foreign
3 substance has been administered to an animal in violation of sub. (1) is prima facie
4 evidence of a violation of sub. (1).

5 **SECTION 3258.** 562.09 (2) (d) of the statutes is amended to read:

6 562.09 (2) (d) The results of any test under this subsection shall be kept on file
7 by the ~~board~~ department for at least one year following the test.

8 **SECTION 3259.** 562.09 (2) (e) of the statutes is amended to read:

9 562.09 (2) (e) The ~~board~~ department shall establish, by rule, and charge fees
10 for testing under this subsection. Fees received under this paragraph shall be
11 ~~deposited in~~ credited to the appropriations appropriation accounts under ss. ~~20.197~~
12 ~~(1)(g) and 20.455 (2) (g) and 20.505 (8) (g).~~

13 **SECTION 3260.** 562.09 (3) (c) 2. of the statutes is amended to read:

14 562.09 (3) (c) 2. That the animal was not properly made available for any test
15 or inspection required by the ~~board~~ department.

16 **SECTION 3261.** 562.09 (3) (em) of the statutes is amended to read:

17 562.09 (3) (em) Unless the person is a veterinarian, have in his or her
18 possession on a racetrack or track located at a fair where there is racing any
19 equipment for the hypodermic injection of an animal or any substance for
20 hypodermic injection of an animal. The ~~board~~ department may, by rule, permit the
21 possession of an injectable substance or hypodermic equipment for the person's
22 personal use.

23 **SECTION 3262.** 562.09 (3) (f) of the statutes is amended to read:

24 562.09 (3) (f) Have in his or her possession on a racetrack any appliance which
25 can be used to stimulate or affect the speed of an animal except a whip authorized

1 by the ~~board~~ department by rule or a spur authorized by the ~~board~~ department by
2 rule.

3 **SECTION 3263.** 562.105 of the statutes is amended to read:

4 **562.105 Humane killing of dogs.** No person may kill or cause to be killed
5 any dog which races in this state or was bred, whelped or trained in this state for
6 racing, except by a humane chemical method, specified by the ~~board~~ department by
7 rule, which normally causes dogs to be rendered insensible to pain, is rapid and
8 effective and is administered by a veterinarian.

9 **SECTION 3264.** 562.12 (1) of the statutes is amended to read:

10 562.12 (1) Race an animal under a name other than its registered name or out
11 of the animal's proper class, as determined by the ~~board~~ department by rule.

12 **SECTION 3265.** 562.12 (3) of the statutes is amended to read:

13 562.12 (3) Bribe or extort, or attempt to bribe or extort, any member, employe
14 or agent of the ~~board~~ department or any other person having charge of or access to
15 an animal on a racetrack.

16 **SECTION 3266.** 562.124 (1) of the statutes is amended to read:

17 562.124 (1) The ~~board~~ department may authorize on-track pari-mutuel
18 wagering on snowmobile racing at times and places, as determined by the ~~board~~
19 department, that do not conflict with other racing authorized by this chapter.

20 **SECTION 3267.** 562.124 (2) of the statutes is amended to read:

21 562.124 (2) If the ~~board~~ department authorizes on-track pari-mutuel
22 wagering on snowmobile racing under sub. (1), the ~~board~~ department shall regulate
23 the pari-mutuel wagering and shall promulgate all rules necessary to administer
24 this section. Through its rules, the ~~board~~ department shall do everything necessary

1 to ensure the public interest and protect the integrity of the sport of snowmobile
2 racing.

3 **SECTION 3268.** 563.03 (5) of the statutes is created to read:

4 563.03 (5) "Department" means the department of administration.

5 **SECTION 3269.** 563.03 (5m) of the statutes is created to read:

6 563.03 (5m) "Division of gaming" means the division of gaming in the
7 department.

8 **SECTION 3270.** Subchapter II (title) of chapter 563 [precedes 563.04] of the
9 statutes is repealed and recreated to read:

10 **CHAPTER 563**

11 **SUBCHAPTER II**

12 **DUTIES AND POWERS**

13 **SECTION 3271.** 563.04 (intro.) of the statutes is amended to read:

14 **563.04** (title) **General duties of the board department.** (intro.) The board
15 department shall:

16 **SECTION 3272.** 563.05 (title) of the statutes is amended to read:

17 **563.05** (title) **Powers and duties of board department.**

18 **SECTION 3273.** 563.05 (2) of the statutes is amended to read:

19 563.05 (2) The board department may promulgate rules requiring holders of
20 licenses issued under this chapter to post a notice in a conspicuous place where a
21 bingo occasion or raffle drawing is conducted describing the procedures for filing a
22 complaint against the holder.

23 **SECTION 3274.** 563.05 (3) of the statutes is amended to read:

24 563.05 (3) The board department may promulgate rules specifying the number
25 of business days within which the board department must review and make a

1 determination on an application for a permit, as defined in s. 560.41 (2), that is issued
2 under this chapter.

3 **SECTION 3275.** 563.05 (4) of the statutes is amended to read:

4 563.05 (4) The ~~board~~ department may promulgate rules defining procedures
5 to be used by the ~~board~~ department for receiving, filing and investigating complaints,
6 for commencing disciplinary proceedings and for conducting hearings under this
7 chapter.

8 **SECTION 3276.** 563.05 (5) (intro.) of the statutes is repealed and recreated to
9 read:

10 563.05 (5) (intro.) No employe in the division of gaming who performs any duty
11 related to bingo or raffles or the executive assistant or the secretary or deputy
12 secretary of administration and no member of such a person's immediate family, as
13 defined in s. 19.42 (7), may, while that person is employed or serves in such a capacity
14 or for 2 years following the termination of his or her employment with the
15 department after having served in such a capacity, do any of the following:

16 **SECTION 3277.** 563.05 (6) of the statutes is amended to read:

17 563.05 (6) The ~~board~~ department shall deposit credit all moneys received by the
18 ~~board~~ department under this chapter, except s. 563.80, ~~in~~ to the appropriation
19 account under s. ~~20.197 (1)~~ 20.505 (8) (j) .

20 **SECTION 3278.** 563.051 of the statutes is created to read:

21 **563.051 Bingo and raffle security.** The department may do any of the
22 following:

23 (1) Provide all of the security services for the bingo and raffle operations under
24 this chapter.

1 (2) Monitor the regulatory compliance of bingo and raffle operations under this
2 chapter.

3 (3) Audit the bingo and raffle operations under this chapter.

4 (4) Investigate suspected violations of this chapter.

5 (5) Report suspected gaming-related criminal activity to the division of
6 criminal investigation in the department of justice for investigation by that division.

7 (6) If the division of criminal investigation in the department of justice chooses
8 not to investigate a report under sub. (5), coordinate an investigation of the suspected
9 criminal activity with local law enforcement officials and district attorneys.

10 **SECTION 3279.** 563.052 of the statutes is amended to read:

11 **563.052 Council on charitable gaming.** The council on charitable gaming
12 shall advise the ~~board~~ department on all matters relating to the conduct of bingo and
13 raffles under this chapter.

14 **SECTION 3280.** 563.055 (1) of the statutes is amended to read:

15 563.055 (1) If the holder of a license issued under this chapter pays a fee
16 required under s. 563.13 (4), 563.22 (2) or 563.92 (2) by check and the check is not
17 paid by the bank upon which the check is drawn, the ~~board~~ department may cancel
18 the license on or after the 60th day after the ~~board~~ department receives the notice
19 from the bank, subject to sub. (2).

20 **SECTION 3281.** 563.055 (2) (intro.) of the statutes is amended to read:

21 563.055 (2) (intro.) At least 20 days before canceling a license, the ~~board~~
22 department shall mail a notice to the holder that informs the holder that the check
23 was not paid by the bank and that the holder's license may be canceled on the date
24 determined under sub. (1) unless the holder does all of the following before that date:

25 **SECTION 3282.** 563.055 (3) of the statutes is amended to read:

1 563.055 (3) Nothing in sub. (1) or (2) prohibits the ~~board~~ department from
2 extending the date for cancellation to allow the holder additional time to comply with
3 sub. (2) (a) and (b).

4 **SECTION 3283.** 563.055 (5) of the statutes is amended to read:

5 563.055 (5) The ~~board~~ department may reinstate a license that has been
6 canceled under this section only if the previous holder complies with sub. (2) (a) and
7 (b) and pays a \$30 reinstatement fee.

8 **SECTION 3284.** 563.10 of the statutes is amended to read:

9 **563.10 Rules governing commingling of receipts restricted.**

10 Notwithstanding ss. 227.11 (2), 227.24 (1) (a) and 563.04 (3), the ~~board~~ department
11 may not promulgate any emergency rule relating to the commingling of bingo and
12 raffle receipts unless it can clearly establish that commingling will occur without
13 such rule and that the rule will effectively prevent commingling. The ~~board~~
14 department shall set forth any such finding in its proposed rule. If upon review
15 under s. 227.40, the court finds that the finding of fact upon which any emergency
16 rule relating to such commingling is based is unsupported by clear and convincing
17 evidence, the rule is invalid.

18 **SECTION 3285.** 563.12 (intro.) of the statutes is amended to read:

19 **563.12 Bingo license application.** (intro.) Each applicant for a license to
20 conduct bingo shall file with the ~~board~~ department an application on a form
21 prescribed by the ~~board~~ department. Except as provided in s. 563.135, the
22 application shall include:

23 **SECTION 3286.** 563.12 (2) of the statutes is amended to read:

1 563.12 (2) Sufficient facts relating to the incorporation or organization of the
2 applicant to enable the board department to determine if the applicant is eligible for
3 a license under this subchapter.

4 **SECTION 3287.** 563.14 (intro.) of the statutes is amended to read:

5 **563.14 (title) Board Department determinations.** (intro.) Upon receipt
6 of an application for a license to conduct bingo, the board department shall
7 investigate the qualifications of the applicant and the merits of the application and
8 before issuing a license shall determine that:

9 **SECTION 3288.** 563.15 (1) of the statutes is amended to read:

10 563.15 (1) After making the determinations under s. 563.14, the board
11 department shall either notify the applicant organization in writing why a license
12 is not being issued or issue a license to such applicant organization authorizing it to
13 conduct bingo at the times and places set forth in the license. Except as provided in
14 sub. (1m), a license issued under this subsection shall be effective for one year from
15 the first day of the month of the first occasion listed on the license and may be
16 renewed annually, except that an applicant organization may request that the
17 license expire on the first day of any month within the one-year licensure period.

18 **SECTION 3289.** 563.15 (1m) of the statutes is amended to read:

19 563.15 (1m) A license issued under sub. (1) to an organization listed under s.
20 563.11 (1) (b) to (d) shall remain in effect unless it is canceled, suspended or revoked
21 by the board department or withdrawn by the organization.

22 **SECTION 3290.** 563.16 of the statutes is amended to read:

23 **563.16 Amendment of license to conduct bingo.** Upon application by a
24 licensed organization, a license may be amended, if the subject matter of the
25 amendment properly and lawfully could have been included in the original license.

1 An application for an amendment to a license shall be filed and processed in the same
2 manner as an original application. An application for the amendment of a license
3 shall be accompanied by a \$3 fee. If any application for amendment seeks approval
4 of additional bingo occasions or designates a new member responsible for the proper
5 utilization of gross receipts, the appropriate fee under s. 563.13 (4) also shall be paid.
6 If the ~~board~~ department approves an application for an amendment to a license, a
7 copy of the amendment shall be sent to the applicant who shall attach it to the
8 original license.

9 **SECTION 3291.** 563.17 of the statutes is amended to read:

10 **563.17 Denial of application; hearing.** If the ~~board~~ department denies a
11 license to conduct bingo, within 30 days after receiving written notification of such
12 denial, an applicant may demand in writing a hearing before the ~~board~~ department
13 upon the applicant's qualifications and the merit of the application. At the hearing,
14 the burden of proof shall be on the applicant to establish his or her eligibility for a
15 license. If, after the hearing, the ~~board~~ department enters an order denying the
16 application, the order shall set forth in detail the reasons for the denial. Upon entry
17 of such an order or upon the expiration of the 30-day period during which a hearing
18 may be demanded, the applicant's license fee shall be refunded less reasonable
19 administrative costs. If the ~~board~~ department approves the application, the ~~board~~
20 department shall issue the license within 14 days after approval.

21 **SECTION 3292.** 563.18 (1) of the statutes is amended to read:

22 563.18 (1) Proceedings to suspend or revoke a supplier's license or a license to
23 conduct bingo shall be initiated by the ~~board~~ department pursuant to the rules
24 promulgated under s. 563.05 (4).

25 **SECTION 3293.** 563.18 (3) of the statutes is amended to read:

1 563.18 (3) The board's department's decision under this section is subject to
2 judicial review under ch. 227.

3 **SECTION 3294.** 563.18 (4) of the statutes is amended to read:

4 563.18 (4) When a license under this subchapter is suspended or revoked by
5 the board department, the licensee shall immediately surrender the license to the
6 board department. A licensee whose license has been revoked may reapply for a
7 license one year after the effective date of the revocation. If a license has been
8 suspended under sub. (3), the board department shall reinstate the license at the end
9 of the period of suspension.

10 **SECTION 3295.** 563.21 of the statutes is amended to read:

11 **563.21 Supplier's license.** Any person intending to sell or distribute bingo
12 supplies or equipment to a licensed organization shall apply to the board department
13 for a supplier's license.

14 **SECTION 3296.** 563.22 (1) (intro.) of the statutes is amended to read:

15 563.22 (1) (intro.) An application for a supplier's license shall be filed with the
16 board department on a form prescribed by the board department. The application
17 shall include:

18 **SECTION 3297.** 563.22 (1) (g) of the statutes is amended to read:

19 563.22 (1) (g) If the applicant business is organized outside of this state, the
20 name and address of a resident agent who is authorized to be served legal documents
21 and receive notices, orders and directives of the board department.

22 **SECTION 3298.** 563.24 of the statutes is amended to read:

23 **563.24 Issuance of supplier's license.** Upon receiving an application for a
24 supplier's license, the board department may require the applicant, or if the
25 applicant is a corporation, limited liability company or partnership, its officers,

1 directors, stockholders and members, to appear and testify under oath on the
2 contents of the application. If the ~~board~~ department determines that the supplier's
3 license applicant possesses the requisite qualifications, a license shall be issued to
4 the bingo supplier. A license issued under this section shall be effective for one year
5 from the first day of the month of its issuance, and may be renewed annually. If the
6 application is not approved, the department shall notify the applicant in writing of
7 such action. Within 10 days after receipt of such notification, the applicant may
8 demand a hearing before the ~~board~~ department. At the hearing, the burden of proof
9 shall be on the applicant to establish his or her qualifications and the merit of the
10 application. The fee, less reasonable administrative costs, shall be refunded to the
11 applicant upon entry of an order denying an application after hearing, or upon
12 expiration of the period during which a hearing may be demanded.

13 **SECTION 3299.** 563.25 of the statutes is amended to read:

14 **563.25** (title) **Supplier to notify ~~board~~ department of changes.** During
15 the pendency of an application for a supplier's license, the applicant shall
16 immediately notify the ~~board~~ department in writing of any change in the facts set
17 forth in the application, including any change in any item in the application, in the
18 organization, structure or mode of operation of the supplier's business and in the
19 identity of persons named or required to be named in the application or the nature
20 or extent of their interests. Within 10 days after any such change which occurs after
21 the issuance of the license, the change shall be reported to the ~~board~~ department.
22 Failure to notify the ~~board~~ department of such change shall constitute sufficient
23 cause for denial of a pending license application or for suspension or revocation of a
24 license which has been granted.

25 **SECTION 3300.** 563.26 of the statutes is amended to read:

1 **563.26 Maintenance of supplier's books and records.** Each licensed
2 supplier shall maintain his or her books and records in such manner as to enable the
3 ~~board~~ department to determine the gross sales of bingo supplies and equipment to
4 licensed organizations. Invoices for the sale of bingo supplies and equipment shall
5 include the name and license number of the organization to which the supplies were
6 sold, the date and amount of the sale and an enumeration of the items sold. Each
7 licensed supplier and formerly licensed supplier shall maintain his or her books and
8 records for not less than 4 years and shall make them available at reasonable times
9 for examination by the ~~board~~ department or its authorized representatives.

10 **SECTION 3301.** 563.29 (3) of the statutes is amended to read:

11 563.29 (3) No licensed supplier shall sell or distribute to a licensed
12 organization any card unless it is identified in the standard set of bingo cards
13 prescribed by the ~~board~~ department.

14 **SECTION 3302.** 563.53 (1) of the statutes is amended to read:

15 563.53 (1) All special bingo cards shall be in a form approved by the ~~board~~
16 department.

17 **SECTION 3303.** 563.61 (1) (intro.) of the statutes is amended to read:

18 563.61 (1) (intro.) Each licensed organization shall file with the ~~board~~
19 department , on a form prescribed by the ~~board~~ department, a semiannual report of
20 bingo operations for each 6-month period beginning on the date on which the
21 organization's license is issued. The report is due on the 60th day after the last day
22 of the reporting period. The report shall be accompanied by the payment of the gross
23 receipts tax due. The licensed organization shall retain a copy of the report for its
24 permanent records. The report shall include:

25 **SECTION 3304.** 563.61 (3) of the statutes is amended to read:

1 563.61 (3) If no bingo games are held on a date when a license authorizes them
2 to be held, a report to that effect shall be filed with the ~~board~~ department.

3 **SECTION 3305.** 563.62 (1) of the statutes is amended to read:

4 563.62 (1) The ~~board~~ department may refuse to renew a license of an
5 organization found to be delinquent in filing its financial statement or found to have
6 filed an incomplete statement of bingo operations.

7 **SECTION 3306.** 563.62 (2) of the statutes is amended to read:

8 563.62 (2) If a licensed organization fails to file a financial statement of bingo
9 operations within 5 days after notification by the ~~board~~ department of the
10 delinquency, the ~~board~~ department may suspend the license, pending the filing of
11 the financial statement.

12 **SECTION 3307.** 563.62 (3) of the statutes is amended to read:

13 563.62 (3) If the financial statement filed by a licensed organization is not fully,
14 accurately and truthfully completed, the ~~board~~ department may refuse to renew a
15 license or may suspend a license until such time as a statement in proper form has
16 been filed.

17 **SECTION 3308.** 563.64 (2) of the statutes is amended to read:

18 563.64 (2) The columnar book, deposit books, canceled checks, records of share
19 drafts, check books, records of share accounts, records of negotiable orders of
20 withdrawal, deposit slips, bank statements and copies of financial statements of
21 bingo operations and all other books and accounts shall be maintained for not less
22 than 4 years and shall be available at reasonable times for examination by the ~~board~~
23 department or its authorized representative. The ~~board~~ department may require the
24 licensed organization to obtain microfilm copies of share drafts to the extent
25 necessary for examination purposes. All documents supporting the entries made in

1 the books of accounts shall be kept by the licensed organization for a period of not less
2 than 4 years. Such documents shall include, but are not limited to, bank statements,
3 canceled checks, records of share drafts, deposit slips and invoices for all
4 expenditures.

5 **SECTION 3309.** 563.65 of the statutes is amended to read:

6 **563.65 Proper and legitimate expenditures; reimbursement and**
7 **waiver.** If a financial audit of a licensed organization shows that an expenditure of
8 bingo funds was not a proper and legitimate expenditure and the board department
9 requests that the licensed organization reimburse the appropriate bingo account in
10 an amount equal to the amount so expended, the licensed organization may appeal
11 the request to the board department. The board department may waive or reduce
12 the amount of any such reimbursement if the licensed organization presents
13 evidence satisfactory to the board department that the licensed organization acted
14 in good faith and by mistake or inadvertently in so expending the funds.

15 **SECTION 3310.** 563.68 (2) of the statutes is amended to read:

16 563.68 (2) In accordance with a plan of expenditure approved in advance by the
17 board department.

18 **SECTION 3311.** 563.72 of the statutes is amended to read:

19 **563.72 Inspection for enforcement.** Any peace officer or district attorney,
20 within their respective jurisdictions, or an authorized employe of the board
21 department, may, at all reasonable hours, enter the premises where a bingo occasion
22 is being conducted and examine the books, papers and records of the licensed
23 organization to determine if all proper taxes or fees imposed have been paid. Any
24 refusal to permit such examination of the premises by the licensed organization, its
25 agent or an employe or the person in charge of the premises to which the bingo license

1 relates, constitutes sufficient grounds for the suspension or revocation of a license,
2 and is punishable under s. 563.73 (2). In addition, such refusal constitutes sufficient
3 grounds for any peace officer or other persons authorized under this section within
4 their respective jurisdictions or authority to employ whatever reasonable action is
5 necessary to conduct inspections permitted by this section.

6 **SECTION 3312.** 563.73 (4) of the statutes is amended to read:

7 563.73 (4) The department of justice, the ~~board~~ department or the district
8 attorney of a county of an actual or potential violation, after informing the
9 department of justice, may commence an action in the circuit court in the name of
10 the state to restrain any violation of any provision of this chapter. The court may,
11 prior to entry of final judgment, make such an order or judgment as necessary to
12 restore to any person any pecuniary loss suffered because of the acts or practices
13 involved in the violation, provided proof thereof is submitted to the court. The
14 department of justice may subpoena persons, require the production of books and
15 other documents and request the ~~board~~ department to exercise its authority to aid
16 in the investigation of alleged violations of this section.

17 **SECTION 3313.** 563.90 of the statutes is amended to read:

18 **563.90 Qualified organizations.** Any local religious, charitable, service,
19 fraternal or veterans organization or any organization to which contributions are
20 deductible for federal income tax purposes or state income or franchise tax purposes,
21 which has been in existence for one year immediately preceding its application for
22 a license or which is chartered by a state or national organization which has been in
23 existence for at least 3 years, may conduct a raffle upon receiving a license for the
24 raffle event from the ~~board~~ department. No other person may conduct a raffle in this
25 state.

1 **SECTION 3314.** 563.92 (1m) of the statutes is amended to read:

2 563.92 (1m) The board department may issue a Class A license for the conduct
3 of a raffle in which some or all of the tickets for that raffle are sold on days other than
4 the same day as the raffle drawing. The board department may issue a Class B
5 license for the conduct of a raffle in which all of the tickets for that raffle are sold on
6 the same day as the raffle drawing.

7 **SECTION 3315.** 563.92 (2) of the statutes is amended to read:

8 563.92 (2) The fee for a raffle license shall be \$25 and shall be remitted with
9 the application. A raffle license shall be valid for 12 months and may be renewed as
10 provided in s. 563.98 (1g). The board department shall issue the license within 30
11 days after the filing of an application if the applicant qualifies under s. 563.90 and
12 has not exceeded the limits of s. 563.91.

13 **SECTION 3316.** 563.92 (4) of the statutes is amended to read:

14 563.92 (4) Proceedings to suspend or revoke a license to conduct raffles shall
15 be initiated by the board department pursuant to the rules promulgated under s.
16 563.05 (4).

17 **SECTION 3317.** 563.93 (1) (a) of the statutes is amended to read:

18 563.93 (1) (a) The number of the license issued by the board department.

19 **SECTION 3318.** 563.935 (6) (a) of the statutes is amended to read:

20 563.935 (6) (a) Except as provided in par. (b), the purchaser of a ticket must be
21 present at the drawing to win a prize, unless the purchaser gives the ticket to another
22 person who may claim the prize on behalf of the purchaser, but only if that other
23 person is present at the drawing. If the purchaser of the ticket gives the ticket to
24 another person to claim a prize on behalf of the purchaser, the organization

1 conducting the raffle and the ~~commission~~ department shall not be held responsible
2 or liable in any dispute regarding the ownership of the ticket.

3 **SECTION 3319.** 563.95 of the statutes is amended to read:

4 **563.95 Denial of application; hearing.** Within 30 days after receiving
5 written notification of a denial by the ~~board~~ department of a license to conduct a
6 raffle, an applicant may demand in writing a hearing before the ~~board~~ department
7 upon the applicant's qualifications and the merit of the application. At the hearing,
8 the burden of proof shall be on the applicant to establish eligibility for a license. If,
9 after the hearing, the ~~board~~ department enters an order denying the application, the
10 order shall set forth in detail the reasons for the denial. Upon entry of such an order
11 or upon expiration of the 30-day period during which a hearing may be demanded,
12 the applicant's license fee shall be refunded. If the ~~board~~ department approves the
13 application, the ~~board~~ department shall issue the license within 14 days after
14 approval.

15 **SECTION 3320.** 563.97 of the statutes is amended to read:

16 **563.97 Records.** Each organization licensed to conduct raffles shall maintain
17 a list of the names and addresses of all persons winning prizes with a retail value of
18 \$100 or more, and the prizes won, for at least 12 months after each raffle is conducted.
19 The list shall be available at reasonable times for public examination and shall be
20 provided to the ~~board~~ department upon request.

21 **SECTION 3321.** 563.98 (1) (intro.) of the statutes is amended to read:

22 563.98 (1) (intro.) Each organization licensed under this subchapter shall, on
23 or before the last day of the 12th month beginning after the date on which the license
24 is issued and on or before that same date in each subsequent year, report the

1 following information in writing to the ~~board~~ department regarding the raffles which
2 it has conducted:

3 **SECTION 3322.** 563.98 (1c) of the statutes is amended to read:

4 563.98 (1c) Upon request of any organization that conducts a raffle during the
5 month in which the report under sub. (1) is due, the ~~board~~ department may extend
6 by not more than 30 days the deadline for submitting the report.

7 **SECTION 3323.** 563.98 (1m) of the statutes is amended to read:

8 563.98 (1m) Any organization that reports to the ~~board~~ department under sub.
9 (1) and that had total receipts from the conduct of raffles of more than \$50,000 during
10 the reporting period shall include in its report a list of the names and addresses of
11 all persons winning prizes with a retail value of \$100 or more, and the prizes won,
12 during the reporting period.

13 **SECTION 3324.** 563.98 (2) of the statutes is amended to read:

14 563.98 (2) If a copy of the financial report is not filed or is not fully, accurately
15 and truthfully completed, or if the fee specified in sub. (1g) is not paid, the ~~board~~
16 department may refuse to renew a license or may suspend a license until the report
17 in proper form has been filed or the fee is paid.

18 **SECTION 3325.** 564.02 (1) (ac) of the statutes is created to read:

19 564.02 (1) (ac) "Department" means the department of administration.

20 **SECTION 3326.** 564.02 (1) (ag) of the statutes is created to read:

21 564.02 (1) (ag) "Division of gaming" means the division of gaming in the
22 department.

23 **SECTION 3327.** 564.02 (1m) of the statutes is created to read:

24 564.02 (1m) The department may do any of the following:

1 (a) Provide all of the security services for the crane game operations under this
2 chapter.

3 (b) Monitor the regulatory compliance of crane game operations under this
4 chapter.

5 (c) Audit the crane game operations under this chapter.

6 (d) Investigate suspected violations of this chapter.

7 (e) Report suspected gaming-related criminal activity to the division of
8 criminal investigation in the department of justice for investigation by that division.

9 (f) If the division of criminal investigation in the department of justice chooses
10 not to investigate a report under par. (e), coordinate an investigation of the suspected
11 criminal activity with local law enforcement officials and district attorneys.

12 **SECTION 3328.** 564.02 (2) (a) of the statutes is amended to read:

13 564.02 (2) (a) No person in this state who owns a crane game may set up for
14 the purposes of play, permit a crane game to be set up for the purposes of play or
15 collect the proceeds of a crane game which is set up for the purposes of play unless
16 the person is registered by the ~~board~~ department and unless an identification
17 number issued by the ~~board~~ department is affixed to each such crane game owned
18 by the person.

19 **SECTION 3329.** 564.02 (2) (b) (intro.) of the statutes is amended to read:

20 564.02 (2) (b) (intro.) Every person specified under par. (a) shall file with the
21 ~~board~~ department, on application forms prescribed by the ~~board~~ department and
22 signed by the person, all of the following information:

23 **SECTION 3330.** 564.02 (2) (d) of the statutes is amended to read:

24 564.02 (2) (d) Upon receipt of the application and fee under pars. (b) and (c),
25 the ~~board~~ department shall, if the ~~board~~ department considers the applicant

1 qualified, issue a certificate of registration for the applicant and an identification
2 number for each crane game for which registration is requested.

3 **SECTION 3331.** 564.02 (2) (e) of the statutes is amended to read:

4 564.02 (2) (e) The registration issued under par. (d) shall remain in effect
5 unless it is canceled by the ~~board~~ department with the advice and consent of the
6 department of justice or unless it is withdrawn by the registered person.

7 **SECTION 3332.** 564.02 (2) (f) of the statutes is amended to read:

8 564.02 (2) (f) Every person registered under this section shall notify the ~~board~~
9 department of any change in the information required to be furnished by the person
10 under par. (b), within 10 days following the change.

11 **SECTION 3333.** 564.02 (2) (g) of the statutes is amended to read:

12 564.02 (2) (g) The ~~board~~ department shall deposit credit all moneys received
13 by the ~~board~~ department under this subsection ~~in to~~ the appropriation account under
14 s. ~~20.197 (1)~~ 20.505 (8) (j).

15 **SECTION 3334.** 564.02 (2m) (intro.) of the statutes is repealed and recreated to
16 read:

17 564.02 (2m) CONFLICTS OF INTEREST. (intro.) No employe in the division of
18 gaming who performs any duty related to crane games or the executive assistant or
19 the secretary or deputy secretary of administration and no member of such a person's
20 immediate family, as defined in s. 19.42 (7), may, while that person is employed in
21 such a capacity or for 2 years following the termination of his or her employment with
22 the department, do any of the following:

23 **SECTION 3335.** 564.02 (3) (c) of the statutes is amended to read:

24 564.02 (3) (c) The ~~board~~ department shall reimburse the department of justice
25 for the services of the department of justice under this subsection.

1 **SECTION 3336.** 564.02 (4) of the statutes is amended to read:

2 564.02 (4) SEIZURE AND SALE. The department of justice may seize any crane
3 game owned by a person who is convicted under sub. (5) and may sell the crane game
4 in the name of the state. The department of justice and its agents are exempt from
5 all liability to the owner of the crane game for the seizure or sale of the crane game.
6 The ~~board~~ department shall reimburse the department of justice for the services of
7 the department of justice under this subsection.

8 **SECTION 3337.** 565.01 (4f) of the statutes is created to read:

9 565.01 (4f) “Multijurisdictional” means pertaining to another state of the
10 United States of America, the District of Columbia, the Commonwealth of Puerto
11 Rico or any territory or possession of the United States of America or the government
12 of Canada or any province thereof.

13 **SECTION 3338.** 565.01 (4r) (a) of the statutes is amended to read:

14 565.01 (4r) (a) The fact that this state has a state lottery or participates in a
15 ~~multistate~~ multijurisdictional lottery.

16 **SECTION 3339.** 565.01 (6m) (a) (intro.) of the statutes is amended to read:

17 565.01 (6m) (a) (intro.) “The state lottery” means an enterprise, including a
18 ~~multistate~~ multijurisdictional lottery in which the state participates, in which the
19 player, by purchasing a ticket, is entitled to participate in a game of chance in which
20 any of the following applies:

21 **SECTION 3340.** 565.02 (1) (b) 4. of the statutes is amended to read:

22 565.02 (1) (b) 4. A violation of a provision of this chapter or rule of the ~~board~~
23 department relating to the state lottery.

24 **SECTION 3341.** 565.02 (2) (b) of the statutes is amended to read:

1 565.02 (2) (b) The administrator shall appoint and supervise employes, as
2 specified by the board department by rule under sub. (3) (a), as necessary to carry
3 out the duties of the administrator.

4 **SECTION 3342.** 565.02 (2) (c) 3. of the statutes is amended to read:

5 565.02 (2) (c) 3. A violation of a provision of this chapter or rule of the board
6 department relating to the state lottery.

7 **SECTION 3343.** 565.02 (3) (intro.) of the statutes is amended to read:

8 565.02 (3) (intro.) The board department shall promulgate all of the following
9 rules:

10 **SECTION 4745m.** 565.02 (3) (b) 6. of the statutes is amended to read:

11 565.02 (3) (b) 6. Qualifications for retailers, in addition to those under this
12 section, as determined by the board department.

13 **SECTION 3344.** 565.02 (4) (intro.) of the statutes is amended to read:

14 565.02 (4) (intro.) The board department may promulgate all of the following
15 rules:

16 **SECTION 3345.** 565.02 (4) (e) of the statutes is amended to read:

17 565.02 (4) (e) Establishing requirements for advertising of the state lottery,
18 and any multistate multijurisdictional lotteries in which the state participates, that
19 are in addition to those specified under s. 565.32.

20 **SECTION 3346.** 565.02 (4) (f) of the statutes is amended to read:

21 565.02 (4) (f) Providing for payment of a rate of compensation that is higher
22 than 5% the basic compensation under s. 565.10 (14) (b) for retailers that are
23 nonprofit organizations.

24 **SECTION 3347.** 565.02 (8) of the statutes is created to read:

25 565.02 (8) The department shall do all of the following:

1 (a) Subject to s. 565.25, provide all of the security services for the gaming
2 operations under this chapter.

3 (b) Monitor the regulatory compliance of gaming operations under this chapter.

4 (c) Audit the gaming operations under this chapter.

5 (d) Investigate suspected violations of this chapter.

6 (e) Report suspected gaming-related criminal activity to the division of
7 criminal investigation in the department of justice for investigation by that division.

8 (f) If the division of criminal investigation in the department of justice chooses
9 not to investigate a report under par. (e), coordinate an investigation of the suspected
10 criminal activity with local law enforcement officials and district attorneys.

11 **SECTION 3348.** 565.05 (1) (intro.) of the statutes is repealed and recreated to
12 read:

13 565.05 (1) (intro.) No employe of the department who performs any duty
14 related to the state lottery or the executive assistant or the secretary or deputy
15 secretary of revenue may do any of the following:

16 **SECTION 3349.** 565.05 (1) (a) of the statutes is repealed and recreated to read:

17 565.05 (1) (a) Have a direct or indirect interest in, or be employed by, any
18 vendor while serving as an employe in the department and performing any duty
19 related to the state lottery or as the executive assistant or as secretary or deputy
20 secretary of revenue or for 2 years following the person's termination of service.

21 **SECTION 3350.** 565.10 (1) of the statutes is amended to read:

22 565.10 (1) SELECTION OF RETAILERS; RETAILER CONTRACT. Under rules
23 promulgated by the board department under s. 565.02 (3) (b) and (4) (a), the
24 administrator may contract with a person for the retail sale of lottery tickets or

1 lottery shares. Retailers shall be selected for contract so as to provide adequate and
2 convenient availability of lottery tickets and lottery shares to prospective buyers.

3 **SECTION 3351.** 565.10 (7) (b) of the statutes is amended to read:

4 565.10 (7) (b) The administrator may, under rules promulgated by the ~~board~~
5 department, contract for a period that is shorter than 3 years in order to stagger
6 lottery retailer contract expiration dates throughout a 3-year period.

7 **SECTION 3352.** 565.10 (8) of the statutes is amended to read:

8 565.10 (8) CONTRACT FEES. A contract entered into under this section may
9 require payment of a nonrefundable initial application fee or a nonrefundable
10 annual fee for continuation, or both, in an amount promulgated by the ~~board~~
11 department by rule under s. 565.02 (4) (b). A separate nonrefundable fee, in an
12 amount specified in rules promulgated under s. 565.02 (4) (b), may be required for
13 each certificate of authority issued under sub. (11).

14 **SECTION 3353.** 565.10 (13) of the statutes is amended to read:

15 565.10 (13) BOND. The ~~commission~~ department may by rule under s. 565.02
16 (4) (d) require fidelity bonds from retailers. In lieu of a bond, the ~~commission~~
17 department may purchase blanket bonds covering all or selected retailers or may
18 allow a retailer to deposit and maintain with the ~~commission~~ department
19 interest-bearing or interest-accruing securities approved by the ~~commission~~
20 department. Such securities shall be held in trust by the ~~commission~~ department
21 and shall have at all times a market value at least equal to the amount required by
22 the ~~commission~~ department.

23 **SECTION 3354.** 565.10 (14) (b) of the statutes is amended to read:

24 565.10 (14) (b) The basic compensation to be paid to a retailer is 5.5% of the
25 retail price of lottery tickets or lottery shares sold by the retailer. The ~~board~~

1 department may, in the rules promulgated under s. 565.02 (4) (f), provide for the
2 payment of a higher rate of compensation to nonprofit organizations making sales
3 under a contract issued on a temporary basis than the rate of compensation paid to
4 other retailers.

5 **SECTION 3355.** 565.10 (14) (b) of the statutes, as affected by 1997 Wisconsin Act
6 (this act), is repealed and recreated to read:

7 565.10 (14) (b) 1. The basic compensation to be paid to a retailer for the sale
8 of a lottery ticket or lottery share described under s. 565.01 (6m) (a) 2. is 5.5% of the
9 retail price of lottery tickets or lottery shares sold by the retailer.

10 2. The basic compensation to be paid to a retailer for the sale of a lottery ticket
11 or lottery share described under s. 565.01 (6m) (a) 1. is 7% of the retail price of lottery
12 tickets or lottery shares sold by the retailer.

13 4. The department may, in the rules promulgated under s. 565.02 (4) (f), provide
14 for the payment of a higher rate of compensation to nonprofit organizations making
15 sales under a contract issued on a temporary basis than the rate of compensation
16 paid to other retailers.

17 **SECTION 3356.** 565.10 (15) of the statutes is amended to read:

18 565.10 (15) REMITTING PROCEEDS. A retailer shall, on a daily basis, unless
19 another basis, but not less than weekly, is provided by the ~~board~~ department by rule,
20 remit to the department the lottery proceeds from the sale of lottery tickets or lottery
21 shares. The amount of compensation deducted by the retailer, if any, shall be
22 indicated as a deduction from the total remitted.

23 **SECTION 3357.** 565.12 (2) of the statutes is amended to read:

24 565.12 (2) If the administrator determines that the immediate suspension or
25 termination of a lottery retailer contract entered into under s. 565.10 is necessary to

1 protect the public interest or the security, integrity or fiscal responsibility of the
2 lottery, the administrator may, without prior notice or hearing, suspend for a
3 specified period or terminate the lottery retailer contract by mailing to the retailer
4 a notice of suspension or termination that includes a statement of the facts or conduct
5 that warrant the suspension or termination and a notice that the retailer may, within
6 30 days after the date on which the notice of suspension or termination is mailed,
7 have the suspension or termination reconsidered by the administrator. If, upon
8 reconsideration, the administrator affirms the determination to suspend or
9 terminate the lottery retailer contract, the retailer shall be afforded an opportunity
10 for a hearing before the ~~board~~ department to review the determination of the
11 administrator.

12 **SECTION 3358.** 565.12 (3) of the statutes is amended to read:

13 565.12 (3) The ~~board~~ department shall render the final decisions under s.
14 227.47 for all terminations and suspensions under subs. (1) and (2).

15 **SECTION 3359.** 565.17 (5) (title) of the statutes is amended to read:

16 565.17 (5) (title) ~~BOARD MEMBERS AND EMPLOYES; CERTAIN~~ CERTAIN DEPARTMENT
17 EMPLOYES.

18 **SECTION 3360.** 565.17 (5) (a) of the statutes is repealed and recreated to read:

19 565.17 (5) (a) No employe of the department who performs any duty related to
20 the state lottery or the executive assistant or the secretary or deputy secretary of
21 revenue and no member of such a person's immediate family, as defined in s. 19.42
22 (7), may purchase a lottery ticket or lottery share.

23 **SECTION 3361.** 565.25 (1m) of the statutes is amended to read:

24 565.25 (1m) SCOPE OF AUTHORITY. Subject to approval by the ~~board~~ secretary
25 of revenue, the administrator may determine whether lottery functions shall be

1 performed by department of revenue employes or by one or more persons under
2 contract with the department of administration, except that no contract may provide
3 for the entire management of the lottery or for the entire operation of the lottery by
4 any private person. The department of administration may contract for
5 management consultation services to assist in the management or operation of the
6 lottery. The department of administration may not contract for financial auditing
7 or security monitoring services, except that, if the department of administration
8 delegates under s. 16.71 (1) to the department of revenue the authority to make a
9 major procurement, the department of revenue may contract with the department
10 of administration for warehouse and building protection services relating to the state
11 lottery. If the department of administration delegates under s. 16.71 (1) to the
12 department of revenue the authority to make a major procurement, the department
13 of revenue shall assume the powers and duties of the department of administration
14 and the administrator shall assume the powers and duties of the secretary of
15 administration under this section and ss. 16.70 to 16.77, except under ss. 16.72 (4)
16 (a), 16.76 (1) and 16.77 (1).

17 **SECTION 3362.** 565.25 (2) (a) 6. of the statutes is amended to read:

18 565.25 (2) (a) 6. If the department of administration delegates under s. 16.71
19 (1) to the department of revenue the authority to make a major procurement, the
20 award of the major procurement contract is subject to ~~approval by the board and to~~
21 the requirements in ss. 16.72 (4) (a) and 16.76 (1). Copies of requisitions and
22 contracts for major procurements shall be maintained by the administrator and shall
23 be subject to inspection and copying under subch. II of ch. 19.

24 **SECTION 3363.** 565.25 (2) (c) of the statutes is amended to read:

1 565.25 (2) (c) A major procurement contract under this subsection may be for
2 any term deemed to be in the best interests of the state lottery or the multistate
3 multijurisdictional lottery in which the state participates, but the term and any
4 provisions for renewal or extension shall be incorporated in the bid specifications or
5 proposal solicitation and the contract document.

6 **SECTION 3364.** 565.27 (1) (intro.) of the statutes is amended to read:

7 565.27 (1) GAME FEATURES AND PROCEDURES. (intro.) Subject to this section, the
8 rules promulgated under s. 565.02 (3) (d) and (4) (a) and ~~board approval by the~~
9 secretary of revenue, the administrator shall determine the particular features of
10 and procedures for each lottery game offered. ~~The administrator shall recommend~~
11 ~~to the board for promulgation by rule under s. 565.02 (3) (d) the types of state or~~
12 ~~multistate lottery games to be offered.~~ The features and procedures shall be in
13 writing, shall be accessible to the public and shall include all of the following:

14 **SECTION 4769m.** 565.27 (2) (a) of the statutes is amended to read:

15 565.27 (2) (a) The actual selection of any winning lottery ticket or lottery share
16 may not be performed by an elected or appointed official, or an employe of the lottery
17 division in the department ~~or a member or employe of the board.~~

18 **SECTION 3365.** 565.27 (2) (b) 4. of the statutes is amended to read:

19 565.27 (2) (b) 4. Any equipment used for the drawing must be inspected by a
20 certified public accountant and a department employe before and after the drawing,
21 except that a department employe is not required to inspect the equipment if the
22 drawing is used for a multijurisdictional lottery.

23 **SECTION 3366.** 565.30 (1) of the statutes is amended to read:

24 565.30 (1) PAYMENT OF PRIZES. The administrator shall direct the payment of
25 a prize to the holder of the winning lottery ticket or lottery share or to a person

1 designated under sub. (2), except that a prize may be paid to another person under
2 a court order or to the estate of a deceased prize winner. The board, department,
3 administrator, state and any contractor for materials, equipment or services of the
4 game in which the prize is won are discharged of all liability upon payment of the
5 prize to the holder of a winning lottery ticket or lottery share.

6 **SECTION 3367.** 565.30 (3) (b) of the statutes is amended to read:

7 565.30 (3) (b) *Retailer bonuses.* Any bonuses offered by the ~~board~~ department
8 to retailers who sell winning lottery tickets or lottery shares shall be paid to the
9 retailer regardless of whether the prize is claimed if the retailer can be identified as
10 the seller of the winning ticket or share.

11 **SECTION 3368.** 565.30 (5) of the statutes, as affected by 1997 Wisconsin Act 3,
12 is amended to read:

13 565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS
14 OWED THE STATE. The administrator shall report the name, address and social security
15 number of each winner of a lottery prize equal to or greater than \$1,000 to the
16 department of revenue to determine whether the payee of the prize is delinquent in
17 the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court-ordered
18 payment of child support or has a debt owing to the state. Upon receipt of a report
19 under this subsection, the department of revenue shall first ascertain based on
20 certifications by the department of workforce development or its designee under s.
21 49.855 (2) (1) whether any person named in the report is currently delinquent in
22 court-ordered payment of child support and shall next certify to the administrator
23 whether any person named in the report is delinquent in court-ordered payment of
24 child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this
25 certification by the department of revenue or upon court order the administrator

1 shall withhold the certified amount and send it to the department of revenue for
2 remittance to the appropriate agency or person. At the time of remittance, the
3 department of revenue shall charge its administrative expenses to the state agency
4 that has received the remittance. The administrative expenses received by the
5 department of revenue shall be credited to the appropriation under s. 20.566 (1) (h).
6 In instances in which the payee of the prize is delinquent both in payments for state
7 taxes and in court-ordered payments of child support, or is delinquent in one or both
8 of these payments and has a debt owing to the state, the amount remitted to the
9 appropriate agency or person shall be in proportion to the prize amount as is the
10 delinquency or debt owed by the payee.

11 **SECTION 3369.** 565.32 (1) of the statutes is amended to read:

12 565.32 (1) PROMOTIONAL ADVERTISING PROHIBITION. The expenditure by the
13 board, department or any other state agency of public funds or of revenues derived
14 from lottery operations to engage in promotional advertising of the state lottery or
15 any multistate multijurisdictional lottery is prohibited.

16 **SECTION 3370.** 565.32 (2) (a) of the statutes is amended to read:

17 565.32 (2) (a) A retailer or a combination of retailers, a vendor or a combination
18 of vendors or a combination of retailers and vendors may engage in promotional
19 advertising of the state lottery or any multistate multijurisdictional lottery in which
20 the state participates.

21 **SECTION 3371.** 565.32 (3) (a) (intro.) of the statutes is amended to read:

22 565.32 (3) (a) (intro.) Any advertising, as defined by the board department by
23 rule under s. 565.02 (3) (f), of the lottery which describes a specific lottery game and
24 each lottery ticket and lottery share shall include:

25 **SECTION 3372.** 565.37 (1) of the statutes is amended to read:

1 565.37 (1) FINANCIAL AND PERFORMANCE AUDITS. The department shall annually
2 contract with the legislative audit bureau to conduct a financial audit of the
3 transactions and accounts of the state lottery, and, to the extent of the department's
4 participation, of any ~~multistate~~ multijurisdictional lotteries in which the state
5 participates, for the preceding fiscal year and shall biennially contract with the
6 legislative audit bureau for a performance audit of the state lottery and, to the extent
7 of the department's participation, of those ~~multistate~~ multijurisdictional lotteries.

8 **SECTION 3373.** 565.37 (2) of the statutes is amended to read:

9 565.37 (2) INDEPENDENT POSTAUDIT. At no less than 3-year intervals, the
10 department may retain an independent certified public accountant to conduct a
11 postaudit of all the lottery division's accounts and transactions. The department
12 shall provide copies of each such postaudit to the legislative audit bureau, ~~the board~~
13 and the department of justice.

14 **SECTION 3374.** 565.37 (3) of the statutes is amended to read:

15 565.37 (3) DEPARTMENT REPORT. The department shall submit quarterly reports
16 on the operation of the lottery to the chief clerk of each house of the legislature, for
17 distribution to the legislature under s. 13.172 (2) and to the governor, attorney
18 general, state treasurer, secretary of state, ~~board~~ and state auditor.

19 **SECTION 4782m.** 565.37 (4) of the statutes is amended to read:

20 565.37 (4) ADMINISTRATOR REPORT. The administrator shall submit monthly
21 financial reports to the ~~board~~ secretary of revenue.

22 **SECTION 3375.** 565.40 (1) of the statutes is amended to read:

23 565.40 (1) INVESTIGATIONS. The department of justice may investigate any
24 activities by ~~the board~~, vendors, or employees in the department, which affect the
25 operation or administration of the state lottery or any ~~multistate~~ multijurisdictional

1 lottery in which the state participates, and shall report suspected violations of state
2 or federal law to the appropriate prosecuting authority.

3 **SECTION 3376.** 565.45 of the statutes is amended to read:

4 **565.45 Report on expense limitation.** Before January 1, 1992, and every 2
5 years thereafter, the department shall submit a report to the chief clerk of each house
6 of the legislature, for distribution to the legislature under s. 13.172 (2), on the effects
7 on the operation of the lottery of the ~~15%~~ 10% expense limitation under s. 25.75 (3)
8 (b).

9 **SECTION 3377.** 565.46 of the statutes is amended to read:

10 **565.46 Minority advertising, procurements, retailers and hiring.** The
11 ~~board~~ department shall promulgate rules establishing goals that attempt to increase
12 the total amount of expenditures by the department for advertising, public relations
13 and other procurements that are directed to minority businesses, the number of
14 retailers that are minority businesses and the number of employes of the lottery
15 division in the department who are minority group members.

16 **SECTION 3378.** 569.01 (1) of the statutes is renumbered 569.01 (1g).

17 **SECTION 3379.** 569.01 (1e) of the statutes is created to read:

18 569.01 (1e) "Department" means the department of administration.

19 **SECTION 3380.** 569.015 of the statutes is created to read:

20 **569.015 Indian gaming. (1)** The secretary of administration shall appoint
21 a director of Indian gaming, who shall advise the secretary on matters relating to
22 Indian gaming and who shall assist the department in performing the functions of
23 the department under this chapter. The director of Indian gaming shall serve at the
24 pleasure of the secretary of administration.

1 (2) The secretary of administration shall appoint an attorney, whose duties
2 shall include advising the secretary of administration and the governor on any
3 Indian gaming compacts that may be entered into under s. 14.035. The attorney
4 shall serve at the pleasure of the secretary of administration.

5 **SECTION 3381.** 569.02 (intro.) of the statutes is amended to read:

6 **569.02** (title) **Indian gaming; general duties of board.** (intro.) Under the
7 direction of the ~~board~~ secretary of administration, the ~~separate subunit~~ established
8 ~~in the board under s. 561.14~~ director of Indian gaming shall do all of the following:

9 **SECTION 3382.** 569.03 of the statutes is created to read:

10 **569.03 Indian gaming security.** The department may do any of the
11 following:

12 (1) Provide all of the security services for the Indian gaming operations under
13 this chapter.

14 (2) Monitor the regulatory compliance of Indian gaming operations under this
15 chapter and under any Indian gaming compact entered into under s. 14.035.

16 (3) Audit the Indian gaming operations under this chapter.

17 (4) Investigate suspected violations of this chapter.

18 (5) Report suspected gaming-related criminal activity to the division of
19 criminal investigation in the department of justice for investigation by that division.

20 (6) If the division of criminal investigation in the department of justice chooses
21 not to investigate a report under sub. (5), coordinate an investigation of the suspected
22 criminal activity with local law enforcement officials and district attorneys.

23 **SECTION 3383.** 569.04 (1) of the statutes is amended to read:

24 569.04 (1) In accordance with an Indian gaming compact or with the
25 regulations of or an agreement with the national Indian gaming commission, the

1 ~~board department~~ shall certify and conduct background investigations of a person
2 proposing to be an Indian gaming vendor and of employes of Indian tribes who are
3 engaged in the conduct of gaming.

4 **SECTION 3384.** 569.04 (2) of the statutes is amended to read:

5 569.04 (2) The ~~board department~~ shall require the persons who are subject to
6 the background investigations under sub. (1) to be photographed and fingerprinted
7 on 2 fingerprint cards, each bearing a complete set of the person's fingerprints.
8 Notwithstanding ss. 111.321, 111.322 and 111.335, the department of justice may
9 submit the fingerprint cards to the federal bureau of investigation for the purpose
10 of verifying the identity of the persons fingerprinted and obtaining records of their
11 criminal arrests and convictions.

12 **SECTION 3385.** 569.06 of the statutes is amended to read:

13 **569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to
14 the appropriation accounts under ss. ~~20.197 (1) (h) and 20.455 (2) (gc) and 20.505 (8)~~
15 ~~(h)~~ as specified under ss. ~~20.197 (1) (h) and 20.455 (2) (gc) and 20.505 (8) (h).~~

16 **SECTION 3386.** 600.01 (1) (b) 8. of the statutes is amended to read:

17 600.01 (1) (b) 8. Guarantees of the Wisconsin ~~housing and economic~~
18 ~~development authority~~ Housing and Economic Development Authority under ss.
19 ~~234.67, 234.68, 234.69, 234.765, 234.82, s. 234.68, 1995 stats., s. 234.69, 1995 stats.,~~
20 ~~s. 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.87, 1995 stats., and ss. 234.67,~~
21 ~~234.83, 234.84, 234.87~~ 234.88, 234.90, 234.905, 234.907 and 234.91.

22 **SECTION 3387.** 601.41 (1) of the statutes is amended to read:

23 601.41 (1) DUTIES. The commissioner shall administer and enforce chs. ~~153 and~~
24 600 to 655 and ss. 59.52 (11) (c), 66.184 and 120.13 (2) (b) to (g) and shall act as

1 promptly as possible under the circumstances on all matters placed before the
2 commissioner.

3 **SECTION 3388.** 601.41 (1) of the statutes, as affected by 1997 Wisconsin Act
4 (this act), is amended to read:

5 601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to
6 655 and ss. 59.52 (11) (c), 66.184 and, 120.13 (2) (b) to (g), 149.13 and 149.144 and
7 shall act as promptly as possible under the circumstances on all matters placed
8 before the commissioner.

9 **SECTION 3389.** 601.415 (12) of the statutes is created to read:

10 601.415 (12) HEALTH INSURANCE RISK-SHARING PLAN. The commissioner shall
11 perform the duties specified to be performed by the commissioner in ss. 149.13 and
12 149.144. The commissioner, or his or her designee, shall serve as a member of the
13 board under s. 149.15.

14 **SECTION 3390.** 601.429 of the statutes is repealed.

15 **SECTION 3391.** 601.64 (1) of the statutes is amended to read:

16 601.64 (1) INJUNCTIONS AND RESTRAINING ORDERS. The commissioner may
17 commence an action in circuit court in the name of the state to restrain by temporary
18 or permanent injunction or by temporary restraining order any violation of chs. 600
19 to 655, s. 149.13 or 149.144, any rule promulgated under chs. 600 to 655 or any order
20 issued under s. 601.41 (4). Except as provided in s. 641.20, the commissioner need
21 not show irreparable harm or lack of an adequate remedy at law in an action
22 commenced under this subsection.

23 **SECTION 3392.** 601.64 (3) (a) of the statutes is amended to read:

24 601.64 (3) (a) *Restitutionary forfeiture.* Whoever violates an effective order
25 issued under s. 601.41 (4) ~~or~~, any insurance statute or rule or s. 149.13 or 149.144

1 shall forfeit to the state twice the amount of any profit gained from the violation, in
2 addition to any other forfeiture or penalty imposed.

3 **SECTION 3393.** 601.64 (3) (c) of the statutes is amended to read:

4 601.64 (3) (c) *Forfeiture for violation of statute or rule.* Whoever violates an
5 insurance statute or rule or s. 149.13 or 149.144, intentionally aids a person in
6 violating an insurance statute or rule or s. 149.13 or 149.144 or knowingly permits
7 a person over whom he or she has authority to violate an insurance statute or rule
8 or s. 149.13 or 149.144 shall forfeit to the state not more than \$1,000 for each
9 violation. If the statute or rule imposes a duty to make a report to the commissioner,
10 each week of delay in complying with the duty is a new violation.

11 **SECTION 3394.** 601.64 (4) of the statutes is amended to read:

12 601.64 (4) CRIMINAL PENALTY. Whoever intentionally violates or intentionally
13 permits any person over whom he or she has authority to violate or intentionally aids
14 any person in violating any insurance statute or rule of this state, s. 149.13 or
15 149.144 or any effective order issued under s. 601.41 (4) may, unless a specific penalty
16 is provided elsewhere in the statutes, be fined not more than \$10,000 if a corporation
17 or if a natural person be fined not more than \$5,000 or imprisoned for not to exceed
18 3 years or both. Intent has the meaning expressed under s. 939.23.

19 **SECTION 4804c.** 609.78 of the statutes is created to read:

20 **609.78 Coverage of procedures involving a bone, joint, muscle or tissue**
21 **and intraoral splint therapy devices.** Health maintenance organizations,
22 limited service health organizations and preferred provider plans are subject to s.
23 632.895 (11).

24 **SECTION 4804e.** 609.79 of the statutes is created to read:

1 **609.79 Coverage of hospital services and anesthetics for dental care.**

2 Health maintenance organizations, limited service health organizations and
3 preferred provider plans are subject to s. 632.895 (12).

4 **SECTION 3395.** 613.03 (3) of the statutes is amended to read:

5 613.03 (3) APPLICABILITY OF INSURANCE LAWS. Except as otherwise specifically
6 provided, service insurance corporations organized or operating under this chapter
7 are subject to ~~subch. II of ch. 619~~ and ss. 610.01, 610.11, 610.21, 610.23 and 610.24
8 and chs. 600, 601, 609, 617, 620, 623, 625, 627, 628, 631, 632, 635 and 645 and to no
9 other insurance laws.

10 **SECTION 3396.** 613.03 (4) of the statutes is created to read:

11 613.03 (4) MANDATORY HEALTH INSURANCE RISK-SHARING PLAN. Service insurance
12 corporations organized or operating under this chapter are subject to ch. 149.

13 **SECTION 3397.** 614.05 (1) of the statutes is amended to read:

14 614.05 (1) CHAPTERS 611 AND 619. No section of ch. 611 or ~~subch. I of ch. 619~~
15 applies to fraternal unless it is specifically made applicable by this chapter.

16 **SECTION 3398.** Subchapter I of chapter 619 [precedes 619.001] of the statutes
17 is renumbered chapter 619 [precedes 619.001].

18 **SECTION 3399.** Subchapter I (title) of chapter 619 [precedes 619.01] of the
19 statutes is repealed.

20 **SECTION 3400.** Subchapter II (title) of chapter 619 [precedes 619.10] of the
21 statutes is repealed.

22 **SECTION 3401.** 619.10 (intro.) of the statutes is renumbered 149.10 (intro.) and
23 amended to read:

24 **149.10 Definitions.** (intro.) In this ~~subchapter~~ chapter:

25 **SECTION 3402.** 619.10 (1) of the statutes is repealed.

1 **SECTION 3403.** 619.10 (1m) of the statutes is repealed.

2 **SECTION 3404.** 619.10 (2) of the statutes is renumbered 149.10 (2) and amended
3 to read:

4 149.10 (2) “Board” means the board of governors established under s. ~~619.15~~
5 149.15.

6 **SECTION 4817b.** 619.10 (2c) of the statutes is created to read:

7 619.10 (2c) “Church plan” has the meaning given in section 3 (33) of the federal
8 Employee Retirement Income Security Act of 1974.

9 **SECTION 4817bm.** 619.10 (2c) of the statutes, as created by 1997 Wisconsin Act
10 (this act), is renumbered 149.10 (2c).

11 **SECTION 4817c.** 619.10 (2j) of the statutes is created to read:

12 619.10 (2j) (a) Except as provided in par. (b), “creditable coverage” means
13 coverage under any of the following:

14 1. A group health plan.

15 2. Health insurance.

16 3. Part A or part B of title XVIII of the federal Social Security Act.

17 4. Title XIX of the federal Social Security Act, except for coverage consisting
18 solely of benefits under section 1928 of that act.

19 5. Chapter 55 of title 10 of the United States Code.

20 6. A medical care program of the federal Indian health service or of an
21 American Indian tribal organization.

22 7. A state health benefits risk pool.

23 8. A health plan offered under chapter 89 of title 5 of the United States Code.

24 9. A public health plan.

1 10. A health coverage plan under section 5 (e) of the federal Peace Corps Act,
2 22 USC 2504 (e).

3 (b) “Creditable coverage” does not include coverage consisting solely of
4 coverage of excepted benefits, as defined in section 2791 (c) of P.L. 104-191.

5 **SECTION 4817cm.** 619.10 (2j) of the statutes, as created by 1997 Wisconsin Act
6 (this act), is renumbered 149.10 (2j).

7 **SECTION 4817m.** 619.10 (2t) of the statutes is created to read:

8 619.10 (2t) “Eligible individual” means an individual for whom all of the
9 following apply:

10 (a) The aggregate of the individual’s periods of creditable coverage is 18 months
11 or more.

12 (b) The individual’s most recent period of creditable coverage was under a
13 group health plan, governmental plan, federal governmental plan or church plan, or
14 under any health insurance offered in connection with any of those plans.

15 (c) The individual does not have creditable coverage and is not eligible for
16 coverage under a group health plan, part A or part B of title XVIII of the federal Social
17 Security Act or a state plan under title XIX of the federal Social Security Act or any
18 successor program.

19 (d) The individual’s most recent period of creditable coverage was not
20 terminated for any reason related to fraud or intentional misrepresentation of
21 material fact or a failure to pay premiums.

22 (e) If the individual was offered the option of continuation coverage under a
23 federal continuation provision or similar state program, the individual elected the
24 continuation coverage.

25 (f) The individual has exhausted any continuation coverage under par. (e).

1 **SECTION 4817mm.** 619.10 (2t) of the statutes, as created by 1997 Wisconsin Act
2 (this act), is renumbered 149.10 (2t).

3 **SECTION 3405.** 619.10 (3) of the statutes is renumbered 149.10 (3) and amended
4 to read:

5 149.10 (3) “Eligible person” means a resident of this state who qualifies under
6 s. ~~619.12~~ 149.12 whether or not the person is legally responsible for the payment of
7 medical expenses incurred on the person’s behalf.

8 **SECTION 4818c.** 619.10 (3c) of the statutes is created to read:

9 619.10 (3c) “Federal continuation provision” means any of the following:

10 (a) Section 4980B of the Internal Revenue Code of 1986, except for section
11 4980B (f) (1) of that code insofar as it relates to pediatric vaccines.

12 (b) Part 6 of subtitle B of title I of the federal Employee Retirement Income
13 Security Act of 1974, except for section 609 of that act.

14 (c) Title XXII of P.L. 104-191.

15 **SECTION 4818cm.** 619.10 (3c) of the statutes, as created by 1997 Wisconsin Act
16 (this act), is renumbered 149.10 (3c).

17 **SECTION 4818d.** 619.10 (3d) of the statutes is created to read:

18 619.10 (3d) “Federal governmental plan” means a benefit program established
19 or maintained for its employees by the government of the United States or by any
20 agency or instrumentality of the government of the United States.

21 **SECTION 4818dm.** 619.10 (3d) of the statutes, as created by 1997 Wisconsin Act
22 (this act), is renumbered 149.10 (3d).

23 **SECTION 4818g.** 619.10 (3g) of the statutes is created to read:

24 619.10 (3g) “Governmental plan” has the meaning given under section 3 (32)
25 of the federal Employee Retirement Income Security Act of 1974.

1 **SECTION 4818gm.** 619.10 (3g) of the statutes, as created by 1997 Wisconsin Act
2 (this act), is renumbered 149.10 (3g).

3 **SECTION 4818j.** 619.10 (3j) of the statutes is created to read:

4 619.10 (3j) “Group health plan” means any of the following:

5 (a) An employe welfare plan, as defined in section 3 (1) of the federal Employee
6 Retirement Security Act of 1974, to the extent that the employe welfare plan provides
7 medical care, including items and services paid for as medical care, to employes or
8 to their dependents, as defined under the terms of the employe welfare plan, directly
9 or through insurance, reimbursement or otherwise.

10 (b) Any program that would not otherwise be an employe welfare benefit plan
11 and that is established or maintained by a partnership, to the extent that the
12 program provides medical care, including items and services paid for as medical care,
13 to present or former partners of the partnership or to their dependents, as defined
14 under the terms of the program, directly or through insurance, reimbursement or
15 otherwise.

16 **SECTION 4818jm.** 619.10 (3j) of the statutes, as created by 1997 Wisconsin Act
17 (this act), is renumbered 149.10 (3j).

18 **SECTION 3406.** 619.10 (3m) and (4) of the statutes are renumbered 149.10 (3m)
19 and (4).

20 **SECTION 3407.** 619.10 (4m) of the statutes is renumbered 149.10 (4m).

21 **SECTION 3408.** 619.10 (5) of the statutes is renumbered 149.10 (5) and amended
22 to read:

23 149.10 (5) “Insurer” means any person or association of persons, including a
24 health maintenance organization, limited service health organization or preferred
25 provider plan offering or insuring health services on a prepaid basis, including, but

1 not limited to, policies of health insurance issued by a currently licensed insurer, as
2 defined in s. 600.03 (27), nonprofit hospital or medical service plans under ch. 613,
3 cooperative medical service plans under s. 185.981, or other entity whose primary
4 function is to provide diagnostic, therapeutic or preventive services to a defined
5 population in return for a premium paid on a periodic basis. “Insurer” includes any
6 person providing health services coverage for individuals on a self-insurance basis
7 without the intervention of other entities, as well as any person providing health
8 insurance coverage under a medical reimbursement plan to persons. “Insurer” does
9 not include a plan under ch. 613 which offers only dental care.

10 **SECTION 3409.** 619.10 (6) and (7) of the statutes are renumbered 149.10 (6) and
11 (7).

12 **SECTION 3410.** 619.10 (8) of the statutes is renumbered 149.10 (8) and amended
13 to read:

14 149.10 (8) “Plan” means the health care insurance plan established and
15 administered under this subchapter ~~chapter~~.

16 **SECTION 3411.** 619.10 (9) of the statutes is renumbered 149.10 (9) and amended
17 to read:

18 149.10 (9) “Resident” means a person who has been legally domiciled in this
19 state for a period of at least 30 days or, with respect to an eligible individual, an
20 individual who resides in this state. For purposes of this subchapter ~~chapter~~, legal
21 domicile is established by living in this state and obtaining a Wisconsin motor vehicle
22 operator’s license, registering to vote in Wisconsin or filing a Wisconsin income tax
23 return. A child is legally domiciled in this state if the child lives in this state and if
24 at least one of the child’s parents or the child’s guardian is legally domiciled in this
25 state. A person with a developmental disability or another disability which prevents

1 the person from obtaining a Wisconsin motor vehicle operator's license, registering
2 to vote in Wisconsin, or filing a Wisconsin income tax return, is legally domiciled in
3 this state by living in this state for 30 days.

4 **SECTION 3412.** 619.11 of the statutes is renumbered 149.11 and amended to
5 read:

6 **149.11 (title) Establishment Operation of plan.** The commissioner
7 department shall promulgate rules establishing for the operation of a plan of health
8 insurance coverage for an eligible person which satisfies the requirements of this
9 chapter.

10 **SECTION 4825c.** 619.115 of the statutes is created to read:

11 **619.115 Rules relating to creditable coverage.** The commissioner shall
12 promulgate rules that specify how creditable coverage is to be aggregated for
13 purposes of s. 619.10 (2t) (a) and that determine the creditable coverage to which s.
14 619.10 (2t) (b) and (d) applies. The rules shall comply with section 2701 (c) of P.L.
15 104-191.

16 **SECTION 4825f.** 619.115 of the statutes, as created by 1997 Wisconsin Act ...
17 (this act), is renumbered 149.115 and amended to read:

18 **149.115 Rules relating to creditable coverage.** The commissioner, in
19 consultation with the department, shall promulgate rules that specify how
20 creditable coverage is to be aggregated for purposes of s. ~~619.10~~ 149.10 (2t) (a) and
21 that determine the creditable coverage to which s. ~~619.10~~ 149.10 (2t) (b) and (d)
22 applies. The rules shall comply with section 2701 (c) of P.L. 104-191.

23 **SECTION 3413.** 619.12 (title) of the statutes is renumbered 149.12 (title).

24 **SECTION 3414.** 619.12 (1) of the statutes is renumbered 149.12 (1), and 149.12
25 (1) (intro.), as renumbered, is amended to read:

1 149.12 (1) (intro.) Except as provided in subs. (1m) and (2), the board or
2 ~~administering carrier~~ plan administrator shall certify as eligible a person who is
3 covered by medicare because he or she is disabled under 42 USC 423, a person who
4 submits evidence that he or she has tested positive for the presence of HIV, antigen
5 or nonantigenic products of HIV or an antibody to HIV, a person who is an eligible
6 individual, and any person who receives and submits any of the following based
7 wholly or partially on medical underwriting considerations within 9 months prior to
8 making application for coverage by the plan:

9 **SECTION 3415.** 619.12 (1m) (intro) and (a) of the statutes are consolidated,
10 renumbered 149.12 (1m) and amended to read:

11 149.12 (1m) The board or ~~administering carrier~~ plan administrator may not
12 certify a person as eligible under circumstances requiring notice under sub. (1) (a)
13 to (d) if the required notices were issued by ~~one of the following:~~ (a) ~~An~~ an insurance
14 intermediary who is not acting as an administrator, as defined in s. 633.01.

15 **SECTION 3416.** 619.12 (1m) (b) of the statutes is repealed.

16 **SECTION 4830b.** 619.12 (2) (b) of the statutes is renumbered 149.12 (2) (b) and
17 amended to read:

18 149.12 (2) (b) 1. Except as provided in subd. 2., no person who is covered under
19 the plan and who voluntarily terminates the coverage under the plan, is again
20 eligible for coverage unless 12 months have elapsed since the person's latest
21 voluntary termination of coverage under the plan.

22 2. Subdivision 1. does not apply to any person who is an eligible individual or
23 to any person who terminates coverage under the plan because he or she is ~~receiving,~~
24 ~~or~~ is eligible to receive, medical assistance benefits.

1 **SECTION 4830c.** 619.12 (2) (c) of the statutes is renumbered 149.12 (2) (c) and
2 amended to read:

3 149.12 (2) (c) No person on whose behalf the plan has paid out \$500,000
4 \$1,000,000 or more is eligible for coverage under the plan.

5 **SECTION 4830d.** 619.12 (2) (d) of the statutes is renumbered 149.12 (2) (d) and
6 amended to read:

7 149.12 (2) (d) ~~No~~ Except for a person who is an eligible individual, no person
8 who is 65 years of age or older is eligible for coverage under the plan.

9 **SECTION 4830e.** 619.12 (2) (e) 1. of the statutes is renumbered 149.12 (2) (e) and
10 amended to read:

11 149.12 (2) (e) ~~Except as provided in subd. 2., no~~ No person who is eligible for
12 ~~health care benefits~~ creditable coverage provided by an employer on a self-insured
13 basis or through health insurance is eligible for coverage under the plan.

14 **SECTION 4830f.** 619.12 (2) (e) 2. of the statutes is repealed.

15 **SECTION 4830g.** 619.12 (2) (e) 3. of the statutes is repealed.

16 **SECTION 3417.** 619.12 (3) of the statutes, as affected by 1997 Wisconsin Act ...
17 (this act), is renumbered 149.12 (3), and 149.12 (3) (c), as renumbered, is amended
18 to read:

19 149.12 (3) (c) ~~The commissioner, in consultation with the board,~~ department
20 may promulgate rules specifying other deductible or coinsurance amounts that, if
21 paid or reimbursed for persons, will not make the persons ineligible for coverage
22 under the plan.

23 **SECTION 4831c.** 619.12 (3) (a) of the statutes is amended to read:

24 619.12 (3) (a) ~~Except as provided in pars. (b) and~~ to (c), no person is eligible for
25 coverage under the plan for whom a premium, deductible or coinsurance amount is

1 paid or reimbursed by a federal, state, county or municipal government or agency as
2 of the first day of any term for which a premium amount is paid or reimbursed and
3 as of the day after the last day of any term during which a deductible or coinsurance
4 amount is paid or reimbursed.

5 **SECTION 4831e.** 619.12 (3) (bm) of the statutes is created to read:

6 619.12 (3) (bm) Persons for whom premium costs for health insurance coverage
7 are subsidized under s. 252.16 are not ineligible for coverage under the plan by
8 reason of such payments.

9 **SECTION 4832b.** 619.123 of the statutes is repealed.

10 **SECTION 3418.** 619.125 of the statutes is renumbered 149.125 and amended to
11 read:

12 **149.125 Health insurance risk-sharing plan fund.** There is created a
13 health insurance risk-sharing plan fund, under the management of the board
14 department, to fund administrative expenses.

15 **SECTION 3419.** 619.13 (title) of the statutes is renumbered 149.13 (title).

16 **SECTION 3420.** 619.13 (1) (a) of the statutes is renumbered 149.13 (1) and
17 amended to read:

18 149.13 (1) Every insurer shall participate in the cost of administering the plan,
19 except the commissioner may by rule exempt as a class those insurers whose share
20 as determined under ~~par. (b)~~ sub. (2) would be so minimal as to not exceed the
21 estimated cost of levying the assessment. The commissioner shall advise the
22 department of the insurers participating in the cost of administering the plan.

23 **SECTION 3421.** 619.13 (1) (b) of the statutes is renumbered 149.13 (2) and
24 amended to read:

1 149.13 (2) ~~Except as provided by a rule promulgated under s. 619.145 (4), every~~
2 Every participating insurer shall share in the operating, administrative and subsidy
3 expenses of the plan in proportion to the ratio of the insurer's total health care
4 coverage revenue for residents of this state during the preceding calendar year to the
5 aggregate health care coverage revenue of all participating insurers for residents of
6 this state during the preceding calendar year, as determined by the commissioner.

7 **SECTION 3422.** 619.13 (1) (c) of the statutes is repealed.

8 **SECTION 3423.** 619.13 (1) (d) of the statutes is renumbered 149.13 (3) and
9 amended to read:

10 149.13 (3) (a) Each insurer's proportion of participation under ~~par. (b)~~ sub. (2)
11 shall be determined annually by the commissioner based on annual statements and
12 other reports filed by the insurer with the commissioner. The commissioner shall
13 assess an insurer for the insurer's proportion of participation based on the total
14 assessments estimated by the department under s. 149.143 (2) (a) 2.

15 (b) If the department or the commissioner finds that the commissioner's
16 authority to require insurers to report under chs. 600 to 646 and 655 is not adequate
17 to permit the department, the commissioner or the board to carry out the
18 department's, commissioner's or the board's responsibilities under this ~~subchapter~~
19 chapter, the commissioner ~~may~~ shall promulgate rules requiring insurers to report
20 the information necessary for the department, commissioner and the board to make
21 the determinations required under this ~~subchapter~~ chapter.

22 **SECTION 4839c.** 619.13 (2) of the statutes is repealed.

23 **SECTION 4840c.** 619.135 (title) of the statutes is renumbered 149.144 (title) and
24 amended to read:

1 **149.144** (title) **Insurer assessments and provider discounts for**
2 **premium and deductible reductions.**

3 **SECTION 4841c.** 619.135 (1) of the statutes is repealed.

4 **SECTION 4845c.** 619.135 (2) of the statutes is renumbered 149.144 and
5 amended to read:

6 **149.144** If the moneys under s. ~~20.145 (7) (a) and (g) 20.435 (5) (ah)~~ are
7 insufficient to reimburse the plan for premium reductions under s. ~~619.165~~ 149.165
8 and deductible reductions under s. ~~619.14~~ 149.14 (5) (a), or the ~~commissioner~~
9 department determines that the moneys under s. ~~20.145 (7) (a) and (g) 20.435 (5) (ah)~~
10 will be insufficient to reimburse the plan for premium reductions under s. ~~619.165~~
11 149.165 and deductible reductions under s. ~~619.14~~ 149.14 (5) (a), the ~~commissioner~~
12 department shall, by rule, increase in equal proportions the amount of the
13 assessment ~~under sub. (1) (a) or levy an assessment against every insurer, or a~~
14 ~~combination of both,~~ set under s. 149.143 (2) (a) 2. and the provider charges discount
15 rate set under s. 149.143 (2) (a) 3., subject to s. 149.143 (1) (b) 1., sufficient to
16 reimburse the plan for premium reductions under s. ~~619.165~~ 149.165 and deductible
17 reductions under s. ~~619.14~~ 149.14 (5) (a). The department shall notify the
18 commissioner so that the commissioner may levy the increase in the insurer
19 assessments.

20 **SECTION 4846b.** 619.135 (3) of the statutes is repealed.

21 **SECTION 3424.** 619.14 (title) of the statutes is renumbered 149.14 (title).

22 **SECTION 3425.** 619.14 (1) of the statutes is renumbered 149.14 (1), and 149.14
23 (1) (b), as renumbered, is amended to read:

24 149.14 (1) (b) If an individual terminates medical assistance coverage and
25 applies for coverage under the plan within 45 days after the termination and is

1 subsequently found to be eligible under s. ~~619.12~~ 149.12, the effective date of
2 coverage for the eligible person under the plan shall be the date of termination of
3 medical assistance coverage.

4 **SECTION 3426.** 619.14 (2) of the statutes is renumbered 149.14 (2), and 149.14
5 (2) (a), as renumbered, is amended to read:

6 149.14 (2) (a) The plan shall provide every eligible person who is not eligible
7 for medicare with major medical expense coverage. Major medical expense coverage
8 offered under the plan under this section shall pay an eligible person's covered
9 expenses, subject to sub. (3) and deductible and coinsurance payments authorized
10 under sub. (5), up to a lifetime limit of ~~\$500,000~~ \$1,000,000 per covered individual.
11 The maximum limit under this paragraph shall not be altered by the board, and no
12 actuarially equivalent benefit may be substituted by the board.

13 **SECTION 3427.** 619.14 (3) of the statutes is renumbered 149.14 (3), and 149.14
14 (3) (intro.) and (c) 3., as renumbered, are amended to read:

15 149.14 (3) COVERED EXPENSES. (intro.) Except as restricted by cost containment
16 provisions under s. ~~619.17~~ 149.17 (4) and except as reduced by the board under s.
17 ~~619.15~~ 149.15 (3) (e) or by the department under s. 149.143 (2) (a) 3. or (3) or 149.144,
18 covered expenses for the coverage under this section shall be the usual and
19 customary charges for the services provided by persons licensed under ch. 446.
20 Except as restricted by cost containment provisions under s. ~~619.17~~ 149.17 (4) and
21 except as reduced by the board under s. ~~619.15~~ 149.15 (3) (e) or by the department
22 under s. 149.143 (2) (a) 3. or (3) or 149.144, covered expenses for the coverage under
23 this section shall also be the usual and customary charges for the following services
24 and articles when prescribed by a physician licensed under ch. 448 or in another
25 state:

1 (c) 3. Subject to the limits under subd. 2. and to rules promulgated by the
2 commissioner department, services for the chronically mentally ill in community
3 support programs operated under s. 51.421.

4 **SECTION 3428.** 619.14 (4) of the statutes is renumbered 149.14 (4), and 149.14
5 (4) (intro.) and (m), as renumbered, are amended to read:

6 149.14 (4) EXCLUSIONS. (intro.) Covered expenses for the coverage under this
7 section shall not include the following:

8 (m) Experimental treatment, as determined by the ~~board or its designee~~
9 department.

10 **SECTION 4852c.** 619.14 (5) (title) of the statutes is renumbered 149.14 (5) (title)
11 and amended to read:

12 149.14 (5) (title) ~~PREMIUMS, DEDUCTIBLES~~ DEDUCTIBLES AND COINSURANCE.

13 **SECTION 3429.** 619.14 (5) (a) of the statutes is renumbered 149.14 (5) (a) and
14 amended to read:

15 149.14 (5) (a) The plan shall offer a deductible in combination with appropriate
16 premiums determined under this ~~subchapter~~ chapter for major medical expense
17 coverage required under this section. For coverage offered to those persons eligible
18 for medicare, the plan shall offer a deductible equal to the deductible charged by part
19 A of title XVIII of the federal social security act, as amended. The deductible
20 amounts for all other eligible persons shall be dependent upon household income as
21 determined under s. ~~619.165~~ 149.165. For eligible persons under s. ~~619.165 (1) (b)~~
22 ~~1. 149.165 (2) (a)~~, the deductible shall be \$500. For eligible persons under s. ~~619.165~~
23 ~~(1) (b) 2. 149.165 (2) (b)~~, the deductible shall be \$600. For eligible persons under s.
24 ~~619.165 (1) (b) 3. 149.165 (2) (c)~~, the deductible shall be \$700. For eligible persons
25 under s. ~~619.165 (1) (b) 4. 149.165 (2) (d)~~, the deductible shall be \$800. For all other

1 eligible persons who are not eligible for medicare, the deductible shall be \$1,000.
2 With respect to all eligible persons, expenses used to satisfy the deductible during
3 the last 90 days of a calendar year shall also be applied to satisfy the deductible for
4 the following calendar year. ~~The schedule of premiums shall be promulgated by rule~~
5 ~~by the commissioner. The commissioner shall set rates at 60% of the operating and~~
6 ~~administrative costs of the plan.~~

7 **SECTION 4854c.** 619.14 (5) (b) of the statutes is renumbered 149.14 (5) (b).

8 **SECTION 4855c.** 619.14 (5) (c) of the statutes is renumbered 149.14 (5) (c)

9 **SECTION 3430.** 619.14 (5) (d) of the statutes is renumbered 149.14 (5) (d) and
10 amended to read:

11 149.14 (5) (d) Notwithstanding pars. (a) to (c), the ~~board~~ department may
12 establish different deductible amounts, a different coinsurance percentage and
13 different covered costs and deductible aggregate amounts from those specified in
14 pars. (a) to (c) in accordance with cost containment provisions established by the
15 commissioner department under s. 619.17 (4) (a) ~~and for individuals who enroll in~~
16 ~~an alternative plan under s. 619.145~~ 149.17 (4).

17 **SECTION 4856v.** 619.14 (5) (e) of the statutes is amended to read:

18 619.14 (5) (e) Using the procedure under s. 227.24, the commissioner may
19 promulgate rules under par. (a) ~~or s. 619.146 (2) (b)~~ for the schedule of premiums for
20 the period before the effective date of any permanent rules promulgated under par.
21 (a) ~~or s. 619.146 (2) (b)~~ for the schedule of premiums, but not to exceed the period
22 authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) and (3), the
23 commissioner is not required to make a finding of emergency.

24 **SECTION 4857c.** 619.14 (5) (e) of the statutes, as affected by 1997 Wisconsin Act
25 (this act), is repealed.

1 **SECTION 4858b.** 619.14 (6) of the statutes is renumbered 619.14 (6) (a) and
2 amended to read:

3 619.14 (6) (a) ~~No~~ Except as provided in par. (b), no person who obtains coverage
4 under the plan may be covered for any preexisting condition during the first 6 months
5 of coverage under the plan if the person was diagnosed or treated for that condition
6 during the 6 months immediately preceding the filing of an application with the plan.

7 **SECTION 4858c.** 619.14 (6) of the statutes, as affected by 1997 Wisconsin Act
8 (this act), is renumbered 149.14 (6).

9 **SECTION 4858d.** 619.14 (6) (b) of the statutes is created to read:

10 619.14 (6) (b) An eligible individual who obtains coverage under the plan on
11 or after the effective date of this paragraph [revisor inserts date], may not be
12 subject to any preexisting condition exclusion under the plan. An eligible individual
13 who is covered under the plan on the effective date of this paragraph [revisor
14 inserts date], may not be subject to any preexisting condition exclusion on or after
15 the effective date of this paragraph [revisor inserts date].

16 **SECTION 3431.** 619.14 (7) of the statutes is renumbered 149.14 (7), and 149.14
17 (7) (b) and (c), as renumbered, are amended to read:

18 149.14 (7) (b) The board department has a cause of action against an eligible
19 participant for the recovery of the amount of benefits paid which are not for covered
20 expenses under the plan. Benefits under the plan may be reduced or refused as a
21 setoff against any amount recoverable under this paragraph.

22 (c) The board department is subrogated to the rights of an eligible person to
23 recover special damages for illness or injury to the person caused by the act of a 3rd
24 person to the extent that benefits are provided under the plan. Section 814.03 (3)
25 applies to the department under this paragraph.

1 **SECTION 3432.** 619.145 of the statutes is repealed.

2 **SECTION 4860c.** 619.146 of the statutes is created to read:

3 **619.146 Choice of coverage.** (1) (a) Beginning on January 1, 1998, in
4 addition to the coverage required under s. 619.14, the plan shall offer to all eligible
5 persons a choice of coverage, as described in section 2744 (a) (1) (C) of P.L. 104-191.
6 Any such choice of coverage shall be major medical expense coverage.

7 (b) An eligible person may elect once each year, at the time and according to
8 procedures established by the board, among the coverages offered under this section
9 and s. 619.14. If an eligible person elects new coverage, any preexisting condition
10 exclusion imposed under the new coverage is met to the extent that the eligible
11 person has been previously and continuously covered under this subchapter. No
12 preexisting condition exclusion may be imposed on an eligible person who elects new
13 coverage if the person was an eligible individual when first covered under this
14 subchapter and the person remained continuously covered under this subchapter up
15 to the time of electing new coverage.

16 (2) (a) Except as specified by the board, the terms of coverage under s. 619.14,
17 including deductible reductions under s. 619.14 (5) (a), do not apply to the coverage
18 offered under this section. Premium reductions under s. 619.165 do not apply to the
19 coverage offered under this section.

20 (b) The schedule of premiums for coverage under this section shall be
21 promulgated by rule by the commissioner. The rates for coverage under this section
22 shall be set such that they differ from the rates for coverage under s. 619.14 by the
23 same percentage as the percentage difference between the following:

1 1. The rate that a standard risk would be charged under an individual policy
2 providing substantially the same coverage and deductibles as provided under s.
3 619.14.

4 2. The rate that a standard risk would be charged under an individual policy
5 providing substantially the same coverage and deductibles as the coverage offered
6 under this section.

7 **SECTION 4860d.** 619.146 of the statutes, as created by 1997 Wisconsin Act ...
8 (this act), is renumbered 149.146, and 149.146 (1) (a) and (b) and (2) (a) and (b)
9 (intro.) and 1., as renumbered, are amended to read:

10 149.146 (1) (a) Beginning on January 1, 1998, in addition to the coverage
11 required under s. ~~619.14~~ 149.14, the plan shall offer to all eligible persons a choice
12 of coverage, as described in section 2744 (a) (1) (C), P.L. 104-191. Any such choice
13 of coverage shall be major medical expense coverage.

14 (b) An eligible person may elect once each year, at the time and according to
15 procedures established by the board, among the coverages offered under this section
16 and s. ~~619.14~~ 149.14. If an eligible person elects new coverage, any preexisting
17 condition exclusion imposed under the new coverage is met to the extent that the
18 eligible person has been previously and continuously covered under this ~~subchapter~~
19 chapter. No preexisting condition exclusion may be imposed on an eligible person
20 who elects new coverage if the person was an eligible individual when first covered
21 under this ~~subchapter~~ chapter and the person remained continuously covered under
22 this ~~subchapter~~ chapter up to the time of electing the new coverage.

23 (2) (a) Except as specified by the board, the terms of coverage under s. ~~619.14~~
24 149.14, including deductible reductions under s. ~~619.14~~ 149.14 (5) (a), do not apply

1 to the coverage offered under this section. Premium reductions under s. ~~619.165~~
2 149.165 do not apply to the coverage offered under this section.

3 (b) (intro.) The schedule of premiums for coverage under this section shall be
4 promulgated by rule by the ~~commissioner~~ department, as provided in s. 149.143. The
5 rates for coverage under this section shall be set such that they differ from the rates
6 for coverage under s. ~~619.14~~ 149.14 by the same percentage as the percentage
7 difference between the following:

8 1. The rate that a standard risk would be charged under an individual policy
9 providing substantially the same coverage and deductibles as provided under s.
10 ~~619.14~~ 149.14.

11 **SECTION 3433.** 619.15 (title) of the statutes is renumbered 149.15 (title).

12 **SECTION 3434.** 619.15 (1) of the statutes is renumbered 149.15 (1) and amended
13 to read:

14 149.15 (1) The plan shall ~~operate subject to the supervision and approval of a~~
15 have a board of governors consisting of representatives of 2 participating insurers
16 which are nonprofit corporations, representatives of 2 other participating insurers,
17 3 health care provider representatives, including one representative of the State
18 Medical Society of Wisconsin, one representative of the Wisconsin Health and
19 Hospital Association and one representative of an integrated multidisciplinary
20 health system, and 3 public members, including one representative of small
21 businesses in the state, appointed by the ~~commissioner~~ secretary for staggered
22 3-year terms. In addition, the commissioner, or a designated representative from
23 the office of the commissioner, and the secretary, or a designated representative from
24 the department, shall be a ~~member~~ members of the board. The public members shall
25 not be professionally affiliated with the practice of medicine, a hospital or an insurer.

1 At least 2 of the public members shall be individuals reasonably expected to qualify
2 for coverage under the plan or the parent or spouse of such an individual. The
3 ~~commissioner secretary~~ or the ~~commissioner's secretary's~~ representative shall be the
4 chairperson of the board. Board members, except the commissioner or the
5 commissioner's representative and the secretary or the secretary's representative,
6 shall be compensated at the rate of \$50 per diem plus actual and necessary expenses.

7 **SECTION 3435.** 619.15 (2) of the statutes is renumbered 149.15 (2) and amended
8 to read:

9 149.15 (2) Annually, the board shall make a report to the ~~members of the plan~~
10 ~~and to the chief clerk of each house of the legislature, for distribution to the~~
11 appropriate standing committees under s. 13.172 (3), and to the members of the plan
12 summarizing the activities of the plan in the preceding calendar year. The annual
13 report shall define the cost burden imposed by the plan on all policyholders in this
14 state.

15 **SECTION 3436.** 619.15 (3) (intro.) of the statutes is renumbered 149.15 (3)
16 (intro.) and amended to read:

17 149.15 (3) (intro.) The board shall do all of the following:

18 **SECTION 3437.** 619.15 (3) (a) of the statutes is renumbered 149.15 (3) (a).

19 **SECTION 3438.** 619.15 (3) (b) of the statutes is repealed.

20 **SECTION 4867c.** 619.15 (3) (c) of the statutes is renumbered 149.15 (3) (c) and
21 amended to read:

22 149.15 (3) (c) Collect assessments from all insurers to provide for claims paid
23 under the plan and for administrative expenses incurred or estimated to be incurred
24 during the period for which the assessment is made. The level of payments shall be
25 established ~~by the board~~ as provided under s. 149.143. Assessment of the insurers

1 shall occur at the end of each calendar year or other fiscal year end established by
2 the board. Assessments are due and payable within 30 days of receipt by the insurer
3 of the assessment notice.

4 **SECTION 3439.** 619.15 (3) (d) of the statutes is renumbered 149.15 (3) (d).

5 **SECTION 4869c.** 619.15 (3) (e) of the statutes is renumbered 149.15 (3) (e) and
6 amended to read:

7 149.15 (3) (e) Establish for payment of covered expenses, a payment rate that
8 is 10% less than the charges approved by the ~~administering carrier plan~~
9 administrator for reimbursement of covered expenses under s. ~~619.14~~ 149.14 (3). A
10 ~~provider of a covered service or article may not bill an eligible person who receives~~
11 ~~the service or article for any amount by which the charge is reduced under this~~
12 ~~paragraph.~~

13 **SECTION 4869d.** 619.15 (3) (f) of the statutes is created to read:

14 619.15 (3) (f) In consultation with the office and the department of health and
15 family services, establish a choice of coverage under s. 619.146.

16 **SECTION 4869f.** 619.15 (3) (f) of the statutes, as created by 1997 Wisconsin Act
17 (this act), is renumbered 149.15 (3) (f) and amended to read:

18 149.15 (3) (f) In consultation with the office of the commissioner of insurance
19 ~~and the department of health and family services~~, establish a choice of coverage
20 under s. ~~619.146~~ 149.146.

21 **SECTION 3440.** 619.15 (4) (intro.) of the statutes is renumbered 149.15 (4)
22 (intro.) and amended to read:

23 149.15 (4) (intro.) The board may do any of the following:

24 **SECTION 3441.** 619.15 (4) (a) of the statutes is renumbered 149.15 (4) (a).

25 **SECTION 3442.** 619.15 (4) (b) of the statutes is renumbered 149.15 (4) (b).

1 **SECTION 4873c.** 619.15 (4) (c) of the statutes is repealed.

2 **SECTION 3443.** 619.15 (4) (d) of the statutes is repealed.

3 **SECTION 3444.** 619.15 (4) (e) of the statutes is repealed.

4 **SECTION 3445.** 619.15 (5) of the statutes is renumbered 149.15 (5) and amended
5 to read:

6 149.15 (5) The ~~commissioner~~ department may, by rule, establish additional
7 powers and duties of the board.

8 **SECTION 3446.** 619.15 (6) of the statutes is renumbered 149.15 (6) and amended
9 to read:

10 149.15 (6) If any provision of this ~~subchapter~~ chapter conflicts with s. 625.11
11 or 625.12, this ~~subchapter~~ chapter prevails.

12 **SECTION 3447.** 619.15 (7) of the statutes is renumbered 149.15 (7).

13 **SECTION 3448.** 619.16 (title) of the statutes is repealed.

14 **SECTION 3449.** 619.16 (1) of the statutes is repealed.

15 **SECTION 3450.** 619.16 (2) of the statutes is repealed.

16 **SECTION 3451.** 619.16 (3) (a) of the statutes is renumbered 149.16 (3) (a) and
17 amended to read:

18 149.16 (3) (a) The ~~administering carrier~~ plan administrator shall perform all
19 eligibility and administrative claims payment functions relating to the plan.

20 **SECTION 3452.** 619.16 (3) (b) of the statutes is renumbered 149.16 (3) (b) and
21 amended to read:

22 149.16 (3) (b) The ~~administering carrier~~ plan administrator shall establish a
23 premium billing procedure for collection of premiums from insured persons. Billings
24 shall be made on a periodic basis as determined by the ~~board~~ department.

1 **SECTION 4884c.** 619.16 (3) (c) of the statutes is renumbered 149.16 (3) (c), and
2 149.16 (3) (c) (intro.), as renumbered, is amended to read:

3 149.16 (3) (c) (intro.) The ~~administering carrier~~ plan administrator shall
4 perform all necessary functions to assure timely payment of benefits to covered
5 persons under the plan, including:

6 **SECTION 3453.** 619.16 (3) (d) of the statutes is repealed.

7 **SECTION 3454.** 619.16 (3) (e) of the statutes is renumbered 149.16 (3) (e) and
8 amended to read:

9 149.16 (3) (e) The ~~administering carrier~~ plan administrator, under the
10 direction of the department, shall pay claims expenses from the premium payments
11 received from or on behalf of covered persons under the plan. If the ~~administering~~
12 ~~carrier's~~ plan administrator's payments for claims expenses exceed the ~~portion of~~
13 ~~premiums allocated by the board for payment of claims expenses~~ premium
14 payments, the board shall forward to the department, and the department shall
15 provide to the carrier plan administrator, additional funds for payment of claims
16 expenses.

17 **SECTION 3455.** 619.16 (3) (em) of the statutes is repealed.

18 **SECTION 3456.** 619.16 (3) (f) of the statutes is repealed.

19 **SECTION 3457.** 619.165 (title) of the statutes is renumbered 149.165 (title).

20 **SECTION 3458.** 619.165 (1) (a) of the statutes is renumbered 149.165 (1) and
21 amended to read:

22 149.165 (1) The board Except as provided in s. 149.146 (2) (a), the department
23 shall reduce the premiums established by the commissioner under s. 619.11 149.11
24 in conformity with ss. 619.14 (5) 149.143 and 619.17 149.17, for the eligible persons
25 and in the manner set forth in ~~pars. (b) to (d)~~ subs. (2) and (3).

1 **SECTION 3459.** 619.165 (1) (b) of the statutes is renumbered 149.165 (2), and
2 149.165 (2) (intro.), as renumbered, is amended to read:

3 149.165 (2) (intro.) If the household income, as defined in s. 71.52 (5) and as
4 determined under ~~par. (d)~~ sub. (3), of an eligible person is equal to or greater than
5 the first amount and less than the 2nd amount listed in any of the following, the
6 board department shall reduce the premium for the eligible person, ~~as established~~
7 ~~by the commissioner~~, to the rate shown after the amounts:

8 **SECTION 3460.** 619.165 (1) (d) of the statutes is renumbered 149.165 (3) and
9 amended to read:

10 149.165 (3) The board department shall establish and implement the method
11 for determining the household income of an eligible person under ~~par. (b)~~ sub. (2).

12 **SECTION 3461.** 619.165 (2) of the statutes is repealed.

13 **SECTION 3462.** 619.165 (3) of the statutes is renumbered 149.165 (4) and
14 amended to read:

15 149.165 (4) ~~The commissioner shall forward to the board moneys received~~
16 ~~under s. 20.145 (7) (a) and (g) in an amount sufficient to~~ department shall reimburse
17 the plan for premium reductions under sub. (1) (2) and deductible reductions under
18 s. ~~619.14~~ 149.14 (5) (a) with moneys from the appropriation under s. 20.435 (5) (ah).

19 **SECTION 3463.** 619.167 of the statutes is repealed.

20 **SECTION 3464.** 619.17 (intro.) of the statutes is renumbered 149.17 (intro.).

21 **SECTION 3465.** 619.17 (1) of the statutes is renumbered 149.17 (1) and amended
22 to read:

23 149.17 (1) Subject to s. ~~619.14 (5) (a)~~ ss. 149.143 and 149.146 (2) (b), a rating
24 plan calculated in accordance with generally accepted actuarial principles.

1 **SECTION 3466.** 619.17 (2) of the statutes is renumbered 149.17 (2) and amended
2 to read:

3 **149.17 (2)** A schedule of premiums, deductibles and coinsurance payments
4 which complies with all requirements of this ~~subchapter~~ chapter.

5 **SECTION 3467.** 619.17 (3) of the statutes is renumbered 149.17 (3).

6 **SECTION 3468.** 619.17 (4) (a) of the statutes is renumbered 149.17 (4) and
7 amended to read:

8 **149.17 (4)** Cost containment provisions established by the ~~commissioner~~
9 department by rule, including managed care requirements.

10 **SECTION 3469.** 619.175 of the statutes is renumbered 149.175 and amended to
11 read:

12 **149.175 Waiver or exemption from provisions prohibited.** Except as
13 provided in s. ~~619.13 (1) (a)~~ 149.13 (1), the ~~commissioner~~ department may not waive,
14 or authorize the board to waive, any of the requirements of this ~~subchapter~~ chapter
15 or exempt, or authorize the board to exempt, an individual or a class of individuals
16 from any of the requirements of this ~~subchapter~~ chapter.

17 **SECTION 3470.** 619.18 of the statutes is renumbered 149.18 and amended to
18 read:

19 **149.18 Chapters 600 to 645 applicable.** Except as otherwise provided in this
20 ~~subchapter~~ chapter, the plan shall comply and be administered in compliance with
21 chs. 600 to 645.

22 **SECTION 3471.** 631.36 (7) (a) 2. of the statutes is amended to read:

23 **631.36 (7) (a) 2.** Unless the notice contains adequate instructions to the
24 policyholder for applying for insurance through a risk-sharing plan under ~~subch. I~~

1 of ch. 619, if a risk-sharing plan exists under ~~subch. I~~ of ch. 619 for the kind of
2 coverage being canceled or nonrenewed, except as provided in par. (b).

3 **SECTION 3472.** 632.745 (1) (d) of the statutes, as created by 1995 Wisconsin Act
4 289, is amended to read:

5 632.745 (1) (d) "Health benefit plan" means any hospital or medical policy or
6 certificate. "Health benefit plan" does not include accident-only, credit accident or
7 health, dental, vision, medicare supplement, medicare replacement, long-term care,
8 disability income or short-term insurance, coverage issued as a supplement to
9 liability insurance, worker's compensation or similar insurance, automobile medical
10 payment insurance, individual conversion policies, specified disease policies,
11 hospital indemnity policies, as defined in s. 632.895 (1) (c), policies or certificates
12 issued under the health insurance risk-sharing plan ~~or an alternative plan~~ under
13 ~~subch. II~~ of ch. 619 149 or other insurance exempted by rule of the commissioner.

14 **SECTION 4929c.** 632.745 (1) (f) 2. of the statutes, as created by 1995 Wisconsin
15 Act 453, is amended to read:

16 632.745 (1) (f) 2. Notwithstanding subd. 1. b. and c., "qualifying coverage" does
17 not include a high cost-share health plan, as defined in s. 632.898 (1) (c), 1995 stats.,
18 that is linked to a medical savings account, as described in s. 632.898, 1995 stats.,
19 if the employer that provides the individual's new coverage offers its eligible
20 employes a choice of health benefit plan options that includes a high cost-share
21 health plan, as defined in s. 632.898 (1) (c), 1995 stats., and the individual's new
22 coverage is not a high cost-share health plan.

23 **SECTION 3473.** 632.785 (1) (intro.) of the statutes is amended to read:

24 632.785 (1) (intro.) If an insurer issues one or more of the following or takes any
25 other action based wholly or partially on medical underwriting considerations which

1 is likely to render any person eligible under s. ~~619.12~~ 149.12 for coverage under
2 ~~subch. II of ch. 619~~ 149, the insurer shall notify all persons affected of the existence
3 of the mandatory health insurance risk-sharing plan under ~~subch. II of ch. 619~~ 149,
4 as well as the eligibility requirements and method of applying for coverage under the
5 plan:

6 **SECTION 4930d.** 632.89 (2) (a) 2. of the statutes is amended to read:

7 632.89 (2) (a) 2. Except as provided in pars. (b) to (e), coverage of conditions
8 under subd. 1. by a policy may ~~not~~ be subject to exclusions or limitations, including
9 deductibles, that are ~~not~~ generally applicable to other conditions covered under the
10 policy.

11 **SECTION 4930f.** 632.89 (2) (c) 2. a. of the statutes is amended to read:

12 632.89 (2) (c) 2. a. The expenses of ~~the first~~ 30 days as an inpatient in a hospital.

13 **SECTION 4930h.** 632.89 (2) (c) 2. b. of the statutes is amended to read:

14 632.89 (2) (c) 2. b. ~~The first \$7,000~~ Seven thousand dollars minus a copayment
15 of up to 10% for inpatient hospital services or, if the coverage is provided by a health
16 maintenance organization, as defined in s. 609.01 (2), ~~the first \$6,300~~ or the
17 equivalent benefits measured in services rendered.

18 **SECTION 4930pm.** 632.89 (2) (d) 2. of the statutes is amended to read:

19 632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall
20 provide coverage in every policy year for not less than ~~the first \$2,000~~ \$7,000 minus
21 a copayment of up to 10% for outpatient services or, if the coverage is provided by a
22 health maintenance organization, as defined in s. 609.01 (2), ~~the first \$1,800~~ \$6,300
23 or the equivalent benefits measured in services rendered.

24 **SECTION 4930rm.** 632.89 (2) (dm) 2. of the statutes is amended to read:

1 632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall
2 provide coverage in every policy year for not less than ~~the first \$3,000~~ \$7,000 minus
3 a copayment of up to 10% for transitional treatment arrangements or, if the coverage
4 is provided by a health maintenance organization, as defined in s. 609.01 (2), ~~the first~~
5 \$2,700 \$6,300 or the equivalent benefits measured in services rendered.

6 **SECTION 4930t.** 632.895 (11) of the statutes is created to read:

7 632.895 (11) PROCEDURES INVOLVING A BONE, JOINT, MUSCLE OR TISSUE AND
8 INTRAORAL SPLINT THERAPY DEVICES. (a) Every disability insurance policy, and every
9 self-insured health plan of the state or a county, city, village, town or school district,
10 that provides coverage of any diagnostic or surgical procedure involving a bone, joint,
11 muscle or tissue shall provide coverage for diagnostic and surgical procedures
12 involving a bone, joint, muscle or tissue of the face, neck, head or skeletal structure,
13 and for prescribed intraoral splint therapy devices, for the treatment of a condition,
14 if all of the following apply:

15 1. The condition is caused by congenital, developmental or acquired deformity,
16 disease or injury.

17 2. Under the accepted standards of the profession of the health care provider
18 rendering the service, the procedure or device is reasonable and appropriate for the
19 diagnosis or treatment of the condition.

20 3. The purpose of the procedure or device is to control or eliminate infection,
21 pain, disease or facial disfigurement or to restore functional swallowing or chewing.

22 (b) The coverage required under this subsection may be subject to any
23 limitations, exclusions or cost-sharing provisions that apply generally under the
24 disability insurance policy or self-insured health plan.

25 **SECTION 4930u.** 632.895 (12) of the statutes is created to read:

1 632.895 (12) HOSPITAL SERVICES AND ANESTHETICS FOR DENTAL CARE. (a) Every
2 disability insurance policy, and every self-insured health plan of the state or a
3 county, city, village, town or school district, shall cover hospital services and
4 anesthetics that are provided in conjunction with dental care that is provided to a
5 covered individual in a hospital, if any of the following applies:

6 1. The individual is a child under the age of 5.

7 2. The individual has a chronic disability that meets all of the conditions under
8 s. 230.04 (9r) (a) 2. a., b. and c.

9 3. The individual has a medical condition that requires hospitalization or
10 general anesthesia for dental care.

11 (b) The coverage required under par. (a) may be subject to any limitations,
12 exclusions or cost-sharing provisions that apply generally under the disability
13 insurance policy or self-insured plan.

14 **SECTION 3474.** 632.897 (10) (am) 2. of the statutes is amended to read:

15 632.897 (10) (am) 2. Provide family coverage under the group policy or
16 individual policy for the individual's child, if eligible for coverage, upon application
17 by the individual, the child's other parent, the department of ~~health and family~~
18 services workforce development or the county designee child support agency under
19 s. 59.53 (5).

20 **SECTION 4932m.** 632.898 (1), (2), (3), (4), (5) and (6) of the statutes are repealed.

21 **SECTION 4932n.** 632.898 (7) of the statutes is renumbered 632.745 (1m) and
22 amended to read:

23 632.745 (1m) (title) REPEAL OF EXCEPTION TO QUALIFYING COVERAGE. If the federal
24 government enacts legislation providing for a federal income tax exemption for
25 amounts deposited in an a medical savings account established under ~~this section~~ s.

1 632.898, 1995 stats., and for any interest, dividends or other gain that accrues in the
2 account if redeposited in the account, the commissioner shall conduct a study, to be
3 completed within 4 years after the enactment of the federal legislation, of individuals
4 and groups that had coverage under a high cost-share health plan, as defined in s.
5 632.898 (1) (c), 1995 stats., and that terminated that coverage in order to enroll in
6 a health benefit plan that was not a high cost-share health plan, as defined in s.
7 632.898 (1) (c), 1995 stats. If as a result of the study the commissioner determines
8 that s. 632.745 (1) (f) 2. is not necessary for the purpose for which it was intended,
9 the commissioner shall certify that determination to the revisor of statutes. Upon
10 the certification, the revisor of statutes shall publish notice in the Wisconsin
11 administrative register of the determination, the date of the certification and that
12 after 30 days after the date of the certification ~~s. 632.745 sub.~~ (1) (f) 2. is not effective.

13 **SECTION 4943b.** 635.254 (3) of the statutes is repealed.

14 **SECTION 4943m.** 700.38 of the statutes is created to read:

15 **700.38 Access to landlocked land. (1)** In this section:

16 (a) "Acquiring entity" means any of the following:

17 1. The state or a state agency.

18 2. A local governmental unit.

19 3. An organization that has received a grant or loan from a state agency or a
20 local governmental unit.

21 (b) "Local governmental unit" has the meaning given in s. 30.94 (1) (c).

22 (c) "State agency" has the meaning given in s. 23.175 (1) (b).

23 **(2)** If an acquiring entity acquires land and, as a result of the acquisition, the
24 owner of land adjacent to the land acquired by the acquiring entity is not permitted

1 any access to the owner's land, the acquiring entity, upon request of the owner, shall
2 provide to the owner a right of access to the owner's land.

3 **SECTION 3475.** 703.16 (6) (e) of the statutes is amended to read:

4 703.16 (6) (e) A lien under s. 292.31 (8) (i), ~~292.41 (6) (d)~~ or 292.81.

5 **SECTION 3476.** 706.11 (1) (intro.) of the statutes is amended to read:

6 706.11 (1) (intro.) Except as provided in sub. (4), when any of the following
7 mortgages has been duly recorded, it shall have priority over all liens upon the
8 mortgaged premises and the buildings and improvements thereon, except tax and
9 special assessment liens filed after the recording of such mortgage and except liens
10 under s. ss. 292.31 (8) (i), ~~292.41 (6) (d)~~ and 292.81:

11 **SECTION 3477.** 707.37 (4) (d) of the statutes is amended to read:

12 707.37 (4) (d) A lien under s. 292.31 (8) (i), ~~144.77 292.41 (6) (d)~~ or 292.81.

13 **SECTION 3478.** 758.19 (3) of the statutes is repealed.

14 **SECTION 3479.** 767.001 (2) (b) of the statutes is amended to read:

15 767.001 (2) (b) With respect to the department of health and family services
16 or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted
17 legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

18 **SECTION 3480.** 767.001 (7) of the statutes is repealed.

19 **SECTION 3481.** 767.02 (1) (m) of the statutes is amended to read:

20 767.02 (1) (m) To enforce or revise an order for support entered under s. 48.355
21 (2) (b) 4., 48.357 (5m), 48.363 (2), 938.183 ~~(2)~~ (4), 938.355 (2) (b) 4., 938.357 (5m) or
22 938.363 (2).

23 **SECTION 3482.** 767.025 (3) of the statutes is repealed.

24 **SECTION 3483.** 767.025 (4) of the statutes is amended to read:

1 767.025 (4) If a petition, motion or order to show cause for enforcement or
2 modification of a child support, family support or maintenance order is filed and
3 heard, regardless of whether it is filed and heard in a county other than the county
4 in which the original judgment or order was rendered, any judgment or order
5 enforcing or modifying the original judgment or order shall specify ~~the clerk of circuit~~
6 ~~court or support collection designee to whom~~ that payments of support or
7 maintenance are payable and ~~the clerk of circuit court or support collection designee~~
8 ~~to whom, and~~ payments of arrearages in support or maintenance, if any, are payable
9 to the department or its designee, whichever is appropriate.

10 **SECTION 3484.** 767.077 (intro.) of the statutes is amended to read:

11 **767.077 Support for dependent child.** (intro.) The state or its delegate
12 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.02
13 (1) (f) or, if appropriate, for paternity determination and child support under s.
14 767.45 whenever the child's right to support is assigned to the state under s. 46.261,
15 48.57 (3m) (b) 2., 49.145 (2) (s) or 49.19 (4) (h) 1. b. if all of the following apply:

16 **SECTION 3485.** 767.08 (3) of the statutes is amended to read:

17 767.08 (3) If the state or any subdivision thereof furnishes public aid to a
18 spouse or dependent child for support and maintenance and the spouse, person with
19 legal custody or nonlegally responsible relative fails or refuses to institute an
20 appropriate court action under this chapter to provide for the same, the person in
21 charge of county welfare activities, the county child support ~~program designee~~
22 agency under s. 59.53 (5) or the department is a real party in interest under s.
23 767.075 and shall initiate an action under this section, for the purpose of obtaining
24 support and maintenance. Any attorney employed by the state or any subdivision

1 thereof may initiate an action under this section. The title of the action shall be “In
2 re the support or maintenance of A.B. (Child)”.

3 **SECTION 3486.** 767.15 (1) of the statutes is amended to read:

4 767.15 (1) In any action affecting the family in which either party is a recipient
5 of benefits under ss. 49.141 to 49.161 or aid under s. 46.261, 49.19 or 49.45, each party
6 shall, either within 20 days after making service on the opposite party of any motion
7 or pleading requesting the court or family court commissioner to order, or to modify
8 a previous order, relating to child support, maintenance or family support, or before
9 filing the motion or pleading in court, serve a copy of the motion or pleading upon the
10 county child support program designee agency under s. 59.53 (5) of the county in
11 which the action is begun.

12 **SECTION 3487.** 767.25 (1g) of the statutes is amended to read:

13 767.25 (1g) In determining child support payments, the court may consider all
14 relevant financial information or other information relevant to the parent’s earning
15 capacity, including information reported under s. 49.22 (2m) to the department, or
16 the county child and spousal support agency, under s. ~~49.22 (2m)~~ 59.53 (5).

17 **SECTION 3488.** 767.25 (4m) (c) 1. of the statutes is amended to read:

18 767.25 (4m) (c) 1. In directing the manner of payment of a child’s health care
19 expenses, the court may order that payment, including payment for health insurance
20 premiums, be withheld from income and sent to the appropriate health care insurer,
21 provider or plan, as provided in s. 767.265 (3h), or sent to the ~~clerk of court or support~~
22 ~~collection~~ department or its designee, whichever is appropriate, for disbursement to
23 the person for whom the payment has been awarded if that person is not a health care
24 insurer, provider or plan. If the court orders income withholding and assignment for
25 the payment of health care expenses, the court shall send notice of assignment in the

1 manner provided under s. 767.265 (2r) and may include the notice of assignment
2 under this subdivision with a notice of assignment under s. 767.265. The ~~clerk of~~
3 ~~court~~ department or its designee, whichever is appropriate, shall keep a record of all
4 moneys received and disbursed by the ~~clerk~~ department or its designee for health
5 care expenses that are directed to be paid to the ~~clerk and the support collection~~
6 ~~designee shall keep a record of all moneys received and disbursed by the support~~
7 ~~collection designee for health care expenses that are directed to be paid to the support~~
8 ~~collection~~ department or its designee.

9 **SECTION 3489.** 767.25 (4m) (d) 2. of the statutes is amended to read:

10 767.25 (4m) (d) 2. Provide family coverage of health care expenses for the child,
11 if eligible for coverage, upon application by the parent, the child's other parent, the
12 department or the county ~~designee~~ child support agency under s. 59.53 (5).

13 **SECTION 3490.** 767.25 (6) (intro.) of the statutes is amended to read:

14 767.25 (6) (intro.) A party ordered to pay child support under this section shall
15 pay simple interest at the rate of 1.5% per month on any amount unpaid,
16 commencing the first day of the 2nd month after the month in which the amount was
17 due. Interest under this subsection is in lieu of interest computed under s. 807.01
18 (4), 814.04 (4) or 815.05 (8) and is paid to the ~~clerk of court or support collection~~
19 ~~department or its designee~~ under s. 767.29. Except as provided in s. 767.29 (1m), the
20 ~~clerk of court or support collection~~ department or its designee, whichever is
21 appropriate, shall apply all payments received for child support as follows:

22 **SECTION 3491.** 767.25 (6) (a) of the statutes is amended to read:

23 767.25 (6) (a) First, to payment of child support due within the calendar month
24 during which the payment is withheld from income under s. 767.265 or under similar
25 laws of another state. If payment is not made through income withholding, the ~~clerk~~

1 ~~or support collection~~ department or its designee, whichever is appropriate, shall first
2 apply child support payments received to payment of child support due within the
3 calendar month during which the payment is received.

4 **SECTION 3492.** 767.261 (intro.) of the statutes is amended to read:

5 **767.261 Family support.** (intro.) The court may make a financial order
6 designated "family support" as a substitute for child support orders under s. 767.25
7 and maintenance payment orders under s. 767.26. A party ordered to pay family
8 support under this section shall pay simple interest at the rate of 1.5% per month on
9 any amount unpaid, commencing the first day of the 2nd month after the month in
10 which the amount was due. Interest under this section is in lieu of interest computed
11 under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the ~~clerk of court or support~~
12 ~~collection~~ department or its designee under s. 767.29. Except as provided in s. 767.29
13 (1m), the ~~clerk of court or support collection~~ department or its designee, whichever
14 is appropriate, shall apply all payments received for family support as follows:

15 **SECTION 3493.** 767.261 (1) of the statutes is amended to read:

16 767.261 (1) First, to payment of family support due within the calendar month
17 during which the payment is withheld from income under s. 767.265 or under similar
18 laws of another state. If payment is not made through income withholding, the ~~clerk~~
19 ~~or support collection~~ department or its designee, whichever is appropriate, shall first
20 apply family support payments received to payment of family support due within the
21 calendar month during which the payment is received.

22 **SECTION 3494.** 767.262 (4) (b) of the statutes is amended to read:

23 767.262 (4) (b) The court may order payment of costs under this section by a
24 ~~county~~ the department or its designee, whichever is appropriate, in an action in
25 which the court finds that the record of payments and arrearages kept by the ~~clerk~~

1 of court under ~~s. 59.40 (2) (h) or the support collection~~ department or its designee
2 under ~~s. 59.07 (97m) (b) 1.~~ is substantially incorrect and that the clerk of court or
3 ~~support collection~~ department or its designee has failed to correct the record within
4 30 days after having received information that the court determines is sufficient for
5 making the correction.

6 **SECTION 4985c.** 767.263 of the statutes is amended to read:

7 **767.263 Notice of change of employer; change of address; change in**
8 **ability to pay.** Each order for child support, family support or maintenance
9 payments shall include an order that the payer and payee notify the ~~clerk of court~~
10 ~~or support collection designee, whichever is appropriate,~~ county child support agency
11 under s. 59.53 (5) of any change of address within 10 days of such change. Each order
12 for child support, family support or maintenance payments shall also include an
13 order that the payer notify the ~~clerk of court or support collection designee,~~ county
14 child support agency under s. 59.53 (5) within 10 days, of any change of employer and
15 of any substantial change in the amount of his or her income such that his or her
16 ability to pay child support, family support or maintenance is affected. The order
17 shall also include a statement that clarifies that notification of any substantial
18 change in the amount of the payer's income will not result in a change of the order
19 unless a revision of the order is sought.

20 **SECTION 3495.** 767.265 (1) of the statutes is amended to read:

21 **767.265 (1)** Each order for child support under this chapter, for maintenance
22 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
23 ordered under s. 767.51 (3), for support by a spouse under s. 767.02 (1) (f) or for
24 maintenance payments under s. 767.02 (1) (g), each order for a revision in a judgment
25 or order with respect to child support, maintenance or family support payments

1 under s. 767.32, each stipulation approved by the court or the family court
2 commissioner for child support under this chapter and each order for child or spousal
3 support entered under s. 948.22 (7) constitutes an assignment of all commissions,
4 earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery
5 prizes that are payable in instalments and other money due or to be due in the future
6 to the ~~clerk of court or support collection~~ department or its designee of the county
7 ~~where the action is filed~~. The assignment shall be for an amount sufficient to ensure
8 payment under the order or stipulation and to pay any arrearages due at a periodic
9 rate not to exceed 50% of the amount of support due under the order or stipulation
10 so long as the addition of the amount toward arrearages does not leave the party at
11 an income below the poverty line established under 42 USC 9902 (2).

12 **SECTION 3496.** 767.265 (2r) of the statutes is amended to read:

13 767.265 (2r) Upon entry of each order for child support, maintenance, family
14 support or support by a spouse and upon approval of each stipulation for child
15 support, unless the court finds that income withholding is likely to cause the payer
16 irreparable harm or unless s. 767.267 applies, the court, family court commissioner
17 or county child support agency under s. 59.53 (5) shall provide notice of the
18 assignment by regular mail to the last-known address of the person from whom the
19 payer receives or will receive money. If the ~~clerk of court or support collection~~
20 department or its designee, whichever is appropriate, does not receive the money
21 from the person notified, the court, family court commissioner or county child
22 support agency under s. 59.53 (5) shall provide notice of the assignment to any other
23 person from whom the payer receives or will receive money. Notice under this
24 subsection may be a notice of the court, a copy of the executed assignment or a copy
25 of that part of the court order directing payment.

1 **SECTION 3497.** 767.265 (3h) of the statutes is amended to read:

2 767.265 (3h) A person who receives notice of assignment under this section or
3 s. 767.23 (1) (L), 767.25 (4m) (c) or 767.51 (3m) (c) or similar laws of another state
4 shall withhold the amount specified in the notice from any money that person pays
5 to the payer later than one week after receipt of notice of assignment. Within 5 days
6 after the day the person pays money to the payer, the person shall send the amount
7 withheld to the ~~clerk of court or support collection~~ department or its designee,
8 whichever is appropriate, ~~of the jurisdiction providing notice~~ or, in the case of an
9 amount ordered withheld for health care expenses, to the appropriate health care
10 insurer, provider or plan. Except as provided in sub. (3m), for each payment sent to
11 the ~~clerk of court or support collection~~ department or its designee, the person from
12 whom the payer receives money shall receive an amount equal to the person's
13 necessary disbursements, not to exceed \$3, which shall be deducted from the money
14 to be paid to the payer. Section 241.09 does not apply to assignments under this
15 section.

16 **SECTION 3498.** 767.265 (6) (a) of the statutes is amended to read:

17 767.265 (6) (a) Except as provided in sub. (3m), if after receipt of notice of
18 assignment the person from whom the payer receives money fails to withhold the
19 money or send the money to the ~~clerk of court or support collection~~ department or its
20 designee or the appropriate health care insurer, provider or plan as provided in this
21 section or s. 767.23 (1) (L), 767.25 (4m) (c) or 767.51 (3m) (c), the person may be
22 proceeded against under the principal action under ch. 785 for contempt of court or
23 may be proceeded against under ch. 778 and be required to forfeit not less than \$50
24 nor more than an amount, if the amount exceeds \$50, that is equal to 1% of the
25 amount not withheld or sent.

1 **SECTION 3499.** 767.265 (6) (b) of the statutes is amended to read:

2 767.265 **(6)** (b) If an employer who receives an assignment under this section
3 or s. 767.23 (1) (L), 767.25 (4m) (c) or 767.51 (3m) (c) fails to notify the ~~clerk of court~~
4 ~~or support collection~~ department or its designee, whichever is appropriate, within 10
5 days after an employe is terminated or otherwise temporarily or permanently leaves
6 employment, the employer may be proceeded against under the principal action
7 under ch. 785 for contempt of court.

8 **SECTION 3500.** 767.265 (7) of the statutes is amended to read:

9 767.265 **(7)** A person who receives more than one notice of assignment under
10 sub. (3h) may send all money withheld to the ~~clerk of court or support collection~~
11 department or its designee, whichever is appropriate, in a combined payment,
12 accompanied by any information the ~~clerk of court or support collection~~ department
13 or its designee requires.

14 **SECTION 3501.** 767.267 (1) of the statutes is amended to read:

15 767.267 **(1)** If the court or the family court commissioner determines that
16 income withholding under s. 767.265 is inapplicable, ineffective or insufficient to
17 ensure payment under an order or stipulation specified in s. 767.265 (1), or that
18 income withholding under s. 767.25 (4m) (c) or 767.51 (3m) (c) is inapplicable,
19 ineffective or insufficient to ensure payment of a child's health care expenses,
20 including payment of health insurance premiums, ordered under s. 767.25 (4m) or
21 767.51 (3m), the court or family court commissioner may require the payer to identify
22 or establish a deposit account, owned in whole or in part by the payer, that allows for
23 periodic transfers of funds and to file with the financial institution at which the
24 account is located an authorization for transfer from the account to the ~~clerk of court~~
25 ~~or support collection~~ department or its designee, whichever is appropriate. The

1 authorization shall be provided on a standard form approved by the court and shall
2 specify the frequency and the amount of transfer, sufficient to meet the payer's
3 obligation under the order or stipulation, as required by the court or family court
4 commissioner. The authorization shall include the payer's consent for the financial
5 institution or an officer, employe or agent of the financial institution to disclose
6 information to the court, family court commissioner, ~~clerk of court or support~~
7 ~~collection~~ county child support agency under s. 59.53 (5), department or
8 department's designee regarding the account for which the payer has executed the
9 authorization for transfer.

10 **SECTION 3502.** 767.267 (2) of the statutes is amended to read:

11 767.267 (2) A financial institution that receives an authorization for transfer
12 under sub. (1) shall transfer the amounts as specified in the authorization or shall
13 transfer the amount available for transfer if at a time of transfer that amount is less
14 than the amount specified in the authorization. The financial institution may
15 accomplish the transfer by any lawful means, including payment by check, subject
16 to the terms of the account. The financial institution may deduct from the payer's
17 account for each transfer its usual fee for such fund transfers. If the account is closed
18 or if no funds are available at a time of transfer, the financial institution shall notify
19 the ~~clerk of court or support collection~~ county child support agency under s. 59.53 (5)
20 or the department or its designee, whichever is appropriate, within 10 days after the
21 date on which the funds should have been transferred.

22 **SECTION 3503.** 767.267 (5) of the statutes is amended to read:

23 767.267 (5) A financial institution or an officer, employe or agent of a financial
24 institution may disclose information to the court, family court commissioner, ~~clerk~~
25 ~~of court or support collection~~ county child support agency under s. 59.53 (5),

1 department or department's designee concerning an account for which a payer has
2 executed an authorization for transfer under sub. (1).

3 **SECTION 3504.** 767.27 (2m) of the statutes is amended to read:

4 767.27 (2m) In every action in which the court has ordered a party to pay child
5 support under s. 767.25 or 767.51 or family support under s. 767.261 and the
6 circumstances specified in s. 767.075 (1) apply, the court shall require the party who
7 is ordered to pay the support to annually furnish the disclosure form required under
8 this section and may require that party to annually furnish a copy of his or her most
9 recently filed state and federal income tax returns to the ~~designee~~ county child
10 support agency under s. 59.53 (5) for the county in which the order was entered. In
11 any action in which the court has ordered a party to pay child support under s. 767.25
12 or 767.51 or family support under s. 767.261, the court may require the party who
13 is ordered to pay the support to annually furnish the disclosure form required under
14 this section and a copy of his or her most recently filed state and federal income tax
15 returns to the party for whom the support has been awarded. A party who fails to
16 furnish the information as required by the court under this subsection may be
17 proceeded against for contempt of court under ch. 785.

18 **SECTION 3505.** 767.27 (4) of the statutes is amended to read:

19 767.27 (4) Failure by either party timely to file a complete disclosure statement
20 as required by this section shall authorize the court to accept as accurate any
21 information provided in the statement of the other party or obtained under s. 49.22
22 (2m) by the department or the county child ~~and spousal~~ support agency under s.
23 59.53 (5).

24 **SECTION 3506.** 767.29 (1) of the statutes is renumbered 767.29 (1) (a) and
25 amended to read:

1 767.29 (1) (a) All orders or judgments providing for temporary or permanent
2 maintenance, child support or family support payments shall direct the payment of
3 all such sums to the ~~clerk of court, or support collection designee in a county that has~~
4 ~~designated a support collection designee under s. 59.07 (97m),~~ department or its
5 designee for the use of the person for whom the same has been awarded. A party
6 securing an order for temporary maintenance, child support or family support
7 payments shall forthwith file the order, together with all pleadings in the action,
8 with the clerk of court ~~or support collection designee.~~

9 (c) Except as provided in sub. (1m), the ~~clerk or support collection~~ department
10 or its designee shall disburse the money so received under the judgment or order
11 ~~within 15 days in the manner required by federal regulations~~ and take receipts
12 therefor, unless the ~~clerk or support collection~~ department or its designee is unable
13 to disburse the moneys because they were paid by check or other draft drawn upon
14 an account containing insufficient funds. All moneys received or disbursed under
15 this section shall be entered in a record kept by the ~~clerk or support collection~~
16 department or its designee, whichever is appropriate, which shall be open to
17 inspection by the ~~department for the administration of the child and spousal support~~
18 ~~and establishment of paternity program under s. 49.22,~~ the parties to the action and,
19 their attorneys, and the family court commissioner.

20 (e) If the maintenance, child support or family support payments adjudged or
21 ordered to be paid shall are not be paid to the ~~clerk or support collection~~ department
22 or its designee at the time provided in the judgment or order, the ~~clerk or support~~
23 ~~collection designee~~ county child support agency under s. 59.53 (5) or the family court
24 commissioner of the county shall take such proceedings as he or she considers
25 advisable to secure the payment of the sum including enforcement by contempt

1 proceedings under ch. 785 or by other means. Copies of any order issued to compel
2 the payment shall be mailed to counsel who represented each party when the
3 maintenance, child support or family support payments were awarded. In case any
4 fees of officers in any of the proceedings, including the compensation of the family
5 court commissioner at the rate of \$50 per day unless the commissioner is on a
6 salaried basis, is not collected from the person proceeded against, the fees shall be
7 paid out of the county treasury upon the order of the presiding judge and the
8 certificate of the ~~clerk of court or support collection designee~~ department.

9 **SECTION 3507.** 767.29 (1) (b) of the statutes is created to read:

10 767.29 (1) (b) Upon request, after the filing of an order or judgment or the
11 receipt of an interim disbursement order, the clerk of court shall advise the county
12 child support agency under s. 59.53 (5) of the terms of the order or judgment within
13 2 business days after the filing or receipt. The county child support agency shall,
14 within the time required by federal law, enter the terms of the order or judgment into
15 the statewide support data system, as required by s. 59.53 (5) (b).

16 **SECTION 3508.** 767.29 (1) (d) of the statutes is created to read:

17 767.29 (1) (d) For receiving and disbursing maintenance, child support or
18 family support payments, and for maintaining the records required under par. (c),
19 the department or its designee shall collect an annual fee of \$25 to be paid by each
20 party ordered to make payments. The court or family court commissioner shall order
21 each party ordered to make payments to pay the annual fee under this paragraph at
22 the time of, and in addition to, the first payment to the department or its designee
23 in each year for which payments are ordered. All fees collected under this paragraph
24 shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time
25 of ordering the payment of an annual fee under this paragraph, the court or family

1 court commissioner shall notify each party ordered to make payments of the
2 requirement to pay the annual fee and of the amount of the annual fee. If the annual
3 fee under this section is not paid when due, the department or its designee may not
4 deduct the annual fee from the maintenance or child or family support payment, but
5 may do any of the following:

6 1. Move the court for a remedial sanction under ch. 785.

7 2. Apply to the court or family court commissioner for an assignment relating
8 to the annual fee in accordance with s. 767.265.

9 **SECTION 3509.** 767.29 (1) (f) of the statutes is created to read:

10 767.29 (1) (f) If the department determines that the statewide automated
11 support and maintenance receipt and disbursement system will be operational
12 before October 1, 1999, the department shall publish a notice in the Wisconsin
13 Administrative Register that states the date on which the system will begin
14 operating. Before that date or October 1, 1999, whichever is earlier, the circuit
15 courts, county child support agencies under s. 59.53 (5), clerks of court and employers
16 shall cooperate with the department in any measures taken to ensure an efficient
17 and orderly transition from the countywide system of support receipt and
18 disbursement to the statewide system.

19 **SECTION 3510.** 767.29 (1m) (intro.) of the statutes is amended to read:

20 767.29 (1m) (intro.) Notwithstanding ss. 767.25 (6), 767.261 and 767.51 (5p),
21 if the clerk of court or support collection department or its designee receives support
22 or maintenance money that exceeds the amount due in the month in which it is
23 received and that the clerk or support collection department or its designee
24 determines is for support or maintenance due in a succeeding month, the clerk or
25 support collection department or its designee may hold the amount of overpayment

1 that does not exceed the amount due in the next month for disbursement in the next
2 month if any of the following applies:

3 **SECTION 3511.** 767.29 (1m) (d) of the statutes is amended to read:

4 767.29 (1m) (d) The ~~clerk or support collection~~ department or its designee
5 determines that the overpayment should be held until the month when it is due.

6 **SECTION 3512.** 767.29 (2) of the statutes is amended to read:

7 767.29 (2) If any party entitled to maintenance payments or support money,
8 or both, is receiving public assistance under ch. 49, the party may assign the party's
9 right thereto to the county department under s. 46.215, 46.22 or 46.23 granting such
10 assistance. Such assignment shall be approved by order of the court granting the
11 maintenance payments or support money, and may be terminated in like manner;
12 except that it shall not be terminated in cases where there is any delinquency in the
13 amount of maintenance payments and support money previously ordered or
14 adjudged to be paid to the assignee without the written consent of the assignee or
15 upon notice to the assignee and hearing. When an assignment of maintenance
16 payments or support money, or both, has been approved by the order, the assignee
17 shall be deemed a real party in interest within s. 803.01 but solely for the purpose
18 of securing payment of unpaid maintenance payments or support money adjudged
19 or ordered to be paid, by participating in proceedings to secure the payment thereof.
20 Notwithstanding assignment under this subsection, and without further order of the
21 court, the ~~clerk of court or support collection~~ department or its designee, upon
22 receiving notice that a party or a minor child of the parties is receiving ~~aid under s.~~
23 ~~49.19~~ public assistance under ch. 49, shall forward all support assigned under s.
24 48.57 (3m) (b) 2., 49.19 (4) (h) 1. or 49.45 (19) to the ~~department~~ assignee under s.
25 49.19 (4) (h) 1. or 49.45 (19).

1 **SECTION 3513.** 767.293 (1) of the statutes is amended to read:

2 767.293 (1) If an order for child support under this chapter or s. 948.22 (7), an
3 order for family support under this chapter or a stipulation approved by the court or
4 the family court commissioner for child support under this chapter requires a payer
5 to pay child or family support in an amount that is expressed as a percentage of
6 parental income, the payee, including the state or ~~its designee~~ a county child support
7 agency under s. 59.53 (5) if the state is a real party in interest under s. 767.075 (1),
8 may establish an arrearage by filing an affidavit in the action in which the order for
9 the payment of support was entered or the stipulation for support was approved. The
10 affidavit shall state the amount of the arrearage and the facts supporting a
11 reasonable basis on which the arrearage was determined and may state the payer's
12 current income and the facts supporting a reasonable basis on which the payer's
13 current income was determined. Not later than 60 days after filing the affidavit, the
14 payee shall serve the affidavit on the payer in the manner provided in s. 801.11 (1)
15 (a) or (b) or by sending the affidavit by registered or certified mail to the last-known
16 address of the payer. After the payee files a proof of service on the payer, the court
17 shall send a notice to the payer by regular, registered or certified mail to the payer's
18 last-known address. The notice shall provide that, unless the payer requests a
19 hearing to dispute the arrearage or the amount of the arrearage not later than 20
20 days after the date of the notice, the court or family court commissioner may enter
21 an order against the payer in the amount stated in the affidavit and may provide
22 notice of assignment under s. 767.265. The notice shall include the mailing address
23 to which the request for hearing must be mailed or delivered in order to schedule a
24 hearing under sub. (2).

25 **SECTION 3514.** 767.30 (1) of the statutes is amended to read:

1 767.30 (1) If the court orders any payment for support under s. 48.355 (2) (b)
2 4., 48.357 (5m), 48.363 (2), 938.183 ~~(2)~~ (4), 938.355 (2) (b) 4., 938.357 (5m) or 938.363
3 (2), support or maintenance under s. 767.08, child support, family support or
4 maintenance under s. 767.23, child support under s. 767.25, maintenance under s.
5 767.26, family support under s. 767.261, attorney fees under s. 767.262, paternity
6 obligations under s. 767.51, support arrearages under s. 767.293 or child or spousal
7 support under s. 948.22 (7), the court may provide that any payment be paid in the
8 amounts and at the times that it considers expedient.

9 **SECTION 3515.** 767.305 of the statutes is amended to read:

10 **767.305 Enforcement; contempt proceedings.** In all cases where a party
11 has incurred a financial obligation under s. 48.355 (2) (b) 4., 48.357 (5m), 48.363 (2),
12 767.23, 767.25, 767.255, 767.26, 767.261, 767.262, 767.293, 938.183 ~~(2)~~ (4), 938.355
13 (2) (b) 4., 938.357 (5m) or 938.363 (2) and has failed within a reasonable time or as
14 ordered by the court to satisfy such obligation, and where the wage assignment
15 proceeding under s. 767.265 and the account transfer under s. 767.267 are
16 inapplicable, impractical or unfeasible, the court may on its own initiative, and shall
17 on the application of the receiving party, issue an order requiring the payer to show
18 cause at some reasonable time therein specified why he or she should not be punished
19 for such misconduct as provided in ch. 785.

20 **SECTION 3516.** 767.32 (1) (a) of the statutes is amended to read:

21 767.32 (1) (a) After a judgment or order providing for child support under this
22 chapter or s. 48.355 (2) (b) 4., 48.357 (5m), 48.363 (2), 938.183 ~~(2)~~ (4), 938.355 (2) (b)
23 4., 938.357 (5m), 938.363 (2) or 948.22 (7), maintenance payments under s. 767.26
24 or family support payments under this chapter, or for the appointment of trustees
25 under s. 767.31, the court may, from time to time, on the petition, motion or order to

1 show cause of either of the parties, or upon the petition, motion or order to show cause
2 of the department, a county department under s. 46.215, 46.22 or 46.23 or a county
3 ~~child support program designee~~ agency under s. 59.53 (5) if an assignment has been
4 made under s. 46.261, 48.57 (3m) (b) 2., 49.153 (3), 49.19 (4) (h) or 49.45 (19) or if
5 either party or their minor children receive aid under s. 48.57 (3m) or ch. 49, and
6 upon notice to the family court commissioner, revise and alter such judgment or order
7 respecting the amount of such maintenance or child support and the payment
8 thereof, and also respecting the appropriation and payment of the principal and
9 income of the property so held in trust, and may make any judgment or order
10 respecting any of the matters that such court might have made in the original action,
11 except that a judgment or order that waives maintenance payments for either party
12 shall not thereafter be revised or altered in that respect nor shall the provisions of
13 a judgment or order with respect to final division of property be subject to revision
14 or modification. A revision, under this section, of a judgment or order with respect
15 to an amount of child or family support may be made only upon a finding of a
16 substantial change in circumstances. In any action under this section to revise a
17 judgment or order with respect to maintenance payments, a substantial change in
18 the cost of living by either party or as measured by the federal bureau of labor
19 statistics may be sufficient to justify a revision of judgment or order with respect to
20 the amount of maintenance, except that a change in an obligor's cost of living is not
21 in itself sufficient if payments are expressed as a percentage of income.

22 **SECTION 3517.** 767.32 (1) (c) 1. of the statutes is amended to read:

23 767.32 (1) (c) 1. Unless the amount of child support is expressed in the
24 judgment or order as a percentage of parental income, a change in the payer's
25 income, evidenced by information received under s. 49.22 (2m) by the department,

1 or the county child and spousal support agency, under s. ~~49.22 (2m)~~ 59.53 (5) or by
2 other information, from the payer's income determined by the court in its most recent
3 judgment or order for child support, including a revision of a child support order
4 under this section.

5 **SECTION 3518.** 767.32 (1r) of the statutes is amended to read:

6 767.32 (1r) In an action under sub. (1) to revise a judgment or order with
7 respect to child support or family support, the court may not grant credit to the payer
8 against support due prior to the date on which the action is commenced for payments
9 made by the payer on behalf of the child other than payments made to the clerk of
10 court or support collection designee under s. 59.53 (5m), 1995 stats., under s. 767.265
11 or, 1995 stats., or s. 767.29, 1995 stats., to the department or its designee under s.
12 767.265 or 767.29 or as otherwise ordered by the court.

13 **SECTION 3519.** 767.33 (1) of the statutes is amended to read:

14 767.33 (1) An order for child support under s. 767.23 or 767.25 may provide for
15 an adjustment in the amount to be paid based on a change in the obligor's income,
16 as reported on the disclosure form under s. 767.27 (2m) or as disclosed under s. 49.22
17 (2m) to the department or county child and spousal support agency under s. ~~49.22~~
18 ~~(2m)~~ 59.53 (5). The order may specify the date on which the annual adjustment
19 becomes effective. No adjustment may be made unless the order so provides and the
20 party receiving payments applies for an adjustment as provided in sub. (2). An
21 adjustment under this section may be made only once in any year.

22 **SECTION 3520.** 767.51 (3m) (c) 1. of the statutes is amended to read:

23 767.51 (3m) (c) 1. In directing the manner of payment of a child's health care
24 expenses, the court may order that payment, including payment for health insurance
25 premiums, be withheld from income and sent to the appropriate health care insurer,

1 provider or plan, as provided in s. 767.265 (3h), or sent to the ~~clerk of court or support~~
2 ~~collection department or its designee~~, whichever is appropriate, for disbursement to
3 the person for whom the payment has been awarded if that person is not a health care
4 insurer, provider or plan. If the court orders income withholding and assignment for
5 the payment of health care expenses, the court shall send notice of assignment in the
6 manner provided under s. 767.265 (2r) and may include the notice of assignment
7 under this subdivision with a notice of assignment under s. 767.265. The ~~clerk of~~
8 ~~court department or its designee, whichever is appropriate~~, shall keep a record of all
9 moneys received and disbursed by the ~~clerk department or its designee~~ for health
10 care expenses that are directed to be paid to the ~~clerk and the support collection~~
11 ~~designee shall keep a record of all moneys received and disbursed by the support~~
12 ~~collection designee for health care expenses that are directed to be paid to the support~~
13 ~~collection department or its designee~~.

14 **SECTION 3521.** 767.51 (3m) (d) 2. of the statutes is amended to read:

15 767.51 **(3m)** (d) 2. Provide family coverage of health care expenses for the child,
16 if eligible for coverage, upon application by the parent, the child's other parent, the
17 department or the county designee child support agency under s. 59.53 (5).

18 **SECTION 3522.** 767.51 (4g) of the statutes is amended to read:

19 767.51 **(4g)** In determining child support payments, the court may consider all
20 relevant financial information or other information relevant to the parent's earning
21 capacity, including information reported under s. 49.22 (2m) to the department, or
22 the county child ~~and spousal~~ support agency, under s. ~~49.22 (2m)~~ 59.53 (5).

23 **SECTION 3523.** 767.51 (5p) (intro.) of the statutes is amended to read:

24 767.51 **(5p)** (intro.) A party ordered to pay child support under this section
25 shall pay simple interest at the rate of 1.5% per month on any amount unpaid,

1 commencing the first day of the 2nd month after the month in which the amount was
2 due. Interest under this subsection is in lieu of interest computed under s. 807.01
3 (4), 814.04 (4) or 815.05 (8) and is paid to the ~~clerk of court or support collection~~
4 department or its designee under s. 767.29. Except as provided in s. 767.29 (1m), the
5 ~~clerk of court or support collection~~ department or its designee, whichever is
6 appropriate, shall apply all payments received for child support as follows:

7 **SECTION 3524.** 767.51 (5p) (a) of the statutes is amended to read:

8 767.51 (5p) (a) First, to payment of child support due within the calendar
9 month during which the payment is withheld from income under s. 767.265 or under
10 similar laws of another state. If payment is not made through income withholding,
11 the ~~clerk or support collection~~ department or its designee, whichever is appropriate,
12 shall first apply child support payments received to payment of child support due
13 within the calendar month during which the payment is received.

14 **SECTION 3525.** 769.101 (7) of the statutes is amended to read:

15 769.101 (7) "Initiating state" means a state in ~~in~~ from which a proceeding is
16 forwarded, or in which a proceeding is filed for forwarding, to a responding state
17 under this chapter or a law or procedure substantially similar to this chapter, or
18 under a law or procedure substantially similar to the uniform reciprocal enforcement
19 of support act or the revised uniform reciprocal enforcement of support act is filed for
20 forwarding to a responding state Uniform Reciprocal Enforcement of Support Act or
21 the Revised Uniform Reciprocal Enforcement of Support Act.

22 **SECTION 3526.** 769.101 (16) of the statutes is amended to read:

23 769.101 (16) "Responding state" means a state ~~to~~ in which a proceeding is filed
24 or to which a proceeding is forwarded for filing from an initiating state under this
25 chapter or a law substantially similar to this chapter, or under a law or procedure

1 ~~substantially similar to the uniform reciprocal enforcement of support act or the~~
2 ~~revised uniform reciprocal enforcement of support act~~ Uniform Reciprocal
3 Enforcement of Support Act or the Revised Uniform Reciprocal Enforcement of
4 Support Act.

5 **SECTION 3527.** 769.101 (19) of the statutes is renumbered 769.101 (19) (intro.)
6 and amended to read:

7 769.101 (19) (intro.) “State” means a state of the United States, the ~~district~~
8 District of Columbia, the ~~commonwealth~~ Commonwealth of Puerto Rico or any
9 territory or insular possession subject to the jurisdiction of the United States. “State”
10 includes ~~an~~ all of the following:

11 (a) An Indian tribe ~~and includes a~~.

12 (b) A foreign jurisdiction that has enacted a law or established procedures for
13 issuance and enforcement of support orders that are substantially similar to the
14 procedures under this chapter or to the procedures under the Uniform Reciprocal
15 Enforcement of Support Act or the Revised Uniform Reciprocal Enforcement of
16 Support Act.

17 **SECTION 3528.** 769.207 (title) of the statutes is amended to read:

18 **769.207** (title) **Recognition of controlling child support orders order.**

19 **SECTION 3529.** 769.207 (1) (intro.) of the statutes is renumbered 769.207 (1m)
20 (intro.) and amended to read:

21 769.207 (1m) (intro.) If a proceeding is brought under this chapter, and ~~one~~ 2
22 or more child support orders have been issued ~~in~~ by tribunals of this state or another
23 state with regard to ~~an~~ the same obligor and a child, a tribunal of this state shall
24 apply the following rules in determining which child support order to recognize for
25 purposes of continuing, exclusive jurisdiction:

1 **SECTION 3530.** 769.207 (1) (a) of the statutes is repealed.

2 **SECTION 3531.** 769.207 (1) (b) of the statutes is renumbered 769.207 (1m) (a)
3 and amended to read:

4 769.207 **(1m)** (a) ~~If 2 or more tribunals have issued child support orders for the~~
5 ~~same obligor and child and~~ only one of the tribunals would have continuing, exclusive
6 jurisdiction under this chapter, the child support order of that tribunal is controlling
7 and must be recognized.

8 **SECTION 3532.** 769.207 (1) (c) of the statutes is renumbered 769.207 (1m) (b)
9 and amended to read:

10 769.207 **(1m)** (b) ~~If 2 or more tribunals have issued child support orders for the~~
11 ~~same obligor and child and~~ more than one of the tribunals would have continuing,
12 exclusive jurisdiction under this chapter, ~~an~~ a child support order issued by a
13 tribunal in the current home state of the child must be recognized, but if ~~an~~ a child
14 support order has not been issued in the current home state of the child, the child
15 support order most recently issued is controlling and must be recognized.

16 **SECTION 3533.** 769.207 (1) (d) of the statutes is renumbered 769.207 (1m) (c)
17 and amended to read:

18 769.207 **(1m)** (c) ~~If 2 or more tribunals have issued child support orders for the~~
19 ~~same obligor and child and~~ none of the tribunals would have continuing, exclusive
20 jurisdiction under this chapter, the tribunal of this state ~~may~~ having jurisdiction over
21 the parties must issue a child support order, which is controlling and must be
22 recognized.

23 **SECTION 3534.** 769.207 (1c) of the statutes is created to read:

1 769.207 (1c) If a proceeding is brought under this chapter and only one tribunal
2 has issued a child support order, the child support order of that tribunal is controlling
3 and must be recognized.

4 **SECTION 3535.** 769.207 (1r) of the statutes is created to read:

5 769.207 (1r) If 2 or more child support orders have been issued for the same
6 obligor and child and if the obligor or the individual obligee resides in this state, a
7 party may request a tribunal of this state to determine which child support order
8 controls and must be recognized under sub. (1m). The request must be accompanied
9 by a certified copy of every child support order issued for the obligor and child that
10 is in effect. Every party whose rights may be affected by a determination of which
11 child support order controls must be given notice of the request for that
12 determination.

13 **SECTION 3536.** 769.207 (2) of the statutes is amended to read:

14 769.207 (2) The tribunal that has issued ~~an~~ the order that is controlling and
15 must be recognized under sub. (1) (1c), (1m) or (1r) is the tribunal having that has
16 continuing, exclusive jurisdiction in accordance with s. 769.205.

17 **SECTION 3537.** 769.207 (3) of the statutes is created to read:

18 769.207 (3) A tribunal of this state that determines by order which child
19 support order is controlling under sub. (1m) (a) or (b), or that issues a new child
20 support order that is controlling under sub. (1m) (c), shall include in that order the
21 basis upon which the tribunal made its determination.

22 **SECTION 3538.** 769.207 (4) of the statutes is created to read:

23 769.207 (4) Within 30 days after the issuance of an order determining which
24 child support order is controlling, the party that obtained the order shall file a
25 certified copy of the order with each tribunal that had issued or registered an earlier

1 child support order. Failure of the party obtaining the order to file a certified copy
2 of the order as required by this subsection subjects the party to appropriate sanctions
3 by a tribunal in which the issue of failure to file arises, but that failure has no effect
4 on the validity or enforceability of the controlling child support order.

5 **SECTION 3539.** 769.304 of the statutes is renumbered 769.304 (1).

6 **SECTION 3540.** 769.304 (2) of the statutes is created to read:

7 769.304 (2) If a responding state has not enacted this chapter or a law or
8 procedure substantially similar to this chapter, a tribunal of this state may issue a
9 certificate or other documents and make findings required by the law of the
10 responding state. If the responding state is a foreign jurisdiction, the tribunal may
11 specify the amount of support sought and provide other documents necessary to
12 satisfy the requirements of the responding state.

13 **SECTION 3541.** 769.305 (1) of the statutes is amended to read:

14 769.305 (1) Whenever a responding tribunal of this state receives a petition or
15 comparable pleading from an initiating tribunal or directly under s. 769.301 (3), it
16 shall cause the petition or pleading to be filed and notify the petitioner by 1st class
17 mail, or if the petition was filed by a support enforcement agency, notify the support
18 enforcement agency by any federally approved transmittal system, where and when
19 it was filed.

20 **SECTION 3542.** 769.305 (5) of the statutes is amended to read:

21 769.305 (5) If a responding tribunal of this state issues an order under this
22 chapter, the tribunal shall send a copy of the order by 1st class mail to the petitioner
23 and the respondent and to the initiating tribunal, if any.

24 **SECTION 3543.** 769.306 of the statutes is amended to read:

1 **769.306 Inappropriate tribunal.** If a petition or comparable pleading is
2 received by an inappropriate tribunal of this state, it shall forward the pleading and
3 accompanying documents to an appropriate tribunal in this state or another state
4 and notify the petitioner ~~by 1st class mail~~, or if the petition was filed by a support
5 enforcement agency, notify the support enforcement agency by any federally
6 approved transmittal system, where and when the pleading was sent.

7 **SECTION 3544.** 769.307 (2) (d) of the statutes is amended to read:

8 769.307 (2) (d) Within 10 days, exclusive of Saturdays, Sundays and legal
9 holidays, after receipt of a written notice from an initiating, responding or
10 registering tribunal, send a copy of the notice ~~by 1st class mail~~ to the petitioner.

11 **SECTION 3545.** 769.307 (2) (e) of the statutes is amended to read:

12 769.307 (2) (e) Within 10 days, exclusive of Saturdays, Sundays and legal
13 holidays, after receipt of a written communication from the respondent or the
14 respondent's attorney, send a copy of the communication ~~by 1st class mail~~ to the
15 petitioner.

16 **SECTION 3546.** 769.319 of the statutes is amended to read:

17 **769.319 Receipt and disbursement of payments.** A support enforcement
18 agency ~~or its designee or a~~ tribunal of this state shall disburse promptly any amounts
19 received under a support order, as directed by the order. The agency ~~or its designee~~
20 or the tribunal shall furnish to a requesting party or tribunal of another state a
21 certified statement by the custodian of the record of the amounts and dates of all
22 payments received.

23 **SECTION 3547.** Subchapter V (title) of chapter 769 [precedes 769.501] of the
24 statutes is amended to read:

25 **CHAPTER 769**

1 SUBCHAPTER V
2 DIRECT ENFORCEMENT OF ORDER
3 OF ANOTHER STATE
4 WITHOUT REGISTRATION

5 **SECTION 3548.** 769.501 (1) (intro.) of the statutes is renumbered 769.501 and
6 amended to read:

7 **769.501** (title) ~~Recognition~~ **Employer's receipt of income-withholding**
8 **order of another state.** An income-withholding order issued in another state may
9 be sent by 1st class mail to the obligor's employer without first filing a petition or
10 comparable pleading or registering the income-withholding order with a tribunal of
11 this state. ~~Upon receipt of the order, the employer shall do all of the following:~~

12 **SECTION 3549.** 769.501 (1) (a) of the statutes is repealed.

13 **SECTION 3550.** 769.501 (1) (b) of the statutes is repealed.

14 **SECTION 3551.** 769.501 (1) (c) of the statutes is repealed.

15 **SECTION 3552.** 769.501 (2) (intro.) of the statutes is renumbered 769.506 (1)
16 and amended to read:

17 769.506 (1) An obligor may contest the validity or enforcement of an
18 income-withholding order issued in another state and received directly by an
19 employer in this state in the same manner as if the order had been issued by a
20 tribunal of this state. Section 769.604 applies to the contest.

21 **(2)** The obligor shall give notice of the contest to any all of the following:

22 (a) A support enforcement agency providing services to the obligee ~~and to either~~
23 ~~of the following:~~

24 **SECTION 3553.** 769.501 (2) (a) of the statutes is renumbered 769.506 (2) (c) and
25 amended to read:

1 769.506 (2) (c) The Except as provided in par. (d), the person or agency
2 designated to receive payments in the income-withholding order.

3 **SECTION 3554.** 769.501 (2) (b) of the statutes is renumbered 769.506 (2) (d) and
4 amended to read:

5 769.506 (2) (d) If no person or agency is designated to receive payments in the
6 income-withholding order, the obligee.

7 **SECTION 3555.** 769.502 of the statutes is repealed and recreated to read:

8 **769.502 Employer's compliance with income-withholding order of**
9 **another state.** (1) Upon receipt of an income-withholding order under s. 769.501,
10 the obligor's employer shall immediately provide a copy of the order to the obligor.

11 (2) The employer shall treat an income-withholding order issued in another
12 state that appears to be regular on its face as if it had been issued by a tribunal of
13 this state.

14 (3) Except as provided in sub. (4) and s. 769.503, the employer shall withhold
15 and distribute the funds as directed in the income-withholding order by complying
16 with the terms of the order, as applicable, that specify any of the following:

17 (a) The duration and amount of periodic payments of current child support,
18 stated as a sum certain.

19 (b) The person or agency designated to receive payments and the address to
20 which the payments are to be forwarded.

21 (c) Medical support, whether in the form of periodic cash payments, stated as
22 a sum certain, or the provision of health insurance coverage for the child under a
23 policy available through the obligor's employment.

1 (d) The amounts of periodic payments of fees and costs for a support
2 enforcement agency, the issuing tribunal or the obligee's attorney, stated as sums
3 certain.

4 (e) The amount of periodic payments of arrears and interest on arrears, stated
5 as a sum certain.

6 **(4)** The employer shall comply with the law of the state of the obligor's principal
7 place of employment for withholding from income with respect to all of the following:

8 (a) The employer's fee for processing an income-withholding order.

9 (b) The maximum amount permitted to be withheld from the obligor's income.

10 (c) The time periods within which the employer must implement the
11 income-withholding order and forward the child support payment.

12 **SECTION 3556.** 769.503 of the statutes is created to read:

13 **769.503 Compliance with multiple income-withholding orders.** If an
14 obligor's employer receives multiple orders to withhold support from the earnings of
15 the same obligor, the employer shall be considered to have satisfied the terms of the
16 multiple orders if the employer complies with the law of the state of the obligor's
17 principal place of employment to establish the priorities for withholding and
18 allocating income withheld for multiple child support obligees.

19 **SECTION 3557.** 769.504 of the statutes is created to read:

20 **769.504 Immunity from civil liability.** An employer that complies with an
21 income-withholding order issued in another state in accordance with this
22 subchapter is not subject to civil liability to any individual or agency with regard to
23 the employer's withholding of child support from an obligor's income.

24 **SECTION 3558.** 769.505 of the statutes is created to read:

1 **769.505 Penalties for noncompliance.** An employer that wilfully fails to
2 comply with an income-withholding order issued by another state and received for
3 enforcement is subject to the same penalties that may be imposed for noncompliance
4 with an income-withholding order issued by a tribunal of this state.

5 **SECTION 3559.** 769.506 (title) of the statutes is created to read:

6 **769.506 (title) Contest by obligor.**

7 **SECTION 3560.** 769.506 (2) (b) of the statutes is created to read:

8 769.506 (2) (b) Each employer that has directly received an
9 income-withholding order.

10 **SECTION 3561.** 769.507 of the statutes is created to read:

11 **769.507 Administrative enforcement of orders. (1)** A party seeking to
12 enforce a support order or an income-withholding order, or both, issued by a tribunal
13 of another state may send the documents required for registering the order to a
14 support enforcement agency of this state.

15 **(2)** Upon receipt of the documents, the support enforcement agency, without
16 initially seeking to register the order, shall consider and, if appropriate, use any
17 administrative procedure authorized by the law of this state to enforce a support
18 order or an income-withholding order, or both. If the obligor does not contest
19 administrative enforcement, the order need not be registered. If the obligor contests
20 the validity or administrative enforcement of the order, the support enforcement
21 agency shall register the order as provided in this chapter.

22 **SECTION 3562.** 769.605 (1) of the statutes is amended to read:

23 769.605 (1) Whenever a support order or income-withholding order issued in
24 another state is registered, the registering tribunal shall notify the nonregistering
25 party. ~~Notice must be given by 1st class, certified or registered mail or by any means~~

1 of personal service authorized by the law of this state. The notice must be
2 accompanied by a copy of the registered order and the documents and relevant
3 information accompanying the order.

4 **SECTION 3563.** 769.606 (3) of the statutes is amended to read:

5 769.606 (3) If a nonregistering party requests a hearing to contest the validity
6 or enforcement of the registered order, the registering tribunal shall schedule the
7 matter for hearing and give notice to the parties by 1st class mail of the date, time
8 and place of the hearing.

9 **SECTION 3564.** 769.611 (1) (intro.) of the statutes is amended to read:

10 769.611 (1) (intro.) After a child support order issued in another state has been
11 registered in this state, unless s. 769.613 applies the responding tribunal of this state
12 may modify that child support order only if, after notice and hearing, it finds at least
13 one of the following:

14 **SECTION 3565.** 769.611 (1) (b) of the statutes is amended to read:

15 769.611 (1) (b) That an individual party or the child is subject to the personal
16 jurisdiction of the tribunal and that all of the individual parties have filed a written
17 consent in the issuing tribunal providing that a tribunal of this state may modify the
18 child support order and assume continuing, exclusive jurisdiction over the child
19 support order. However, if the issuing state is a foreign jurisdiction that has not
20 enacted this chapter, the written consent of the individual party residing in this state
21 is not required for the tribunal to assume jurisdiction to modify the child support
22 order.

23 **SECTION 3566.** 769.611 (3) of the statutes is amended to read:

24 769.611 (3) A tribunal of this state may not modify any aspect of a child support
25 order that may not be modified under the law of the issuing state. If 2 or more

1 tribunals have issued child support orders for the same obligor and child, the child
2 support order that is controlling and must be recognized under s. 769.207 establishes
3 the nonmodifiable aspects of the support order.

4 **SECTION 3567.** 769.611 (5) of the statutes is renumbered 769.614 and amended
5 to read:

6 **769.614** (title) **Notice to issuing tribunal of modification.** Within 30 days
7 after issuance of a modified child support order, the party obtaining the modification
8 shall file a certified copy of the modified child support order with the issuing tribunal
9 that had continuing, exclusive jurisdiction over the earlier child support order, and
10 in each tribunal in which the party knows that the earlier child support order has
11 been registered. Failure of the party obtaining the modified child support order to
12 file a certified copy as required by this section subjects the party to appropriate
13 sanctions by a tribunal in which the issue of failure to file arises, but that failure has
14 no effect on the validity or enforceability of the modified child support order of the
15 new tribunal of continuing, exclusive jurisdiction.

16 **SECTION 3568.** 769.613 of the statutes is created to read:

17 **769.613 Jurisdiction to modify support order of another state when**
18 **individual parties reside in this state.** (1) If all of the individual parties reside
19 in this state and the child does not reside in the issuing state, a tribunal of this state
20 has jurisdiction to enforce and to modify the issuing state's child support order in a
21 proceeding to register that order.

22 (2) A tribunal of this state exercising jurisdiction as provided in sub. (1) shall
23 apply the provisions of this subchapter and subchs. I and II to the enforcement or
24 modification proceeding. Subchapters III to V, VII and VIII do not apply, and the
25 tribunal shall apply the procedural and substantive law of this state.

1 **SECTION 3569.** 769.701 (1) of the statutes is amended to read:

2 769.701 (1) A tribunal of this state may serve as an initiating or responding
3 tribunal in a proceeding brought under this chapter or a law substantially similar
4 to this chapter, the ~~uniform reciprocal enforcement of support act or the revised~~
5 ~~uniform reciprocal enforcement of support act~~ Uniform Reciprocal Enforcement of
6 Support Act or the Revised Uniform Reciprocal Enforcement of Support Act to
7 determine that the petitioner is a parent of a particular child or to determine that
8 a respondent is a parent of that child.

9 **SECTION 3570.** 769.802 (2) of the statutes is amended to read:

10 769.802 (2) If, under this chapter or a law substantially similar to this chapter,
11 the ~~uniform reciprocal enforcement of support act or the revised uniform reciprocal~~
12 ~~enforcement of support act~~ Uniform Reciprocal Enforcement of Support Act or the
13 Revised Uniform Reciprocal Enforcement of Support Act, the governor of another
14 state makes a demand that the governor of this state surrender an individual
15 charged criminally in that state with having failed to provide for the support of a
16 child or other individual to whom a duty of support is owed, the governor may require
17 a prosecutor to investigate the demand and report whether a proceeding for support
18 has been initiated or would be effective. If it appears that a proceeding would be
19 effective but has not been initiated, the governor may delay honoring the demand for
20 a reasonable time to permit the initiation of a proceeding.

21 **SECTION 3571.** 778.02 of the statutes is amended to read:

22 **778.02 Action in name of state; complaint; attachment.** Every such
23 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
24 allege in the complaint that the defendant is indebted to the plaintiff in the amount
25 of the forfeiture claimed, according to the provisions of the statute that imposes it,

1 specifying the statute and for the penalty assessment imposed by s. 165.87, the jail
2 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
3 enforcement assessment imposed by s. 165.755, the enforcement assessment
4 imposed under s. 253.06 (4) (c) or (5) (c) and any applicable domestic abuse
5 assessment imposed by s. 973.055 (1). If the statute imposes a forfeiture for several
6 offenses or delinquencies the complaint shall specify the particular offense or
7 delinquency for which the action is brought, with a demand for judgment for the
8 amount of the forfeiture, penalty assessment, jail assessment, crime laboratories
9 and drug law enforcement assessment, any applicable enforcement assessment and
10 any applicable domestic abuse assessment. If the defendant is a nonresident of the
11 state, an attachment may issue.

12 **SECTION 3572.** 778.03 of the statutes is amended to read:

13 **778.03 Complaint to recover forfeited goods.** In an action to recover
14 property forfeited by any statute it shall be sufficient to allege in the complaint that
15 the property has been forfeited, specifying the statute, with a demand of judgment
16 for the delivery of the property, or the value thereof and for payment of the penalty
17 assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), the
18 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
19 enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c) and any applicable
20 domestic abuse assessment imposed by s. 973.055 (1).

21 **SECTION 3573.** 778.06 of the statutes is amended to read:

22 **778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a
23 specific sum or when it is not less than one sum or more than another, the action may
24 be brought for the highest sum specified and for the penalty assessment imposed by
25 s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime laboratories and

1 drug law enforcement assessment imposed by s. 165.755, the enforcement
2 assessment imposed under s. 253.06 (4) (c) or (5) (c) and any applicable domestic
3 abuse assessment imposed by s. 973.055 (1); and judgment may be rendered for such
4 sum as the court or jury shall assess or determine to be proportionate to the offense.

5 **SECTION 3574.** 778.10 of the statutes is amended to read:

6 **778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by
7 any ordinance or regulation of any county, town, city or village, or of any other
8 domestic corporation may be sued for and recovered, under this chapter, in the name
9 of the county, town, city, village or corporation. It is sufficient to allege in the
10 complaint that the defendant is indebted to the plaintiff in the amount of the
11 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
12 penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46
13 (1), the crime laboratories and drug law enforcement assessment imposed by s.
14 165.755 and any applicable domestic abuse assessment imposed by s. 973.055 (1).
15 If the ordinance or regulation imposes a penalty or forfeiture for several offenses or
16 delinquencies the complaint shall specify the particular offenses or delinquency for
17 which the action is brought, with a demand for judgment for the amount of the
18 forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed
19 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
20 imposed by s. 165.755 and any applicable domestic abuse assessment imposed by s.
21 973.055 (1). All moneys collected on the judgment shall be paid to the treasurer of
22 the county, town, city, village or corporation, except that all jail assessments shall be
23 paid to the county treasurer.

24 **SECTION 3575.** 778.105 of the statutes is amended to read:

1 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
2 any court or any branch thereof for the violation of any municipal or county
3 ordinance shall be paid to the municipality or county. Penalty assessment payments
4 shall be made as provided in s. 165.87. Jail assessment payments shall be made as
5 provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment
6 payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall
7 be made as provided in s. 973.055.

8 **SECTION 3576.** 778.13 of the statutes is amended to read:

9 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
10 of the state for forfeiture, except the portion to be paid to any person who sues with
11 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the
12 county within which the forfeiture was incurred within 20 days after its receipt. In
13 case of any failure in the payment the county treasurer may collect the payment of
14 the officer by action, in the name of the office and upon the official bond of the officer,
15 with interest at the rate of 12% per year from the time when it should have been paid.
16 Penalty assessment payments shall be made as provided in s. 165.87. Jail
17 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories
18 and drug law enforcement assessment payments shall be paid as provided in s.
19 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.
20 Enforcement assessments shall be made as provided in s. 253.06 (4) (c).

21 **SECTION 3577.** 778.18 of the statutes is amended to read:

22 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her
23 own will, dismisses any action brought before the judge under this chapter, unless
24 by order of the district attorney or attorney general or the person joined as plaintiff
25 with the state, or renders a less judgment therein than is prescribed by law, or

1 releases or discharges any such judgment or part thereof without payment or
2 collection, the judge and the judge's sureties shall be liable, in an action upon the
3 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture
4 imposed by the judge and for the penalty assessment imposed by s. 165.87, the jail
5 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
6 enforcement assessment imposed by s. 165.755 and any applicable domestic abuse
7 assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which
8 any such judgment or any part thereof is released or discharged. If any municipal
9 judge gives time or delay to any person against whom any such judgment is rendered
10 by the judge, or takes any bond or security for its future payment, the judge and the
11 judge's sureties shall also be liable for the payment of the judgment upon the judge's
12 bond.

13 **SECTION 3578.** 778.25 (2) (g) of the statutes is amended to read:

14 778.25 (2) (g) Notice that if the defendant makes a deposit and fails to appear
15 in court at the time fixed in the citation, the failure to appear will be considered
16 tender of a plea of no contest and submission to a forfeiture, penalty assessment and,
17 jail assessment and crime laboratories and drug law enforcement assessment plus
18 costs, including any applicable fees prescribed in ch. 814, not to exceed the amount
19 of the deposit. The notice shall also state that the court may decide to summon the
20 defendant or, if the defendant is an adult, issue an arrest warrant for the defendant
21 rather than accept the deposit and plea.

22 **SECTION 3579.** 778.25 (2) (h) of the statutes is amended to read:

23 778.25 (2) (h) Notice that if the defendant makes a deposit and signs the
24 stipulation, the stipulation is treated as a plea of no contest and submission to a
25 forfeiture, penalty assessment and, jail assessment and crime laboratories and drug

1 law enforcement assessment plus costs, including any applicable fees prescribed in
2 ch. 814, not to exceed the amount of the deposit. The notice shall also state that the
3 court may decide to summon the defendant or, if the defendant is an adult, issue an
4 arrest warrant for the defendant rather than accept the deposit and stipulation, and
5 that the defendant may, at any time prior to or at the time of the court appearance
6 date, move the court for relief from the effect of the stipulation.

7 **SECTION 3580.** 778.25 (3) of the statutes is amended to read:

8 778.25 (3) If a person is issued a citation under this section the person may
9 deposit the amount of money the issuing officer directs by mailing or delivering the
10 deposit and a copy of the citation to the clerk of court of the county where the violation
11 occurred or the sheriff's office or police headquarters of the officer who issued the
12 citation prior to the court appearance date. The basic amount of the deposit shall be
13 determined under a deposit schedule established by the judicial conference. The
14 judicial conference shall annually review and revise the schedule. In addition to the
15 basic amount determined by the schedule the deposit shall include costs, including
16 any applicable fees prescribed in ch. 814, penalty assessment ~~and~~, jail assessment
17 and crime laboratories and drug law enforcement assessment.

18 **SECTION 3581.** 778.25 (4) of the statutes is amended to read:

19 778.25 (4) A person may make a stipulation of no contest by submitting a
20 deposit and a stipulation in the manner provided by sub. (3) prior to the court
21 appearance date. The signed stipulation is a plea of no contest and submission to a
22 forfeiture plus costs and a penalty assessment ~~and~~, jail assessment and crime
23 laboratories and drug law enforcement assessment not exceeding the amount of the
24 deposit.

25 **SECTION 3582.** 778.25 (5) of the statutes is amended to read:

1 778.25 (5) Except as provided by sub. (6) a person receiving a deposit shall
2 prepare a receipt in triplicate showing the purpose for which the deposit is made,
3 stating that the defendant may inquire at the office of the clerk of court regarding
4 the disposition of the deposit, and notifying the defendant that if he or she fails to
5 appear in court at the time fixed in the citation he or she will be deemed to have
6 tendered a plea of no contest and submitted to a forfeiture, penalty assessment and,
7 jail assessment and crime laboratories and drug law enforcement assessment plus
8 costs, including any applicable fees prescribed in ch. 814, not to exceed the amount
9 of the deposit which the court may accept. The original of the receipt shall be
10 delivered to the defendant in person or by mail. If the defendant pays by check, the
11 check is the receipt.

12 **SECTION 3583.** 778.25 (6) of the statutes is amended to read:

13 778.25 (6) The person receiving a deposit and stipulation of no contest shall
14 prepare a receipt in triplicate showing the purpose for which the deposit is made,
15 stating that the defendant may inquire at the office of the clerk of court regarding
16 the disposition of the deposit, and notifying the defendant that if the stipulation of
17 no contest is accepted by the court the defendant will be considered to have submitted
18 to a forfeiture, penalty assessment and, jail assessment and crime laboratories and
19 drug law enforcement assessment plus costs, including any applicable fees
20 prescribed in ch. 814, not to exceed the amount of the deposit. Delivery of the receipt
21 shall be made in the same manner as in sub. (5).

22 **SECTION 3584.** 778.25 (8) (b) of the statutes is amended to read:

23 778.25 (8) (b) If the defendant has made a deposit, the citation may serve as
24 the initial pleading and the defendant shall be considered to have tendered a plea
25 of no contest and submitted to a forfeiture, penalty assessment and, jail assessment

1 and crime laboratories and drug law enforcement assessment plus costs, including
2 any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit.
3 The court may either accept the plea of no contest and enter judgment accordingly,
4 or reject the plea and issue a summons or arrest warrant, except if the defendant is
5 a minor the court shall proceed under s. 938.28. Chapter 938 governs taking and
6 holding a minor in custody. If the court accepts the plea of no contest, the defendant
7 may move within 90 days after the date set for appearance to withdraw the plea of
8 no contest, open the judgment and enter a plea of not guilty if the defendant shows
9 to the satisfaction of the court that failure to appear was due to mistake,
10 inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no
11 contest, the court or judge may order a written complaint or petition to be filed. If
12 on reopening the defendant is found not guilty, the court shall delete the record of
13 conviction and shall order the defendant's deposit returned.

14 **SECTION 3585.** 778.25 (8) (c) of the statutes is amended to read:

15 778.25 (8) (c) If the defendant has made a deposit and stipulation of no contest,
16 the citation serves as the initial pleading and the defendant shall be considered to
17 have tendered a plea of no contest and submitted to a forfeiture, penalty assessment
18 and, jail assessment and crime laboratories and drug law enforcement assessment
19 plus costs, including any applicable fees prescribed in ch. 814, not exceeding the
20 amount of the deposit. The court may either accept the plea of no contest and enter
21 judgment accordingly, or reject the plea and issue a summons or arrest warrant,
22 except if the defendant is a minor the court shall proceed under s. 938.28. Chapter
23 938 governs taking and holding a minor in custody. After signing a stipulation of no
24 contest, the defendant may, at any time prior to or at the time of the court appearance
25 date, move the court for relief from the effect of the stipulation. The court may act

1 on the motion, with or without notice, for cause shown by affidavit and upon just
2 terms, and relieve the defendant from the stipulation and the effects of the
3 stipulation.

4 **SECTION 3586.** 778.25 (10) of the statutes is amended to read:

5 778.25 (10) An officer collecting moneys for a forfeiture, penalty assessment,
6 jail assessment, crime laboratories and drug law enforcement assessment and costs
7 under this section shall pay the same to the appropriate municipal or county
8 treasurer within 20 days after its receipt by the officer, except that all jail
9 assessments shall be paid to the county treasurer. If the officer fails to make timely
10 payment, the municipal or county treasurer may collect the payment from the officer
11 by an action in the treasurer's name of office and upon the official bond of the officer,
12 with interest at the rate of 12% per year from the time when it should have been paid.

13 **SECTION 3587.** 778.26 (2) (e) of the statutes is amended to read:

14 778.26 (2) (e) The maximum forfeiture, penalty assessment and, jail
15 assessment and crime laboratories and drug law enforcement assessment for which
16 the defendant is liable.

17 **SECTION 3588.** 778.26 (2) (g) of the statutes is amended to read:

18 778.26 (2) (g) Notice that if the defendant makes a deposit and fails to appear
19 in court at the time specified in the citation, the failure to appear will be considered
20 tender of a plea of no contest and submission to a forfeiture, penalty assessment and,
21 jail assessment and crime laboratories and drug law enforcement assessment plus
22 costs not to exceed the amount of the deposit. The notice shall also state that the
23 court, instead of accepting the deposit and plea, may decide to summon the defendant
24 or may issue an arrest warrant for the defendant upon failure to respond to a
25 summons.

1 **SECTION 3589.** 778.26 (2) (h) of the statutes is amended to read:

2 778.26 (2) (h) Notice that if the defendant makes a deposit and signs the
3 stipulation, the stipulation will be treated as a plea of no contest and submission to
4 a forfeiture, penalty assessment ~~and~~, jail assessment and crime laboratories and
5 drug law enforcement assessment plus costs not to exceed the amount of the deposit.
6 The notice shall also state that the court, instead of accepting the deposit and
7 stipulation, may decide to summon the defendant or issue an arrest warrant for the
8 defendant upon failure to respond to a summons, and that the defendant may, at any
9 time prior to or at the time of the court appearance date, move the court for relief from
10 the effect of the stipulation.

11 **SECTION 3590.** 778.26 (3) of the statutes is amended to read:

12 778.26 (3) A defendant issued a citation under this section may deposit the
13 amount of money the issuing officer directs by mailing or delivering the deposit and
14 a copy of the citation prior to the court appearance date to the clerk of the circuit court
15 in the county where the violation occurred or to the sheriff's office or police
16 headquarters of the officer who issued the citation. The basic amount of the deposit
17 shall be determined under a deposit schedule established by the judicial conference.
18 The judicial conference shall annually review and revise the schedule. In addition
19 to the basic amount determined by the schedule the deposit shall include the penalty
20 assessment, jail assessment, crime laboratories and drug law enforcement
21 assessment and costs.

22 **SECTION 3591.** 778.26 (4) of the statutes is amended to read:

23 778.26 (4) A defendant may make a stipulation of no contest by submitting a
24 deposit and a stipulation in the manner provided by sub. (3) prior to the court
25 appearance date. The signed stipulation is a plea of no contest and submission to a

1 forfeiture plus the penalty assessment, jail assessment, crime laboratories and drug
2 law enforcement assessment and costs not to exceed the amount of the deposit.

3 **SECTION 3592.** 778.26 (5) of the statutes is amended to read:

4 778.26 (5) Except as provided by sub. (6), a person receiving a deposit shall
5 prepare a receipt in triplicate showing the purpose for which the deposit is made,
6 stating that the defendant may inquire at the office of the clerk of the circuit court
7 regarding the disposition of the deposit, and notifying the defendant that if he or she
8 fails to appear in court at the time specified in the citation he or she shall be
9 considered to have tendered a plea of no contest and submitted to a forfeiture,
10 penalty assessment and, jail assessment and crime laboratories and drug law
11 enforcement assessment plus costs not to exceed the amount of the deposit and that
12 the court may accept the plea. The original of the receipt shall be delivered to the
13 defendant in person or by mail. If the defendant pays by check, the canceled check
14 is the receipt.

15 **SECTION 3593.** 778.26 (6) of the statutes is amended to read:

16 778.26 (6) The person receiving a deposit and stipulation of no contest shall
17 prepare a receipt in triplicate showing the purpose for which the deposit is made,
18 stating that the defendant may inquire at the office of the clerk of the circuit court
19 regarding the disposition of the deposit, and notifying the defendant that if the
20 stipulation of no contest is accepted by the court the defendant will be considered to
21 have submitted to a forfeiture, penalty assessment and, jail assessment and crime
22 laboratories and drug law enforcement assessment plus costs not to exceed the
23 amount of the deposit. Delivery of the receipt shall be made in the same manner as
24 provided in sub. (5).

25 **SECTION 3594.** 778.26 (7) (b) of the statutes is amended to read:

1 778.26 (7) (b) If the defendant has made a deposit, the citation may serve as
2 the initial pleading and the defendant shall be considered to have tendered a plea
3 of no contest and submitted to a forfeiture, penalty assessment ~~and~~, jail assessment
4 and crime laboratories and drug law enforcement assessment plus costs not to exceed
5 the amount of the deposit. The court may either accept the plea of no contest and
6 enter judgment accordingly, or reject the plea and issue a summons. If the defendant
7 fails to appear in response to the summons, the court shall issue an arrest warrant.
8 If the court accepts the plea of no contest, the defendant may, within 90 days after
9 the date set for appearance, move to withdraw the plea of no contest, open the
10 judgment and enter a plea of not guilty if the defendant shows to the satisfaction of
11 the court that failure to appear was due to mistake, inadvertence, surprise or
12 excusable neglect. If a defendant is relieved from the plea of no contest, the court may
13 order a written complaint or petition to be filed. If on reopening the defendant is
14 found not guilty, the court shall delete the record of conviction and shall order the
15 defendant's deposit returned.

16 **SECTION 3595.** 778.26 (7) (c) of the statutes is amended to read:

17 778.26 (7) (c) If the defendant has made a deposit and stipulation of no contest,
18 the citation serves as the initial pleading and the defendant shall be considered to
19 have tendered a plea of no contest and submitted to a forfeiture, penalty assessment
20 ~~and~~, jail assessment and crime laboratories and drug law enforcement assessment
21 plus costs not to exceed the amount of the deposit. The court may either accept the
22 plea of no contest and enter judgment accordingly, or reject the plea and issue a
23 summons or an arrest warrant. After signing a stipulation of no contest, the
24 defendant may, at any time prior to or at the time of the court appearance date, move
25 the court for relief from the effect of the stipulation. The court may act on the motion,

1 with or without notice, for cause shown by affidavit and upon just terms, and relieve
2 the defendant from the stipulation and the effects of the stipulation.

3 **SECTION 3596.** 778.26 (9) of the statutes is amended to read:

4 778.26 (9) An officer who collects a forfeiture, penalty assessment, jail
5 assessment and crime laboratories and drug law enforcement assessment and costs
6 under this section shall pay the money to the county treasurer within 20 days after
7 its receipt. If the officer fails to make timely payment, the county treasurer may
8 collect the payment from the officer by an action in the treasurer's name of office and
9 upon the official bond of the officer, with interest at the rate of 12% per year from the
10 time when it should have been paid.

11 **SECTION 3597.** 779.01 (4) of the statutes is amended to read:

12 779.01 (4) PRIORITY OF CONSTRUCTION LIEN. The lien provided in sub. (3) shall
13 be prior to any lien which originates subsequent to the visible commencement in
14 place of the work of improvement, except as otherwise provided by ss. 215.21 (4) (a),
15 292.31 (8) (i), ~~144.77 292.41 (6) (d)~~, 292.81 and 706.11 (1). When new construction
16 is the principal improvement involved, commencement is deemed to occur no earlier
17 than the beginning of substantial excavation for the foundations, footings or base of
18 the new construction, except where the new construction is to be added to a
19 substantial existing structure, in which case the commencement is the time of the
20 beginning of substantial excavation or the time of the beginning of substantial
21 preparation of the existing structure to receive the added new construction,
22 whichever is earlier. The lien also shall be prior to any unrecorded mortgage given
23 prior to the commencement of the work of improvement, if the lien claimant has no
24 actual notice of the mortgage before the commencement. Lien claimants who
25 perform work or procure its performance or furnish any labor or materials or plans

1 or specifications for an improvement prior to the visible commencement of the work
2 of improvement shall have lien rights, but shall have only the priority accorded to
3 other lien claimants.

4 **SECTION 5163e.** 779.14 (1m) (b) 1. of the statutes is renumbered 779.14 (1m)
5 (b) 1. (intro.) and amended to read:

6 779.14 **(1m)** (b) 1. (intro.) A contract under par. (a) shall in excess of \$10,000
7 may not be made unless the prime contractor gives a bond issued by a surety
8 company licensed to do business in this state and unless the prime contractor agrees,
9 to the extent practicable, to maintain a list of all subcontractors and suppliers
10 performing labor or furnishing materials under the contract. The department of
11 natural resources for contracts under s. 23.41, the department of administration for
12 other state contracts, and the public board or body authorized to enter into such
13 contracts for all other contracts under par. (a), may waive the requirement that
14 contractors furnish bonds if all of the following conditions are met:

15 **SECTION 5163m.** 779.14 (1m) (b) 1. a. to c. of the statutes are created to read:

16 779.14 **(1m)** (b) 1. a. The contract is not in excess of \$25,000.

17 b. The contract meets the written standards for a waiver established by the
18 department, board or body authorized to waive the requirement.

19 c. The department, board or body authorized to waive the requirement
20 guarantees payment to any subcontractor on the project covered by the contract or
21 those who have claims for labor on the project covered by the contract.

22 **SECTION 5163s.** 779.14 (1m) (b) 1m. of the statutes is created to read:

23 779.14 **(1m)** (b) 1m. The bonding requirement under subd. 1. does not apply to
24 a contract for the direct purchase of materials by the state or by a local unit of
25 government.

1 **SECTION 3598.** 779.35 of the statutes is amended to read:

2 **779.35 Mining liens.** Any person who shall perform any labor or services for
3 any person or corporation engaged in or organized for the purpose of mining,
4 smelting or manufacturing iron, copper, silver or other ores or minerals, and any
5 bona fide holder of any draft, time check or order for the payment of money due for
6 any such labor, issued or drawn by any such person or corporation, shall have a lien
7 for the wages due for the amount due on such draft, check or order upon all the
8 personal property connected with such mining, smelting or manufacturing industry
9 belonging to such person or corporation, including the ores or products of such mine
10 or manufactory, together with the machinery and other personal property used in the
11 operation of such mine or manufactory and all the interest of such person or
12 corporation in any real estate belonging thereto and connected with such business,
13 which said lien shall take precedence of all other debts, judgments, decrees, liens or
14 mortgages against such person or corporation, except liens accruing for taxes, fines
15 or penalties and liens under ss. 292.31 (8) (i), ~~292.41 (6) (d)~~ and 292.81, subject to the
16 exceptions and limitations hereinafter set forth.

17 **SECTION 3599.** 779.40 (1) of the statutes is amended to read:

18 **779.40 (1)** Any person who shall perform any labor for an employer not the
19 owner of the real estate, engaged in quarrying, crushing, cutting or otherwise
20 preparing stone for use or for manufacturing lime and any bona fide holder of any
21 draft, time check or order for the payment of money due for any such labor issued by
22 such employer, shall have a lien for wages owed and for the amount due on such draft,
23 check or order upon the personal property connected with such industry owned by
24 such employer, including interest in the product of such quarry or factory and
25 machinery and other personal property used in the operation of such quarry or

1 factory, and all interest in any lease of the real estate connected with such business,
2 which lien shall take precedence of all other debts, judgments, decrees, liens or
3 mortgages against such employer, except taxes, fines or penalties and mortgages or
4 judgments recorded or entered before such labor is performed and except liens under
5 ss. 292.31 (8) (i), ~~144.77 292.41 (6) (d)~~ and 292.81.

6 **SECTION 3600.** 800.02 (2) (a) 8. of the statutes is amended to read:

7 800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear
8 in court at the time fixed in the citation, the defendant is deemed to have tendered
9 a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment
10 and crime laboratories and drug law enforcement assessment and any applicable
11 domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1),
12 not to exceed the amount of the deposit. The notice shall also state that the court may
13 decide to summon the defendant rather than accept the deposit and plea.

14 **SECTION 3601.** 800.02 (3) (a) 5. of the statutes is amended to read:

15 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the
16 event or occurrence from which the violation arose and showing that the plaintiff is
17 entitled to relief, the ordinance, resolution or bylaw upon which the cause of action
18 is based and a demand for a forfeiture, the amount of which shall not exceed the
19 maximum set by the statute involved, the penalty assessment, the jail assessment,
20 the crime laboratories and drug law enforcement assessment, any applicable
21 domestic abuse assessment and such other relief that is sought by the plaintiff.

22 **SECTION 3602.** 800.03 (3) of the statutes is amended to read:

23 800.03 (3) The amount of the deposit shall be set by the municipal judge, but
24 shall not be effective until approved by the governing body of the municipality. The
25 amount shall not exceed the maximum penalty for the offense, including any penalty

1 assessment that would be applicable under s. 165.87, any jail assessment that would
2 be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
3 assessment that would be applicable under s. 165.755 and any domestic abuse
4 assessment that would be applicable under s. 973.055 (1), plus court costs, including
5 the fee prescribed in s. 814.65 (1).

6 **SECTION 3603.** 800.04 (2) (b) of the statutes is amended to read:

7 800.04 (2) (b) If the municipal judge determines that the defendant should not
8 be released under par. (a) and the defendant is charged with a traffic or boating
9 violation, the municipal judge shall release the defendant on a deposit in the amount
10 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.
11 For other violations, the municipal judge shall establish a deposit in an amount not
12 to exceed the maximum penalty for the offense, including any penalty assessment
13 that would be applicable under s. 165.87, any jail assessment that would be
14 applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
15 assessment that would be applicable under s. 165.755 and any domestic abuse
16 assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class
17 city determines that a defendant appearing before the judge through interactive
18 video and audio transmission should not be released under par. (a), the judge shall
19 inform the defendant that he or she has the right to appear personally before a judge
20 for a determination, not prejudiced by the first appearance, as to whether he or she
21 should be released without a deposit. On failure of the defendant to make a deposit
22 under this paragraph, he or she may be committed to jail pending trial only if the
23 judge finds that there is a reasonable basis to believe the person will not appear in
24 court.

25 **SECTION 3604.** 800.04 (2) (c) of the statutes is amended to read:

1 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03
2 and does not appear, he or she is deemed to have tendered a plea of no contest and
3 submits to a forfeiture, a penalty assessment imposed by s. 165.87, a jail assessment
4 imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment
5 imposed by s. 165.755 and any applicable domestic abuse assessment imposed by s.
6 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the
7 amount of the deposit. The court may either accept the plea of no contest and enter
8 judgment accordingly, or reject the plea and issue a summons. If the court finds that
9 the violation meets the conditions in s. 800.093 (1), the court may summon the
10 alleged violator into court to determine if restitution shall be ordered under s.
11 800.093. If the defendant fails to appear in response to the summons, the court shall
12 issue a warrant under s. 968.09. If the defendant has made a deposit but does appear,
13 the court shall allow the defendant to withdraw the plea of no contest.

14 **SECTION 3605.** 800.09 (1) (intro.) of the statutes is amended to read:

15 800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it
16 may render judgment by ordering restitution under s. 800.093 and payment of a
17 forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed
18 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
19 imposed by s. 165.755 and any applicable domestic abuse assessment imposed by s.
20 973.055 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The
21 court shall apply any payment received on a judgment that includes restitution to
22 first satisfy any payment of restitution ordered, then to pay the forfeiture,
23 assessments and costs. If the judgment is not paid, the court may proceed under par.
24 (a), (b) or (c) or any combination of those paragraphs, as follows:

25 **SECTION 3606.** 800.09 (1) (a) of the statutes is amended to read:

1 800.09 (1) (a) The court may defer payment of any judgment or provide for
2 instalment payments. At the time the judgment is rendered, the court shall inform
3 the defendant, orally and in writing, of the date by which restitution and the
4 payment of the forfeiture, the penalty assessment, the jail assessment, the crime
5 laboratories and drug law enforcement assessment and any applicable domestic
6 abuse assessment plus costs must be made, and of the possible consequences of
7 failure to do so in timely fashion, including imprisonment, as provided in s. 800.095,
8 or suspension of the defendant's motor vehicle operating privilege, as provided in par.
9 (c), if applicable. If the defendant is not present, the court shall ensure that the
10 information is sent to the defendant by mail. In 1st class cities, all of the written
11 information required by this paragraph shall be printed in English and Spanish and
12 provided to each defendant.

13 **SECTION 3607.** 800.09 (2) (b) of the statutes is amended to read:

14 800.09 (2) (b) If the person charged fails to appear personally or by an attorney
15 at the time fixed for hearing of the case, the defendant may be deemed to have
16 entered a plea of no contest and the money deposited, if any, or such portion thereof
17 as the court determines to be an adequate penalty, plus the penalty assessment, the
18 jail assessment, the crime laboratories and drug law enforcement assessment and
19 any applicable domestic abuse assessment plus costs, including the fee prescribed in
20 s. 814.65 (1), may be declared forfeited by the court or may be ordered applied upon
21 the payment of any penalty which may be imposed, together with the penalty
22 assessment, the jail assessment, the crime laboratories and drug law enforcement
23 assessment and any applicable domestic abuse assessment plus costs. If the court
24 finds that the violation meets the conditions in s. 800.093 (1), the court may summon
25 the alleged violator into court to determine if restitution shall be ordered under s.

1 800.093. Any money remaining after payment of any penalties, assessments, costs
2 and restitution shall be refunded to the person who made the deposit.

3 **SECTION 3608.** 800.12 (2) of the statutes is amended to read:

4 800.12 (2) A municipality may by ordinance provide that a municipal judge
5 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50
6 or, upon nonpayment of the forfeiture, penalty assessment under s. 165.87 and, jail
7 assessment under s. 302.46 and crime laboratories and drug law enforcement
8 assessment under s. 165.755 and any applicable domestic abuse assessment under
9 s. 973.055 (1), a jail sentence not to exceed 7 days.

10 **SECTION 3609.** 814.03 (3) of the statutes is created to read:

11 814.03 (3) Notwithstanding subs. (1) and (2), where the department of health
12 and family services or a county is joined as a plaintiff pursuant to ss. 49.89 (2) and
13 803.03 (2) (a) because of the provision of benefits under subch. IV of ch. 49, and where
14 the interests of the department of health and family services or of the county are
15 represented under s. 803.03 (2) (b) by the party who caused the joinder, the
16 department of health and family services or the county shall not be liable for costs
17 to any prevailing defendant.

18 **SECTION 3610.** 814.60 (2) (an) of the statutes is created to read:

19 814.60 (2) (an) Crime laboratories and drug law enforcement assessment
20 imposed under s. 165.755.

21 **SECTION 3611.** 814.60 (2) (cg) of the statutes is created to read:

22 814.60 (2) (cg) Enforcement assessment imposed by s. 253.06 (4) (c).

23 **SECTION 3612.** 814.61 (12) (b) of the statutes, as affected by 1997 Wisconsin Act
24 (this act), is repealed.

25 **SECTION 3613.** 814.61 (12) (b) (intro.) of the statutes is amended to read:

1 814.61 (12) (b) *Maintenance payments and support.* (intro.) Except in counties
2 that have designated a county support collection designee under s. ~~59.07 (97m)~~ 59.53
3 (5m), for receiving and disbursing money deposited as payment for maintenance
4 payments, child support or family support payments, under interim or final orders
5 in an action affecting the family, and for maintaining the records required under s.
6 59.40 (2) (h), an annual fee of up to \$25 to be paid by each party ordered to make
7 payments. Except in counties that have designated a county support collection
8 designee under s. ~~59.07 (97m)~~ 59.53 (5m), the court shall order each party ordered
9 to make payments to pay the annual fee under this paragraph at the time of, and in
10 addition to, the first payment to the clerk in each year for which payments are
11 ordered. At the time of ordering the payment of an annual fee under this paragraph,
12 the court shall notify each party ordered to make payments of the requirement to pay
13 the annual fee and of the amount of the annual fee. If the annual fee under this
14 paragraph is not paid when due, the clerk may not deduct the annual fee from the
15 maintenance or support payment, but:

16 **SECTION 3614.** 814.61 (12) (cm) of the statutes is repealed.

17 **SECTION 3615.** 814.612 of the statutes, as affected by 1997 Wisconsin Act ...
18 (this act), is repealed.

19 **SECTION 3616.** 814.612 (intro.) of the statutes is amended to read:

20 **814.612 Fees of designee for receiving and disbursing support.** (intro.)
21 In a county that has designated a county support collection designee under s. ~~59.07~~
22 ~~(97m)~~ 59.53 (5m), the support collection designee, for receiving and disbursing
23 money deposited as payment for maintenance payments, child support or family
24 support payments, under interim or final orders in an action affecting the family, and
25 for maintaining the records required under s. ~~59.07 (97m) (b) 1.~~ 59.53 (5m) (b) 1.,

1 shall collect an annual fee of up to \$25 to be paid by each party ordered to make
2 payments. In such a county, the court shall order each party ordered to make
3 payments to pay the annual fee under this section at the time of, and in addition to,
4 the first payment to the support collection designee in each year for which payments
5 are ordered. At the time of ordering the payment of an annual fee under this section,
6 the court shall notify each party ordered to make payments of the requirement to pay
7 the annual fee and of the amount of the annual fee. If the annual fee under this
8 section is not paid when due, the support collection designee may not deduct the
9 annual fee from the maintenance or support payment, but:

10 **SECTION 3617.** 814.63 (3) (am) of the statutes is created to read:

11 814.63 (3) (am) Crime laboratories and drug law enforcement assessment
12 imposed under s. 165.755.

13 **SECTION 3618.** 814.63 (3) (bg) of the statutes is created to read:

14 814.60 (3) (bg) Enforcement assessment imposed by s. 253.06 (4) (c).

15 **SECTION 3619.** 814.635 (1) of the statutes is amended to read:

16 814.635 (1) Except for an action for a safety belt use violation under s. 347.48
17 (2m), the clerk of circuit court shall charge and collect a \$5 \$7 justice information
18 system fee from any person, including any governmental unit as defined in s. 108.02
19 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b)
20 or 814.63 (1). The justice information system fee is in addition to the other fees listed
21 in this section.

22 **SECTION 5195g.** 814.705 (intro.) of the statutes is renumbered 814.705 (1)
23 (intro.).

24 **SECTION 5195m.** 814.705 (1), (2), (3) and (4) of the statutes are renumbered
25 814.705 (1) (a), (b), (c) and (d).

1 **SECTION 5195r.** 814.705 (2) of the statutes is created to read:

2 814.705 **(2)** With respect to sheriff's fees for the sale of real estate under s.
3 814.70 (9), the county board may establish a higher fee in an amount not to exceed
4 \$150.

5 **SECTION 5197s.** 823.08 (3) (c) of the statutes is created to read:

6 823.08 **(3)** (c) 1. Subject to subd. 2., if a court requests the department of
7 agriculture, trade and consumer protection or the department of natural resources
8 for suggestions under par. (b) 2. a., the department of agriculture, trade and
9 consumer protection or the department of natural resources shall advise the court
10 concerning the relevant provisions of the performance standards, prohibitions,
11 conservation practices and technical standards under s. 281.16 (3).

12 2. If the agricultural use or agricultural practice alleged to be a nuisance was
13 begun before the effective date of this subdivision [revisor inserts date], a
14 department may advise the court under subd. 1. only if the department determines
15 that cost-sharing is available to the defendant under s. 92.14, 281.16 (5) or 281.65
16 or from any other source.

17 **SECTION 3620.** 823.115 (1) of the statutes is amended to read:

18 823.115 **(1)** If personal and real property are ordered sold under s. 823.114, and
19 the real property is not released to the owner under s. 823.15, the plaintiff in the
20 action under s. 823.113 shall sell the property at the highest available price. The city,
21 town or village may sell the property at either a public or private sale. The proceeds
22 of the sale shall be applied to the payment of the costs of the action and abatement
23 and any liens on the property, and the balance, if any, paid as provided in sub. (2).
24 The plaintiff may file a notice of the pendency of the action as in actions affecting the
25 title to real estate and if the owner of the building or structure, or the owner of the

1 land upon which the building or structure is located, is found guilty of the nuisance,
2 the judgment for costs of the action not paid out of the proceeds of the sale of the
3 property shall constitute a lien on the real estate prior to any other lien created after
4 the filing of the lis pendens, except a lien under s. 292.31 (8) (i), ~~292.41 (6) (d)~~ or
5 292.81.

6 **SECTION 3621.** 867.03 (1) of the statutes is renumbered 867.03 (1g), and 867.03
7 (1g) (intro.), as renumbered, is amended to read:

8 867.03 (1g) GENERALLY. (intro.) When a decedent leaves solely owned property
9 in this state which does not exceed \$10,000 in value, any heir of the decedent or
10 person who was guardian of the decedent at the time of the decedent's death may
11 collect any money due the decedent, receive the property of the decedent if it is not
12 an interest in or lien on real property and have any evidence of interest, obligation
13 to or right of the decedent transferred to the affiant upon furnishing the person owing
14 the money, having custody of the property or acting as registrar or transfer agent of
15 the evidences of interest, obligation to or right, with proof of prior mailed notice
16 under sub. (1m) if applicable and with an affidavit in duplicate showing all of the
17 following:

18 **SECTION 3622.** 867.03 (1c) of the statutes is created to read:

19 867.03 (1c) DEFINITION. In this section, "guardian" has the meaning given in
20 s. 880.01 (3).

21 **SECTION 3623.** 867.03 (1m) (a) of the statutes is amended to read:

22 867.03 (1m) (a) Whenever an heir or person who was guardian of the decedent
23 at the time of the decedent's death intends to transfer a decedent's property by
24 affidavit under sub. (1) (1g) and the decedent or the decedent's spouse ever received
25 medical assistance under subch. IV of ch. 49, long-term community support services

1 funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the heir or person
2 who was guardian of the decedent at the time of the decedent's death shall give notice
3 to the department of health and family services of his or her intent. The notice shall
4 include the information in the affidavit under sub. (1) (1g) and the heir or person who
5 was guardian of the decedent at the time of the decedent's death shall give the notice
6 by certified mail, return receipt requested.

7 **SECTION 3624.** 867.03 (1m) (b) of the statutes is amended to read:

8 867.03 (1m) (b) An heir or person who was guardian of the decedent at the time
9 of the decedent's death who files an affidavit under sub. (1) (1g) that states that the
10 decedent or the decedent's spouse received medical assistance under subch. IV of ch.
11 49, long-term community support services funded under s. 46.27 (7) or aid under s.
12 49.68, 49.683 or 49.685 shall attach to the affidavit the proof of mail delivery of the
13 notice required under par. (a) showing a delivery date that is not less than 10 days
14 before the day on which the heir or person who was guardian of the decedent at the
15 time of the decedent's death files the affidavit.

16 **SECTION 3625.** 867.03 (2) of the statutes is amended to read:

17 867.03 (2) RELEASE OF LIABILITY OF TRANSFEROR. Upon the transfer to the heir
18 or person who was guardian of the decedent at the time of the decedent's death
19 furnishing the affidavit with an attached proof of mail delivery if required under sub.
20 (1m) (b), the transferor is released to the same extent as if the transfer had been made
21 to the personal representative of the estate of the decedent.

22 **SECTION 3626.** 867.035 (1) (intro.) of the statutes is renumbered 867.035 (1) (a)
23 (intro.) and amended to read:

24 867.035 (1) (a) (intro.) The Except as provided in par. (bm), the department of
25 health and family services may collect from the property; ~~except interests in or liens~~

1 ~~on real property; wearing apparel; jewelry; household furniture, furnishings and~~
2 ~~appliances; motor vehicles and recreational vehicles; of a decedent, including funds~~
3 ~~of a decedent that are held by the decedent immediately before death in a joint~~
4 ~~account or a P.O.D. account,~~ by affidavit under this section an amount equal to the
5 medical assistance that is recoverable under s. 49.496 (3) (a), the long-term
6 community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c)
7 1. or the aid under s. 49.68, 49.683 or 49.685 that is recoverable under s. 49.682 (2)
8 (a) and that was paid on behalf of the decedent or the decedent's spouse, if all of the
9 following conditions are satisfied:

10 **SECTION 3627.** 867.035 (1) (a), (am) and (b) of the statutes are renumbered
11 867.035 (1) (a) 1., 2. and 3.

12 **SECTION 3628.** 867.035 (1) (bm) of the statutes is created to read:

13 867.035 (1) (bm) The department of health and family services may not collect
14 by affidavit under this section from any of the following property of the decedent:

- 15 1. Interests in or liens on real property.
- 16 2. Wearing apparel and jewelry.
- 17 3. Household furniture, furnishings and appliances.
- 18 4. Motor vehicles and recreational vehicles.

19 **SECTION 3629.** 867.035 (1) (d) of the statutes is renumbered 867.035 (1) (a) 4.
20 and amended to read:

21 867.035 (1) (a) 4. The value of the solely owned property in this state left by the
22 decedent, after payment of burial costs, does not exceed the amount under s. 867.03
23 (~~1~~) (1g) (intro.).

24 **SECTION 3630.** 867.035 (2) of the statutes is amended to read:

1 867.035 (2) A person who possesses property of a decedent shall transmit the
2 property to the department of health and family services upon receipt of an affidavit
3 by a person designated by the secretary of health and family services to administer
4 this section showing that the conditions in sub. (1) (a) are satisfied. Upon
5 transmittal, the person is released from any obligation to other creditors or heirs of
6 the decedent.

7 **SECTION 3631.** 867.035 (4) of the statutes is amended to read:

8 867.035 (4) From the appropriation under s. 20.435 (1) (5) (im), with respect
9 to funds collected by the department under sub. (1) related to medical assistance paid
10 on behalf of the decedent or the decedent's spouse, the department of health and
11 family services shall pay claims under sub. (3), shall pay to the federal government
12 from the amount recovered under this section and not paid out as claims under sub.
13 (3) an amount equal to the amount of federal funds used to pay the benefits recovered
14 under this section and shall spend the remainder of the amount recovered under this
15 section for medical assistance benefits under subch. IV of ch. 49.

16 **SECTION 5212g.** 885.237 (title) of the statutes is amended to read:

17 **885.237** (title) **Presumption Presumptions as to operation and**
18 **registration of motor vehicle.**

19 **SECTION 5212j.** 885.237 of the statutes is renumbered 885.237 (1).

20 **SECTION 5212k.** 885.237 (2) of the statutes is created to read:

21 885.237 (2) Notwithstanding s. 341.04, the fact that an automobile, station
22 wagon or any other vehicle having a gross vehicle weight rating of 8,000 pounds or
23 less is located on a highway, as defined in s. 340.01 (22), and is not displaying valid
24 registration plates, a temporary operation plate or other evidence of registration as

1 provided under s. 341.18 (1) is prima facie evidence, for purposes of ch. 341, that the
2 vehicle is an unregistered or improperly registered vehicle.

3 **SECTION 3632.** 887.23 (1) of the statutes is amended to read:

4 887.23 (1) WHO MAY REQUIRE. The department of health and social services, the
5 department of corrections, the ~~department of education~~ state superintendent of
6 public instruction or the board of regents of the university of Wisconsin system may
7 order the deposition of any witness to be taken concerning any institution under his,
8 her or its government or superintendence, or concerning the conduct of any officer
9 or agent thereof, or concerning any matter relating to the interests thereof. Upon
10 presentation of a certified copy of such order to any municipal judge, notary public
11 or court commissioner, the officer shall take the desired deposition in the manner
12 provided for taking depositions to be used in actions. When any officer or agent of
13 any institution is concerned and will be affected by the testimony, 2 days' written
14 notice of the time and place of taking the deposition shall be given him or her. Any
15 party interested may appear in person or by counsel and examine the witness
16 touching the matters mentioned in the order. The deposition, duly certified, shall be
17 delivered to the authority which ordered it.

18 **SECTION 3633.** 893.80 (8) of the statutes is amended to read:

19 893.80 (8) This section does not apply to actions commenced under s. 19.37 ~~or~~,
20 19.97 or 281.99.

21 **SECTION 3634.** 895.035 (2m) (b) of the statutes is amended to read:

22 895.035 (2m) (b) If a child fails to pay a forfeiture or surcharge as ordered by
23 a court assigned to exercise jurisdiction under chs. 48 and 938 or a forfeiture as
24 ordered by a municipal court or if it appears likely that the child will not pay the
25 forfeiture or surcharge as ordered, the representative of the public interest under s.

1 938.09, the agency, as defined in s. 938.38 (1) (a), supervising the child or the law
2 enforcement agency that issued the citation to the child may petition the court
3 assigned to exercise jurisdiction under chs. 48 and 938 to order that the amount of
4 the forfeiture or surcharge unpaid by the child be entered and docketed as a
5 judgment against the child and the parent with custody of the child and in favor of
6 the county or appropriate municipality. A petition under this paragraph may be filed
7 after the expiration of the dispositional order or sentence under which the forfeiture
8 or surcharge is payable, but no later than one year after the expiration of the
9 dispositional order or sentence or any extension of the dispositional order or
10 sentence.

11 **SECTION 3635.** 895.035 (2m) (bm) 1. of the statutes is amended to read:

12 895.035 **(2m)** (bm) 1. Before issuing an order under par. (a) or (b), the court
13 assigned to exercise jurisdiction under chs. 48 and 938 shall give the child and the
14 parent notice of the intent to issue the order and an opportunity to be heard
15 regarding the order. The court shall give the child and the parent an opportunity to
16 present evidence as to the amount of the restitution ~~or~~, forfeiture or surcharge
17 unpaid, but not as to the amount of the restitution ~~or~~, forfeiture or surcharge
18 originally ordered. The court shall also give the child and the parent an opportunity
19 to present evidence as to the reason for the failure to pay the restitution ~~or~~, forfeiture
20 or surcharge and the ability of the child or the parent to pay the restitution ~~or~~,
21 forfeiture or surcharge. In considering the ability of the child or the parent to pay
22 the restitution ~~or~~, forfeiture or surcharge, the court may consider the assets, as well
23 as the income, of the child or the parent and may consider the future ability of the
24 child or parent to pay the restitution ~~or~~, forfeiture or surcharge within the time
25 specified in s. 893.40.

1 **SECTION 3636.** 895.035 (2m) (c) of the statutes is amended to read:

2 895.035 **(2m)** (c) The court assigned to exercise jurisdiction under chs. 48 and
3 938 may order that the child perform community service work for a public agency or
4 nonprofit charitable organization that is designated by the court in lieu of making
5 restitution or paying the forfeiture or surcharge. If the parent agrees to perform
6 community service work in lieu of making restitution or paying the forfeiture or
7 surcharge, the court may order that the parent perform community service work for
8 a public agency or a nonprofit charitable organization that is designated by the court.
9 Community service work may be in lieu of restitution only if also agreed to by the
10 public agency or nonprofit charitable organization and by the person to whom
11 restitution is owed. The court may utilize any available resources, including any
12 community service work program, in ordering the child or parent to perform
13 community service work. The number of hours of community service work required
14 may not exceed the number determined by dividing the amount owed on the
15 restitution ~~or~~, forfeiture or surcharge by the minimum wage established under ch.
16 104 for adults in nonagriculture, nontipped employment. The court shall ensure that
17 the child or parent is provided with a written statement of the terms of the
18 community service order and that the community service order is monitored.

19 **SECTION 3637.** 895.055 (3) of the statutes is amended to read:

20 895.055 **(3)** This section does not apply to any promise, agreement, note, bill,
21 bond, mortgage, conveyance or other security that is permitted under chs. ~~561~~ 562
22 to 569 or under state or federal laws relating to the conduct of gaming on Indian
23 lands.

24 **SECTION 3638.** 895.056 (4) of the statutes is amended to read:

1 895.056 (4) This section does not apply to any property that is permitted to be
2 played, bet or wagered under chs. ~~561~~ 562 to 569 or under state or federal laws
3 relating to the conduct of gaming on Indian lands.

4 **SECTION 5227g.** 895.57 (3) of the statutes is amended to read:

5 895.57 (3) Subsection (2) does not apply to any humane officer, local health
6 officer, peace officer, employe of the department of natural resources while on any
7 land licensed under s. ~~29.52~~, 29.573, 29.574, 29.575 or 29.578 or designated as a
8 wildlife refuge under s. 29.57 (1) or employe of the department of agriculture, trade
9 and consumer protection if the officer's or employe's acts are in good faith and in an
10 apparently authorized and reasonable fulfillment of his or her duties.

11 **SECTION 3639.** 938.02 (2m) of the statutes is amended to read:

12 938.02 (2m) "Court", when used without further qualification, means the court
13 assigned to exercise jurisdiction under this chapter and ch. 48 or, when used with
14 reference to a juvenile who is subject to s. 938.183 (2), a court of criminal jurisdiction
15 or, when used with reference to a juvenile who is subject to s. 938.17 (2), a municipal
16 court.

17 **SECTION 3640.** 938.02 (10) of the statutes is amended to read:

18 938.02 (10) "Judge", if used without further qualification, means the judge of
19 the court assigned to exercise jurisdiction under this chapter and ch. 48 or, if used
20 with reference to a juvenile who is subject to s. 938.183 (2), the judge of the court of
21 criminal jurisdiction or, when used with reference to a juvenile who is subject to s.
22 938.17 (2), the judge of the municipal court.

23 **SECTION 3641.** 938.06 (1) (a) 1. of the statutes is amended to read:

24 938.06 (1) (a) 1. In counties with a population of 500,000 or more, the county
25 board of supervisors shall provide the court with the services necessary for

1 investigating and supervising cases under this chapter by operating a children's
2 court center under the supervision of a director who is appointed as provided in s.
3 46.21 (1m) (a). The director is the chief administrative officer of the center and of the
4 intake and probation sections and secure detention facilities of the center except as
5 otherwise provided in this subsection. The director is charged with administration
6 of the personnel and services of the sections and of the secure detention facilities, and
7 is responsible for supervising both the operation of the physical plant and the
8 maintenance and improvement of the buildings and grounds of the center. The
9 center shall include investigative services for all juveniles alleged to be in need of
10 protection or services to be provided by the county department, ~~and.~~ The center shall
11 also include the services of an assistant district attorney or assistant corporation
12 counsel or both, who shall be assigned to the center to provide investigative as well
13 as legal work in the cases under this chapter and ch. 48.

14 **SECTION 3642.** 938.06 (1) (a) 2. of the statutes is amended to read:

15 938.06 (1) (a) 2. The chief judge of the judicial administrative district shall
16 formulate written judicial policy governing intake and court services for juvenile
17 matters under this chapter and the director shall be charged with executing the
18 judicial policy. The chief judge shall direct and supervise the work of all personnel
19 of the court, except the work of the district attorney or corporation counsel assigned
20 to the court. The chief judge may delegate his or her supervisory functions under s.
21 938.065 (1).

22 **SECTION 3643.** 938.06 (1) (am) 1. of the statutes is amended to read:

23 938.06 (1) (am) 1. All intake workers beginning providing services under this
24 chapter who begin employment after May 15, 1980, shall have the qualifications
25 required to perform entry level social work in a county department and shall have

1 successfully completed 30 hours of intake training approved or provided by the
2 department prior to the completion of the first 6 months of employment in the
3 position. The department shall monitor compliance with this subdivision according
4 to rules promulgated by the department.

5 **SECTION 3644.** 938.06 (1) (am) 2. of the statutes is amended to read:

6 938.06 (1) (am) 2. The department shall make training programs available
7 annually that permit intake workers providing services under this chapter to satisfy
8 the requirements specified under subd. 1.

9 **SECTION 3645.** 938.06 (2) (a) of the statutes is amended to read:

10 938.06 (2) (a) In counties having less than 500,000 population, the county
11 board of supervisors shall authorize the county department or court or both to
12 provide intake services required by s. 938.067 and the staff needed to carry out the
13 objectives and provisions of this chapter under s. 938.069. Intake services under this
14 chapter shall be provided by employes of the court or county department and may
15 not be subcontracted to other individuals or agencies, except as provided in par. (am).
16 Intake workers shall be governed in their intake work, including their
17 responsibilities for recommending the filing of a petition and entering into a deferred
18 prosecution agreement, by general written policies which shall be formulated by the
19 circuit judges for the county, subject to the approval of the chief judge of the judicial
20 administrative district.

21 **SECTION 3646.** 938.06 (2) (am) 1. of the statutes is amended to read:

22 938.06 (2) (am) 1. Notwithstanding par. (a), any county which had intake
23 services under this chapter subcontracted from the county sheriff's department on
24 April 1, 1980, may continue to subcontract those intake services from the county
25 sheriff's department.

1 **SECTION 3647.** 938.06 (2) (am) 2. of the statutes is amended to read:

2 938.06 (2) (am) 2. Notwithstanding par. (a), any county in which the county
3 sheriff's department operates a secure detention facility may subcontract intake
4 services under this chapter from the county sheriff's department as provided in this
5 subdivision. If a county subcontracts intake services under this chapter from the
6 county sheriff's department, employes of the county sheriff's department who staff
7 the secure detention facility may make secure custody determinations under s.
8 938.208 between the hours of 6 p.m. and 6 a.m. and any determination under s.
9 938.208 made by an employe of the county sheriff's department shall be reviewed by
10 an intake worker employed by the court or county department within 24 hours after
11 that determination is made.

12 **SECTION 3648.** 938.06 (2) (b) 1. of the statutes is amended to read:

13 938.06 (2) (b) 1. All intake workers beginning providing services under this
14 chapter who begin employment after May 15, 1980, excluding county sheriff's
15 department employes who provide intake services under par. (am) 2., shall have the
16 qualifications required to perform entry level social work in a county department.
17 All intake workers beginning providing services under this chapter who begin
18 employment after May 15, 1980, including county sheriff's department employes
19 who provide intake services under par. (am) 2., shall have successfully completed 30
20 hours of intake training approved or provided by the department prior to the
21 completion of the first 6 months of employment in the position. The department shall
22 monitor compliance with this subdivision according to rules promulgated by the
23 department.

24 **SECTION 3649.** 938.06 (2) (b) 2. of the statutes is amended to read:

1 938.06 (2) (b) 2. The department shall make training programs available
2 annually that permit intake workers providing services under this chapter to satisfy
3 the requirements specified under subd. 1.

4 **SECTION 3650.** 938.183 (1m) (c) of the statutes is amended to read:

5 938.183 (1m) (c) If the juvenile is convicted of a lesser offense and if any of the
6 conditions specified in ~~s. 938.183 (2) (a) 1. or 2.~~ sub. (2) (a) or (b) applies, the court
7 of criminal jurisdiction may impose a criminal penalty or a disposition specified in
8 s. 938.34.

9 **SECTION 3651.** 938.183 (2) (a) of the statutes is renumbered 938.183 (2).

10 **SECTION 3652.** 938.183 (2) (b) of the statutes is renumbered 938.183 (3) and
11 amended to read:

12 938.183 (3) When a juvenile who is subject to a criminal penalty under ~~par. (a)~~
13 sub. (1m) or (2) attains the age of 17 years, the department may place the juvenile
14 in a state prison named in s. 302.01. If a juvenile who is subject to a criminal penalty
15 under sub. (1m) or (2) is 15 years of age or over, the department may transfer the
16 juvenile to the Racine youthful offender correctional facility named in s. 302.01 as
17 provided in s. 938.357 (4) (d). A juvenile who is subject to a criminal penalty under
18 ~~par. (a)~~ sub. (1m) or (2) is eligible for parole under s. 304.06.

19 **SECTION 3653.** 938.183 (2) (c) of the statutes is renumbered 938.183 (4) and
20 amended to read:

21 938.183 (4) If the juvenile is placed outside the juvenile's home under this
22 ~~subsection~~ section, the order shall contain, a designation of the amount of support,
23 if any, to be paid by the juvenile's parent, guardian or trustee, specifying that the
24 support obligation begins on the date of the placement, or a referral to the county

1 designee child support agency under s. ~~59.07 (97)~~ 59.53 (5) for establishment of child
2 support.

3 **SECTION 3654.** 938.22 (7) (a) of the statutes is amended to read:

4 938.22 (7) (a) No person may establish a shelter care facility without first
5 obtaining a license under s. 48.66 (1). To obtain a license under s. 48.66 (1) to operate
6 a shelter care facility, a person must meet the minimum requirements for a license
7 established by the department of health and family services under s. 48.67 and pay
8 the license fee under par. (b). A license issued under s. 48.66 (1) to operate a shelter
9 care facility is valid for ~~2 years after the date of issuance, unless sooner revoked or~~
10 ~~suspended~~ until revoked or suspended, but shall be reviewed every 2 years as
11 provided in s. 48.66 (5).

12 **SECTION 3655.** 938.22 (7) (b) of the statutes is amended to read:

13 938.22 (7) (b) Before the department of health and family services may issue
14 a license under s. 48.66 (1) to operate a shelter care facility, the shelter care facility
15 must pay to that department a biennial fee of \$50 ~~\$55~~, plus a biennial fee of \$15
16 ~~\$16.50~~ per juvenile, based on the number of juveniles that the shelter care facility
17 is licensed to serve. A shelter care facility that wishes to ~~renew~~ continue a license
18 issued under s. 48.66 (1) shall pay the fee under this paragraph by the ~~renewal~~
19 continuation date of the license. A new shelter care facility shall pay the fee under
20 this paragraph by no later than 30 days before the opening of the shelter care facility.

21 **SECTION 3656.** 938.22 (7) (b) of the statutes, as affected by 1997 Wisconsin Act
22 (this act), is repealed and recreated to read:

23 938.22 (7) (b) Before the department of health and family services may issue
24 a license under s. 48.66 (1) to operate a shelter care facility, the shelter care facility
25 must pay to that department a biennial fee of \$60.50, plus a biennial fee of \$18.15

1 per juvenile, based on the number of juveniles that the shelter care facility is licensed
2 to serve. A shelter care facility that wishes to continue a license issued under s. 48.66
3 (1) shall pay the fee under this paragraph by the continuation date of the license.
4 A new shelter care facility shall pay the fee under this paragraph by no later than
5 30 days before the opening of the shelter care facility.

6 **SECTION 3657.** 938.22 (7) (c) of the statutes is amended to read:

7 938.22 (7) (c) A shelter care facility that wishes to ~~renew~~ continue a license
8 issued under s. 48.66 (1) and that fails to pay the fee under par. (b) by the ~~renewal~~
9 continuation date of the license or a new shelter care facility that fails to pay the fee
10 under par. (b) by 30 days before the opening of the shelter care facility shall pay an
11 additional fee of \$5 per day for every day after the deadline that the facility fails to
12 pay the fee.

13 **SECTION 3658.** 938.223 (1) of the statutes is amended to read:

14 938.223 (1) The county board of supervisors of any county may contract with
15 one or more counties in Minnesota that operate a secure detention facility for the use
16 of one or more Minnesota secure detention facilities for the holding of juveniles who
17 meet the criteria under s. 48.208, 938.17 (1), 938.183 (1m) (a) or 938.208 or who are
18 subject to a disposition under s. 938.17 (1) (b) or 938.34 (3) (f), a sanction under s.
19 938.355 (6) (d) 1. or short-term detention under s. 938.355 (6d) or 938.534 (1).

20 **SECTION 3659.** 938.224 of the statutes is created to read:

21 **938.224 Contracts with department for secure detention facility**
22 **services.** (1) The county board of supervisors of any county may contract with the
23 department for the use of a secured correctional facility operated by the department
24 for the holding of juveniles who meet the criteria under s. 48.208, 938.17 (1), 938.183
25 (1m) (a) or 938.208 or who are subject to a disposition under s. 938.17 (1) (b) or 938.34

1 (3) (f), a sanction under s. 938.355 (6) (d) 1. or short-term detention under s. 938.355
2 (6d) or 938.534 (1).

3 (2) A contract under sub. (1) shall require all of the following:

4 (a) That the county may use a secured correctional facility for holding a juvenile
5 under sub. (1) only if any of the following criteria are met:

6 1. There is no county-operated secure detention facility approved by the
7 department within 40 miles of the county seat of the county.

8 2. There is no bed space available in a county-operated secure detention facility
9 approved by the department within 40 miles of the county seat of the county.

10 (b) That the county may use a secured correctional facility for holding a juvenile
11 under sub. (1) only if the department approves that use based on the availability of
12 beds in the secured correctional facility and on the programming needs of the
13 juvenile.

14 (3) In addition to the requirements under sub. (2), a contract under sub. (1)
15 shall include all of the following:

16 (a) The per person daily rate to be paid by the county for holding a juvenile
17 under sub. (1) and the charges to be paid by the county for any extraordinary medical
18 and dental expenses and any programming provided for the juvenile by the
19 department.

20 (b) Any other matters that are necessary and appropriate concerning the
21 obligations, responsibilities and rights of the contracting county and the
22 department.

23 (4) A juvenile held in custody under sub. (1) is under the supervision and
24 control of the department and is subject to the rules and discipline of the department.

25 **SECTION 5257m.** 938.30 (6) of the statutes is amended to read:

1 938.30 (6) If a petition is not contested, the court shall set a date for the
2 dispositional hearing which allows reasonable time for the parties to prepare but is
3 no more than 10 days from the plea hearing for a juvenile who is held in secure
4 custody and no more than 30 days from the plea hearing for a juvenile who is not held
5 in secure custody. If it appears to the court that disposition of the case may include
6 placement of the juvenile outside the juvenile's home, the court shall order the
7 juvenile's parent to provide a statement of income, assets, debts and living expenses
8 to the court or the designated agency under s. 938.33 (1) at least 5 days before the
9 scheduled date of the dispositional hearing or as otherwise ordered by the court. The
10 clerk of court shall provide, without charge, to any parent ordered to provide a
11 statement of income, assets, debts and living expenses a document setting forth the
12 percentage standard established by the department of ~~health and family services~~
13 workforce development under s. ~~46.25~~ 49.22 (9) and listing the factors that a court
14 may consider under s. 46.10 (14) (c). If all parties consent the court may proceed
15 immediately with the dispositional hearing. If a citation is not contested, the court
16 may proceed immediately to enter a dispositional order.

17 **SECTION 5258m.** 938.31 (7) of the statutes is amended to read:

18 938.31 (7) At the close of the fact-finding hearing, the court shall set a date for
19 the dispositional hearing which allows a reasonable time for the parties to prepare
20 but is no more than 10 days after the fact-finding hearing for a juvenile in secure
21 custody and no more than 30 days after the fact-finding hearing for a juvenile not
22 held in secure custody. If it appears to the court that disposition of the case may
23 include placement of the juvenile outside the juvenile's home, the court shall order
24 the juvenile's parent to provide a statement of income, assets, debts and living
25 expenses to the court or the designated agency under s. 938.33 (1) at least 5 days

1 before the scheduled date of the dispositional hearing or as otherwise ordered by the
2 court. The clerk of court shall provide, without charge, to any parent ordered to
3 provide a statement of income, assets, debts and living expenses a document setting
4 forth the percentage standard established by the department of health and family
5 services workforce development under s. ~~46.25~~ 49.22 (9) and listing the factors that
6 a court may consider under s. 46.10 (14) (c). If all parties consent, the court may
7 immediately proceed with a dispositional hearing.

8 **SECTION 3660.** 938.33 (3) (b) of the statutes is amended to read:

9 938.33 (3) (b) A recommendation for an amount of child support to be paid by
10 either or both of the juvenile's parents or for referral to the county designee child
11 support agency under s. ~~59.07 (97)~~ 59.53 (5) for the establishment of child support.

12 **SECTION 3661.** 938.33 (4) (b) of the statutes is amended to read:

13 938.33 (4) (b) A recommendation for an amount of child support to be paid by
14 either or both of the juvenile's parents or for referral to the county designee child
15 support agency under s. ~~59.07 (97)~~ 59.53 (5) for the establishment of child support.

16 **SECTION 3662.** 938.34 (8d) of the statutes is created to read:

17 938.34 (8d) DELINQUENCY VICTIM AND WITNESS ASSISTANCE SURCHARGE. (a) In
18 addition to any other disposition imposed under this section, the court shall impose
19 a delinquency victim and witness assistance surcharge of \$20.

20 (b) The clerk of court shall collect and transmit the amount to the county
21 treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to
22 the state treasurer under s. 59.25 (3) (f) 2.

23 (c) If a juvenile placed in a secured correctional facility or a secured child caring
24 institution fails to pay the surcharge under par. (a), the department shall assess and

1 collect the amount owed from the juvenile's wages or other moneys. Any amount
2 collected shall be transmitted to the state treasurer.

3 (d) If the juvenile fails to pay the surcharge under par. (a), the court may vacate
4 the surcharge and order other alternatives under this section, in accordance with the
5 conditions specified in this chapter; or the court may suspend any license issued
6 under ch. 29 for not less than 30 days nor more than 5 years, or suspend the juvenile's
7 operating privilege, as defined in s. 340.01 (40), for not less than 30 days nor more
8 than 5 years. If the court suspends any license under this subsection, the clerk of the
9 court shall immediately take possession of the suspended license and forward it to
10 the department which issued the license, together with a notice of suspension clearly
11 stating that the suspension is for failure to pay a surcharge imposed by the court.
12 If the surcharge is paid during the period of suspension, the suspension shall be
13 reduced to the time period which has already elapsed and the court shall
14 immediately notify the department which shall then return the license to the
15 juvenile.

16 **SECTION 3663.** 938.345 (1) (c) of the statutes is amended to read:

17 938.345 (1) (c) Order payment of a forfeiture or surcharge.

18 **SECTION 3664.** 938.355 (2) (b) 4. of the statutes is amended to read:

19 938.355 (2) (b) 4. If the juvenile is placed outside the juvenile's home, a
20 designation of the amount of support, if any, to be paid by the juvenile's parent,
21 guardian or trustee, specifying that the support obligation begins on the date of the
22 placement, or a referral to the county ~~designee~~ child support agency under s. ~~59.07~~
23 ~~(97)~~ 59.53 (5) for establishment of child support.

24 **SECTION 3665.** 938.357 (4) (b) 2. of the statutes is amended to read:

1 938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 child
2 caring institution under s. 938.34 (4d) violates a condition of his or her placement in
3 the Type 2 child caring institution, the child welfare agency operating the Type 2
4 child caring institution shall notify the county department that has supervision over
5 the juvenile and, if the county department agrees to a change in placement under this
6 subdivision, the child welfare agency shall notify the department and the
7 department, after consulting with the child welfare agency, may place the juvenile
8 in a Type 1 secured correctional facility under the supervision of the department,
9 without a hearing under sub. (1), for not more than 10 days. If a juvenile is placed
10 in a Type 1 secured correctional facility under this subdivision, the county
11 department that has supervision over the juvenile shall reimburse the child welfare
12 agency operating the Type 2 child caring institution in which the juvenile was placed
13 at the rate established under s. 46.037, and that child welfare agency shall reimburse
14 the department at the rate specified in s. 301.26 (4) (d) ~~3m.~~ 2., 3. or 4., whichever is
15 applicable, for the cost of the juvenile's care while placed in a Type 1 secured
16 correctional facility.

17 **SECTION 3666.** 938.357 (4) (d) of the statutes is created to read:

18 938.357 (4) (d) The department may transfer a juvenile who is subject to an
19 order under s. 48.366, 1993 stats., 938.183 or 938.34 (4h) and is placed in a Type 1
20 secured correctional facility to the Racine youthful offender correctional facility
21 named in s. 302.01 if the juvenile is 15 years of age or over and the office of juvenile
22 offender review in the department has determined that the conduct of the juvenile
23 in the Type 1 secured correctional facility presents a serious problem to the juvenile
24 or others. The factors that the office of juvenile offender review may consider in
25 making that determination shall include, but are not limited to, whether and to what

1 extent the juvenile's conduct in the Type 1 secured correctional facility is violent and
2 disruptive, the security needs of the Type 1 secured correctional facility and whether
3 and to what extent the juvenile is refusing to cooperate or participate in the
4 treatment programs provided for the juvenile in the Type 1 secured correctional
5 facility. Notwithstanding sub. (1), a juvenile is not entitled to a hearing regarding
6 the department's exercise of authority under this paragraph unless the department
7 provides for a hearing by rule. A juvenile may seek review of a decision of the
8 department under this paragraph only by the common law writ of certiorari. If the
9 department transfers a juvenile under this paragraph, the department shall send
10 written notice of the transfer to the parent, guardian, legal custodian and
11 committing court.

12 **SECTION 3667.** 938.357 (4g) (b) of the statutes is amended to read:

13 938.357 (4g) (b) The department may waive the time period within which an
14 aftercare plan must be prepared and submitted under par. (a) if the department
15 anticipates that the juvenile will remain in the secured correctional facility or
16 secured child caring institution for a period exceeding 8 months or if the juvenile is
17 subject to s. 48.366 or 938.183 (2). If the department waives that time period, the
18 aftercare provider designated under s. 938.34 (4n) shall prepare the aftercare plan
19 within 30 days after the date on which the department requests the aftercare plan.

20 **SECTION 5270m.** 938.357 (5m) of the statutes is amended to read:

21 938.357 (5m) If a proposed change in placement changes a juvenile's placement
22 from a placement in the juvenile's home to a placement outside the juvenile's home,
23 the court shall order the juvenile's parent to provide a statement of income, assets,
24 debts and living expenses to the court or the person or agency primarily responsible
25 for implementing the dispositional order by a date specified by the court. The clerk

1 of court shall provide, without charge, to any parent ordered to provide a statement
2 of income, assets, debts and living expenses a document setting forth the percentage
3 standard established by the department of ~~health and family services~~ workforce
4 development under s. ~~46.25~~ 49.22 (9) and listing the factors that a court may consider
5 under s. 46.10 (14) (c). If the juvenile is placed outside the juvenile's home, the court
6 shall determine the liability of the parent in the manner provided in s. 46.10 (14).

7 **SECTION 5271m.** 938.36 (1) (a) of the statutes is amended to read:

8 938.36 (1) (a) If legal custody is transferred from the parent or guardian or the
9 court otherwise designates an alternative placement for the juvenile by a disposition
10 made under s. 938.183 (2), 938.34 or 938.345 or by a change in placement under s.
11 938.357, the duty of the parent or guardian to provide support shall continue even
12 though the legal custodian or the placement designee may provide the support. A
13 copy of the order transferring custody or designating alternative placement for the
14 juvenile shall be submitted to the agency or person receiving custody or placement
15 and the agency or person may apply to the court for an order to compel the parent
16 or guardian to provide the support. Support payments for residential services, when
17 purchased or otherwise funded or provided by the department, or a county
18 department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, shall be determined under
19 s. 46.10 (14).

20 **SECTION 5272m.** 938.36 (1) (b) of the statutes is amended to read:

21 938.36 (1) (b) In determining the amount of support under par. (a), the court
22 may consider all relevant financial information or other information relevant to the
23 parent's earning capacity, including information reported under s. 49.22 (2m) to the
24 department of ~~health and family services~~ workforce development, or the county child
25 ~~and spousal~~ support agency, under s. ~~46.25 (2m)~~ 59.53 (5). If the court has

1 insufficient information with which to determine the amount of support, the court
2 shall order the juvenile’s parent to furnish a statement of income, assets, debts and
3 living expenses, if the parent has not already done so, to the court within 10 days
4 after the court’s order transferring custody or designating an alternative placement
5 is entered or at such other time as ordered by the court.

6 **SECTION 3668.** 938.365 (2g) (a) of the statutes is amended to read:

7 938.365 (2g) (a) At the hearing the person or agency primarily responsible for
8 providing services to the juvenile shall file with the court a written report stating to
9 what extent the dispositional order has been meeting the objectives of the plan for
10 the juvenile’s rehabilitation or care and treatment. The office of juvenile offender
11 review program may file a written report regarding any juvenile examined by the
12 program.

13 **SECTION 3669.** 938.48 (4) of the statutes is amended to read:

14 938.48 (4) Provide appropriate care and training for juveniles under its
15 supervision under s. 938.183, 938.34 (4h), (4m) or (4n) or 938.357 (4); including
16 serving those juveniles in their own homes, placing them in licensed foster homes or
17 licensed treatment foster homes in accordance with s. 48.63 or licensed group homes,
18 contracting for their care by licensed child welfare agencies or replacing them in
19 juvenile correctional institutions or secured child caring institutions in accordance
20 with rules promulgated under ch. 227, except that the department may not purchase
21 the educational component of private day treatment programs for juveniles in its
22 custody unless the department, the school board as defined in s. 115.001 (7) and the
23 secretary of education state superintendent of public instruction all determine that
24 an appropriate public education program is not available. Disputes between the

1 department and the school district shall be resolved by the ~~secretary of education~~
2 state superintendent of public instruction.

3 **SECTION 3670.** 938.48 (14) of the statutes is amended to read:

4 938.48 (14) Pay maintenance, tuition and related expenses from the
5 appropriation under s. 20.410 (3) ~~(am)~~ and (ho) for persons who when they reached
6 17 years of age were students regularly attending a school, college or university or
7 regularly attending a course of vocational or technical training designed to fit them
8 for gainful employment, and who when reaching that age were under the supervision
9 of the department under s. 938.183, 938.34 (4h), (4m) or (4n) or 938.357 (4) as a result
10 of a judicial decision.

11 **SECTION 3671.** 938.53 of the statutes is amended to read:

12 **938.53 Duration of control of department over delinquents.** Except as
13 provided under ss. 48.366 and 938.183, all juveniles adjudged delinquent who have
14 been placed under the supervision of the department under s. 938.183, 938.34 (4h),
15 ~~(4m)~~, ~~(4h)~~ or (4n) or 938.357 (4) shall be discharged as soon as the department
16 determines that there is a reasonable probability that it is no longer necessary either
17 for the rehabilitation and treatment of the juvenile or for the protection of the public
18 that the department retain supervision.

19 **SECTION 5280m.** 938.533 (2) of the statutes is amended to read:

20 938.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s.
21 20.410 (3) (hr), the department shall provide a corrective sanctions program to serve
22 an average daily population of ~~105~~ 106 juveniles in fiscal year 1997-98 and 136
23 juveniles in fiscal year 1998-99, or an average daily population of more than ~~105~~ 106
24 juveniles in fiscal year 1997-98 and 136 juveniles in fiscal year 1998-99 if the
25 appropriation under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and

1 the positions for the program are increased under s. 13.101 or 16.505 (2) or if funding
2 and positions to serve more than those average daily populations are otherwise
3 available, in not less than 3 counties, including Milwaukee County. The office of
4 juvenile offender review program in the department shall evaluate and select for
5 participation in the program juveniles who have been placed under the supervision
6 of the department under s. 938.183, 938.34 (4h) or (4m) or 938.357 (4). The
7 department shall place a program participant in the community, provide intensive
8 surveillance of that participant and provide an average of \$5,000 per year per slot
9 to purchase community-based treatment services for each participant. The
10 department shall make the intensive surveillance required under this subsection
11 available 24 hours a day, 7 days a week, and may purchase or provide electronic
12 monitoring for the intensive surveillance of program participants. The department
13 shall provide a report center in Milwaukee County to provide on-site programming
14 after school and in the evening for juveniles from Milwaukee County who are placed
15 in the corrective sanctions program. A contact worker providing services under the
16 program shall have a case load of approximately 10 juveniles and, during the initial
17 phase of placement in the community under the program of a juvenile who is
18 assigned to that contact worker, shall have not less than one face-to-face contact per
19 day with that juvenile. Case management services under the program shall be
20 provided by a corrective sanctions agent who shall have a case load of approximately
21 15 juveniles. The department shall promulgate rules to implement the program.

22 **SECTION 3672.** 938.538 (3) (a) 1. of the statutes is amended to read:

23 938.538 (3) (a) 1. Subject to subd. 1m., placement in a Type 1 secured
24 correctional facility, a secured child caring institution or, if the participant is 17 years

1 of age or over or 15 years of age or over and transferred under s. 938.357 (4) (d), a
2 Type 1 prison, as defined in s. 301.01 (5), for a period of not more than 3 years.

3 **SECTION 3673.** 938.538 (3) (a) 1m. of the statutes is amended to read:

4 938.538 (3) (a) 1m. If the participant has been adjudicated delinquent for
5 committing an act that would be a Class A felony if committed by an adult, placement
6 in a Type 1 secured correctional facility, a secured child caring institution or, if the
7 participant is 17 years of age or over or 15 years of age or over and transferred under
8 s. 938.357 (4) (d), a Type 1 prison, as defined in s. 301.01 (5), until the participant
9 reaches 25 years of age, unless the participant is released sooner, subject to a
10 mandatory minimum period of confinement of not less than one year.

11 **SECTION 3674.** 938.538 (5) (a) of the statutes is amended to read:

12 938.538 (5) (a) The office of juvenile offender review program in the division
13 of juvenile corrections in the department may release a participant to aftercare
14 supervision under s. 301.03 (10) (d) at any time after the participant has completed
15 2 years of participation in the serious juvenile offender program. Aftercare
16 supervision of the participant shall be provided by the department.

17 **SECTION 3675.** 938.538 (5) (c) of the statutes is amended to read:

18 938.538 (5) (c) Sections 938.357 and 938.363 do not apply to changes of
19 placement and revisions of orders for a juvenile who is a participant in the serious
20 juvenile offender program, except that s. 938.357 (4) (d) applies to the transfer of a
21 participant to the Racine youthful offender correctional facility named in s. 302.01.

22 **SECTION 3676.** 938.57 (1) (c) of the statutes is amended to read:

23 938.57 (1) (c) Provide appropriate protection and services for juveniles in its
24 care, including providing services for juveniles and their families in their own homes,
25 placing the juveniles in licensed foster homes, licensed treatment foster homes or

1 licensed group homes in this state or another state within a reasonable proximity to
2 the agency with legal custody or contracting for services for them by licensed child
3 welfare agencies or replacing them in juvenile correctional institutions or secured
4 child caring institutions in accordance with rules promulgated under ch. 227, except
5 that the county department may not purchase the educational component of private
6 day treatment programs unless the county department, the school board as defined
7 in s. 115.001 (7) and the ~~secretary of education~~ state superintendent of public
8 instruction all determine that an appropriate public education program is not
9 available. Disputes between the county department and the school district shall be
10 resolved by the ~~secretary of education~~ state superintendent of public instruction.

11 **SECTION 3677.** 938.57 (4) of the statutes is amended to read:

12 938.57 (4) A county department may provide aftercare supervision under s.
13 ~~48.34~~ 938.34 (4n) for juveniles who are released from secured correctional facilities
14 or secured child caring institutions operated by the department. If a county
15 department intends to change its policy regarding whether the county department
16 or the department shall provide aftercare supervision for juveniles released from
17 secured correctional facilities or secured child caring institutions operated by the
18 department, the county executive or county administrator, or, if the county has no
19 county executive or county administrator, the chairperson of the county board of
20 supervisors, or, for multicounty departments, the chairpersons of the county boards
21 of supervisors jointly, shall submit a letter to the department stating that intent
22 before July 1 of the year preceding the year in which the policy change will take effect.

23 **SECTION 5318m.** 943.13 (4m) (b) of the statutes is amended to read:

24 943.13 (4m) (b) A hunter entering land that is required to be open for hunting
25 under s. 29.59 (4m) or 29.598 (~~7m~~) (5).

1 **SECTION 3678.** 943.38 (1) (intro.) of the statutes is amended to read:

2 943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a
3 writing or object of any of the following kinds so that it purports to have been made
4 by another, or at another time, or with different provisions, or by authority of one who
5 did not give such authority, is guilty of a Class C felony may be penalized as provided
6 in sub. (1m):

7 **SECTION 3679.** 943.38 (1) (a) of the statutes is amended to read:

8 943.38 (1) (a) A writing or object whereby legal rights or obligations are
9 created, terminated or transferred, or any writing commonly relied upon in business
10 or commercial transactions as evidence of debt or property rights; ~~or~~

11 **SECTION 3680.** 943.38 (1) (b) of the statutes is amended to read:

12 943.38 (1) (b) A public record or a certified or authenticated copy thereof; ~~or of~~
13 a public record.

14 **SECTION 3681.** 943.38 (1) (c) of the statutes is amended to read:

15 943.38 (1) (c) An official authentication or certification of a copy of a public
16 record; ~~or~~

17 **SECTION 3682.** 943.38 (1m) of the statutes is created to read:

18 943.38 (1m) Whoever violates sub. (1):

19 (a) Is guilty of a Class A misdemeanor if the value or purported value,
20 whichever is greater, of the writing or object does not exceed \$1,000.

21 (b) Is guilty of a Class C felony if the value or purported value, whichever is
22 greater, of the writing or object exceeds \$1,000.

23 **SECTION 3683.** 943.38 (2) of the statutes is amended to read:

24 943.38 (2) Whoever utters as genuine or possesses with intent to utter as false
25 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have

1 been thus falsely made or altered, is guilty of a Class C felony if the value or
2 purported value, whichever is greater, of the writing or object exceeds \$1,000 and a
3 Class A misdemeanor if the value or purported value of the writing or object does not
4 exceed \$1,000.

5 **SECTION 5339j.** 943.75 (3) of the statutes is amended to read:

6 943.75 (3) Subsection (2) does not apply to any humane officer, local health
7 officer, peace officer, employe of the department of natural resources while on any
8 land licensed under s. ~~29.52~~, 29.573, 29.574, 29.575 or 29.578 or designated as a
9 wildlife refuge under s. 29.57 (1) or employe of the department of agriculture, trade
10 and consumer protection if the officer's or employe's acts are in good faith and in an
11 apparently authorized and reasonable fulfillment of his or her duties. This
12 subsection does not limit any other person from claiming the defense of privilege
13 under s. 939.45 (3).

14 **SECTION 3684.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

15 944.21 (8) (b) 3. a. Is a technical college, is a school approved by the department
16 of education educational approval board under s. ~~38.51~~ 39.51 or is a school described
17 in s. ~~38.51~~ 39.51 (9) (f), (g) or (h); and

18 **SECTION 3685.** 945.01 (5) (am) of the statutes is amended to read:

19 945.01 (5) (am) "Lottery" does not include bingo or a raffle conducted under ch.
20 563, pari-mutuel wagering conducted under ch. 562 or the state lottery or any
21 multistate multijurisdictional lottery conducted under ch. 565.

22 **SECTION 3686.** 945.095 (1) (d), (f), (g) and (h) of the statutes are amended to
23 read:

24 945.095 (1) (d) The person provides the gaming board department of
25 administration, prior to the importation of the gambling devices into the state, all

1 records that account for the gambling devices, including the identification number
2 affixed to each gambling device by the manufacturer, and that identify the location
3 where the gambling devices will be stored prior to the installation of the gambling
4 devices on the vessel.

5 (f) If the person removes used gambling devices from a vessel, the person shall
6 provide the ~~gaming board~~ department of administration with an inventory of the
7 used gambling devices prior to their removal from the vessel. The inventory shall
8 include the identification number affixed to each gambling device by the
9 manufacturer.

10 (g) The person submits documentation to the ~~gaming board~~ department of
11 administration, no later than 30 days after the date of delivery, that the vessel
12 equipped with gambling devices has been delivered to the customer who ordered the
13 work performed on the vessel.

14 (h) The person does not sell a gambling device to any other person except to a
15 customer who shall use or possess the gambling device outside of this state in a
16 locality where the use or possession of the gambling device is lawful. If a person sells
17 a gambling device to such a customer, the person shall submit documentation to the
18 ~~gaming board~~ department of administration, no later than 30 days after the date of
19 delivery, that the gambling device has been delivered to the customer.

20 **SECTION 3687.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

21 948.11 (4) (b) 3. a. Is a technical college, is a school approved by the ~~department~~
22 ~~of education~~ educational approval board under s. ~~38.51~~ 39.51 or is a school described
23 in s. ~~38.51~~ 39.51 (9) (f), (g) or (h); and

24 **SECTION 5348e.** 961.38 (2) of the statutes is amended to read:

1 961.38 (2) In emergency situations, as defined by rule of the pharmacy
2 examining board, schedule II drugs may be dispensed upon oral or electronic
3 prescription of a practitioner, reduced promptly to writing and filed by the pharmacy.
4 Prescriptions shall be retained in conformity with rules of the pharmacy examining
5 board promulgated under s. 961.31. No prescription for a schedule II substance may
6 be refilled.

7 **SECTION 5348m.** 961.38 (3) of the statutes is amended to read:

8 961.38 (3) Except when dispensed directly by a practitioner, other than a
9 pharmacy, to an ultimate user, a controlled substance included in schedule III or IV,
10 which is a prescription drug, shall not be dispensed without a written ~~or~~, oral or
11 electronic prescription of a practitioner. The prescription shall not be filled or refilled
12 except as designated on the prescription and in any case not more than 6 months
13 after the date thereof, nor may it be refilled more than 5 times, unless renewed by
14 the practitioner.

15 **SECTION 5348s.** 961.38 (5) of the statutes is amended to read:

16 961.38 (5) No practitioner shall prescribe, orally, electronically or in writing,
17 or take without a prescription a controlled substance included in schedule I, II, III
18 or IV for the practitioner's own personal use.

19 **SECTION 3688.** 967.02 (2) of the statutes is amended to read:

20 967.02 (2) "Department" means the department of corrections, except as
21 provided in ss. ~~973.135 (1) (a) and s.~~ 975.001.

22 **SECTION 3689.** 973.046 (1) (intro.) of the statutes is amended to read:

23 973.046 (1) (intro.) ~~Beginning on August 12, 1993, if~~ If a court imposes a
24 sentence or places a person on probation under any of the following circumstances,
25 the court shall impose a deoxyribonucleic acid analysis surcharge of \$250:

1 **SECTION 3690.** 973.046 (1) (a) of the statutes is amended to read:

2 973.046 (1) (a) The person violated s. 940.225, ~~943.10~~ or 948.02 (1) or (2).

3 **SECTION 3691.** 973.05 (1) of the statutes is amended to read:

4 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
5 permission for the payment of the fine, of the penalty assessment imposed by s.
6 165.87, the jail assessment imposed by s. 302.46 (1), the crime victim and witness
7 assistance surcharge under s. 973.045, the crime laboratories and drug law
8 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
9 analysis surcharge under s. 973.046, any applicable drug abuse program
10 improvement surcharge imposed by s. 961.41 (5), any applicable domestic abuse
11 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver
12 improvement surcharge imposed by s. 346.655, any applicable enforcement
13 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed
14 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),
15 any applicable environmental assessment imposed by s. 299.93, any applicable wild
16 animal protection assessment imposed by s. 29.9965, any applicable natural
17 resources assessment imposed by s. 29.997 and any applicable natural resources
18 restitution payment imposed by s. 29.998 to be made within a period not to exceed
19 120 days. If no such permission is embodied in the sentence, the fine, the penalty
20 assessment, the jail assessment, the crime victim and witness assistance surcharge,
21 the crime laboratories and drug law enforcement assessment, any applicable
22 deoxyribonucleic acid analysis surcharge, any applicable drug abuse program
23 improvement surcharge, any applicable domestic abuse assessment, any applicable
24 driver improvement surcharge, any applicable enforcement assessment, any
25 applicable weapons assessment, any applicable uninsured employer assessment,

1 any applicable environmental assessment, any applicable wild animal protection
2 assessment, any applicable natural resources assessment and any applicable
3 natural resources restitution payment shall be payable immediately.

4 **SECTION 3692.** 973.05 (2) of the statutes is amended to read:

5 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on
6 probation, the court may make the payment of the fine, the penalty assessment, the
7 jail assessment, the crime victim and witness assistance surcharge, the crime
8 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
9 acid analysis surcharge, any applicable drug abuse program improvement
10 surcharge, any applicable domestic abuse assessment, any applicable uninsured
11 employer assessment, any applicable driver improvement surcharge, any applicable
12 enforcement assessment under s. 253.06 (4) (c), any applicable weapons assessment,
13 any applicable environmental assessment, any applicable wild animal protection
14 assessment, any applicable natural resources assessment and any applicable
15 natural resources restitution payments a condition of probation. When the
16 payments are made a condition of probation by the court, payments thereon shall be
17 applied first to payment of the penalty assessment until paid in full, shall then be
18 applied to the payment of the jail assessment until paid in full, shall then be applied
19 to the payment of part A of the crime victim and witness assistance surcharge until
20 paid in full, shall then be applied to part B of the crime victim and witness assistance
21 surcharge until paid in full, shall then be applied to the crime laboratories and drug
22 law enforcement assessment until paid in full, shall then be applied to the
23 deoxyribonucleic acid analysis surcharge until paid in full, shall then be applied to
24 the drug abuse improvement surcharge until paid in full, shall then be applied to
25 payment of the driver improvement surcharge until paid in full, shall then be applied

1 to payment of the domestic abuse assessment until paid in full, shall then be applied
2 to payment of the natural resources assessment if applicable until paid in full, shall
3 then be applied to payment of the natural resources restitution payment until paid
4 in full, shall then be applied to the payment of the environmental assessment if
5 applicable until paid in full, shall then be applied to the payment of the wild animal
6 protection assessment if applicable until paid in full, shall then be applied to
7 payment of the weapons assessment until paid in full, shall then be applied to
8 payment of the uninsured employer assessment until paid in full, shall then be
9 applied to payment of the enforcement assessment under s. 253.06 (4) (c), if
10 applicable, until paid in full and shall then be applied to payment of the fine.

11 **SECTION 3693.** 973.05 (5) (a) of the statutes is amended to read:

12 973.05 (5) (a) Upon entry of the assignment under sub. (4) (b), unless the court
13 finds that income withholding is likely to cause the defendant irreparable harm, the
14 court shall provide notice of the assignment by regular mail to the last-known
15 address of the person from whom the defendant receives or will receive money. If the
16 clerk does not receive the money from the person notified, the court shall provide
17 notice of the assignment to any other person from whom the defendant receives or
18 will receive money. Notice under this paragraph may be a notice of the court, a copy
19 of the executed assignment or a copy of that part of the court order directing payment.
20 If the court issues an order under sub. (4) (b) assigning lottery prizes, the court shall
21 send the notice of that order to the administrator of the lottery division of the ~~gaming~~
22 ~~commission~~ department of revenue, including a statement of the amount owed under
23 the judgment and the name and address of the person owing the judgment. The court
24 shall notify the administrator of the lottery division of the ~~gaming commission~~

1 department of revenue when the judgment that is the basis of the assignment has
2 been paid in full.

3 **SECTION 3694.** 973.055 (3) of the statutes is amended to read:

4 973.055 (3) All moneys collected from domestic abuse assessments shall be
5 deposited by the state treasurer in s. 20.435 (1) (3) (hh) and utilized in accordance
6 with s. 46.95.

7 **SECTION 3695.** 973.07 of the statutes is amended to read:

8 **973.07 Failure to pay fine or costs or to comply with certain**
9 **community service work.** If the fine, costs, penalty assessment, jail assessment,
10 crime victim and witness assistance surcharge, crime laboratories and drug law
11 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,
12 applicable drug abuse program improvement surcharge, applicable domestic abuse
13 assessment, applicable driver improvement surcharge, applicable enforcement
14 assessment under s. 253.06 (4) (c), applicable weapons assessment, applicable
15 uninsured employer assessment, applicable environmental assessment, applicable
16 wild animal protection assessment, applicable natural resources assessment and
17 applicable natural resources restitution payments are not paid or community service
18 work under s. 943.017 (3) is not completed as required by the sentence, the defendant
19 may be committed to the county jail until the fine, costs, penalty assessment, jail
20 assessment, crime victim and witness assistance surcharge, crime laboratories and
21 drug law enforcement assessment, applicable deoxyribonucleic acid analysis
22 surcharge, applicable drug abuse program improvement surcharge, applicable
23 domestic abuse assessment, applicable driver improvement surcharge, applicable
24 enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment,
25 applicable uninsured employer assessment, applicable environmental assessment,

1 applicable wild animal protection assessment, applicable natural resources
2 assessment or applicable natural resources restitution payments are paid or
3 discharged, or the community service work under s. 943.017 (3) is completed, for a
4 period fixed by the court not to exceed 6 months.

5 **SECTION 3696.** 973.09 (3) (b) of the statutes is amended to read:

6 973.09 (3) (b) The department shall notify the sentencing court, any person to
7 whom unpaid restitution is owed and the district attorney of the status of the ordered
8 restitution payments unpaid at least 90 days before the probation expiration date.
9 If payment as ordered has not been made, the court shall hold a probation review
10 hearing prior to the expiration date, unless the hearing is voluntarily waived by the
11 probationer with the knowledge that waiver may result in an extension of the
12 probation period or in a revocation of probation. If the court does not extend
13 probation, it shall issue a judgment for the unpaid restitution and direct the clerk
14 of circuit court to file and enter the judgment in the judgment and lien docket,
15 without fee, unless it finds that the victim has already recovered a judgment against
16 the probationer for the damages covered by the restitution order. If the court issues
17 a judgment for the unpaid restitution, the court shall send to the person at his or her
18 last-known address written notification that a civil judgment has been issued for the
19 unpaid restitution. The judgment has the same force and effect as judgments
20 entered under s. 806.10.

21 **SECTION 3697.** 973.09 (3) (bm) of the statutes is created to read:

22 973.09 (3) (bm) 1. At least 90 days before the expiration date of a probationer's
23 period of probation, the department may notify the sentencing court and the district
24 attorney that a probationer owes unpaid fees to the department under s. 304.073 or
25 304.074.

1 2. Upon receiving notice from the department under subd. 1., the court shall
2 schedule a probation review hearing to be held before the expiration date of the
3 period of probation unless the probationer either pays the fees before the scheduled
4 hearing date or voluntarily waives the hearing. A waiver of a probation review
5 hearing under this subdivision shall include an acknowledgement by the probationer
6 that waiver may result in an extension of the probation period, a modification of the
7 terms and conditions of probation or a revocation of probation.

8 3. At a probation review hearing under subd. 2., the department has the burden
9 of proving that the probationer owes unpaid fees under s. 304.073 or 304.074 and the
10 amount of the unpaid fees. If the department proves by a preponderance of the
11 evidence that the probationer owes unpaid fees under s. 304.073 or 304.074, the court
12 may, by order, extend the period of probation for a stated period, modify the terms
13 and conditions of probation or revoke the probationer's probation.

14 4. If the court does not extend, revoke or modify the terms of probation under
15 subd. 3., it shall issue a judgment for the unpaid fees and direct the clerk of circuit
16 court to file and enter the judgment in the judgment and lien docket, without fee.
17 If the court issues a judgment for the unpaid fees, the court shall send to the
18 department a written notification that a civil judgment has been issued for the
19 unpaid fees. The judgment has the same force and effect as judgments entered under
20 s. 806.10.

21 **SECTION 3698.** 973.09 (3) (c) 1. and 2. of the statutes are amended to read:

22 973.09 (3) (c) 1. The probationer has not made a good faith effort to discharge
23 court-ordered payment obligations or to pay fees owed under s. 304.073 or 304.074.

24 2. The probationer is not presently able to make required restitution payments
25 and the probationer and the person to whom restitution is owed consent to the

1 performance of community service work under sub. (7m) in satisfaction of restitution
2 ordered for that person, for which an extended period of probation is required.

3 **SECTION 3699.** 973.135 (title) of the statutes is amended to read:

4 **973.135 (title) Courts to report convictions to the department of**
5 **education state superintendent of public instruction.**

6 **SECTION 3700.** 973.135 (1) (a) of the statutes is repealed.

7 **SECTION 3701.** 973.135 (1) (am) of the statutes is renumbered 973.135 (1) (a).

8 **SECTION 3702.** 973.135 (1) (b) of the statutes is created to read:

9 973.135 (1) (b) "State superintendent" means the state superintendent of
10 public instruction.

11 **SECTION 3703.** 973.135 (2) of the statutes is amended to read:

12 973.135 (2) If a court determines that a person convicted of a crime specified
13 in ch. 948, including a crime specified in s. 948.015, a felony for which the maximum
14 term of imprisonment is at least 5 years, 4th degree sexual assault under s. 940.225
15 (3m) or a crime in which the victim was a child, is employed by an educational agency,
16 the clerk of the court in which such conviction occurred shall promptly forward to the
17 ~~department~~ state superintendent the record of conviction.

18 **SECTION 3704.** 973.135 (3) of the statutes is amended to read:

19 973.135 (3) If a conviction under sub. (2) is reversed, set aside or vacated, the
20 clerk of the court shall promptly forward to the ~~department~~ state superintendent a
21 certificate stating that the conviction has been reversed, set aside or vacated.

22 **SECTION 3705.** 977.08 (5) (b) (intro.) of the statutes is amended to read:

23 977.08 (5) (b) (intro.) ~~Any~~ Except as provided in par. (bn), any of the following
24 constitutes an annual caseload standard for an assistant state public defender in the
25 subunit responsible for trials:

1 **SECTION 3706.** 977.08 (5) (bn) of the statutes is created to read:

2 977.08 (5) (bn) Beginning on the effective date of this paragraph [revisor
3 inserts date], and ending on June 30, 1999, any of the following constitutes an annual
4 caseload standard for an assistant state public defender in the subunit responsible
5 for trials:

6 1. Felony cases not specified in subd. 1m.: 184.5.

7 1m. First-degree intentional homicide cases: 15.

8 1r. Cases representing persons under ss. 980.05 and 980.06: 15.

9 2. Misdemeanor cases: 492.

10 3. Cases not covered under subd. 1., 1m., 1r. or 2.: 246.

11 **SECTION 5484m.** 978.045 (1r) (e) of the statutes is amended to read:

12 978.045 (1r) (e) The district attorney is physically unable to attend to his or her
13 duties or has a mental incapacity that impairs his or her ability to substantially
14 perform his or her duties.

15 **SECTION 5485c.** 978.12 (5) (b) of the statutes is amended to read:

16 978.12 (5) (b) *Employes generally.* District attorneys and state employes of the
17 office of district attorney shall be included within the provisions of the Wisconsin
18 retirement system under ch. 40 as a participating employe of that office, except that
19 the district attorney and state employes of the office of district attorney in a county
20 having a population of 500,000 or more have the option provided under ~~par. (e)~~ s.
21 978.12 (5) (c), 1995 stats.

22 **SECTION 5485g.** 978.12 (5) (c) 5. of the statutes is repealed.

23 **SECTION 5485n.** 978.12 (6) of the statutes is renumbered 978.12 (6) (a) and
24 amended to read:

1 978.12 (6) (a) District attorneys and state employes of the office of district
2 attorney shall be included within all insurance benefit plans under ch. 40, except as
3 authorized in this ~~subsection~~ paragraph. Alternatively, the state shall provide
4 insurance benefit plans for district attorneys and state employes in the office of
5 district attorney in the manner provided in this ~~subsection~~ paragraph. A district
6 attorney or other employe of the office of district attorney who was employed in that
7 office as a county employe on December 31, 1989, and who received any form of fringe
8 benefits other than a retirement, deferred compensation or employe-funded
9 reimbursement account plan as a county employe, as defined by that county
10 pursuant to the county's personnel policies, or pursuant to a collective bargaining
11 agreement in effect on January 1, 1990, or the most recent collective bargaining
12 agreement covering represented employes who are not covered by such an
13 agreement, may elect to continue to be covered under all such fringe benefit plans
14 provided by the county after becoming a state employe. In a county having a
15 population of 500,000 or more, the fringe benefit plans shall include health insurance
16 benefits fully paid by the county for each retired employe who, on or after December
17 31, 1989, attains at least 15 years of service in the office of district attorney of that
18 county, whether or not the service is as a county employe, for the duration of the
19 employe's life. An employe may make an election under this ~~subsection~~ paragraph
20 no later than January 31, 1990, except that an employe who serves as an assistant
21 district attorney in a county having a population of 500,000 or more may make an
22 election under this ~~subsection~~ paragraph no later than March 1, 1990. An election
23 under this ~~subsection~~ paragraph shall be for the duration of the employe's
24 employment in the office of district attorney for the same county by which the
25 employe was employed or until the employe terminates the election under this

1 ~~subsection~~ paragraph, at the same cost to the county as the county incurs for a
2 similarly situated county employe. ~~If Subject to par. (b), if~~ the employer's cost for
3 such fringe benefits for any such employe is less than or equal to the cost for
4 comparable coverage under ch. 40, if any, the state shall reimburse the county for
5 that cost. ~~If Subject to par. (b), if~~ the employer's cost for such fringe benefits for any
6 such employe is greater than the cost for comparable coverage under ch. 40, the state
7 shall reimburse the county for the cost of comparable coverage under ch. 40 and the
8 county shall pay the remainder of the cost. The cost of comparable coverage under
9 ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employes
10 in the office of the state public defender, as contained in budget determinations
11 approved by the joint committee on finance or the legislature under the biennial
12 budget act for the period during which the costs are incurred. An employe who makes
13 the election under this ~~subsection~~ paragraph may terminate that election, and shall
14 then be included within all insurance benefit plans under ch. 40, except that the
15 department of employe trust funds may require prior written notice, not exceeding
16 one year's duration, of an employe's intent to be included under any insurance benefit
17 plan under ch. 40.

18 **SECTION 5485r.** 978.12 (6) (b) of the statutes is created to read:

19 978.12 **(6)** (b) 1. Beginning in the 1997-98 fiscal year and ending in the 2006-07
20 fiscal year, the state shall in each fiscal year reduce its reimbursement of the
21 employer's cost for fringe benefits under par. (a) by an amount that equals the
22 amount paid by the department of administration to the Wisconsin retirement
23 system under s. 40.05 (2) (bz) 3.

1 2. In the 1997-98 fiscal year and the 1998-99 fiscal year, after making the
2 reduction specified under subd. 1., the state shall increase its reimbursement of the
3 employer's cost for fringe benefits under par. (a) by \$50,000.

4 **SECTION 5485w.** 978.12 (6) (c) of the statutes is created to read:

5 978.12 (6) (c) A county having a population of 500,000 or more may not reduce
6 the fringe benefits of any assistant district attorney granted creditable service under
7 s. 40.02 (17) (gm) to compensate for the reduction in the state's reimbursement of the
8 employer's cost for fringe benefits under par. (b).

9 **SECTION 3707.** 978.13 (1) (b) of the statutes is amended to read:

10 978.13 (1) (b) In counties having a population of 500,000 or more, the salary
11 and fringe benefit costs of 2 clerk positions providing clerical services to the
12 prosecutors in the district attorney's office handling cases involving felony violations
13 under ch. 961. The state treasurer shall pay the amount authorized under this
14 paragraph to the county treasurer pursuant to a voucher submitted by the district
15 attorney to the department of administration from the appropriation under s. 20.475
16 (1) ~~(h)~~ (i). The amount paid under this paragraph may not exceed ~~\$65,800~~ \$70,500
17 in the ~~1995-96~~ 1997-98 fiscal year and ~~\$68,100~~ \$73,000 in the ~~1996-97~~ 1998-99
18 fiscal year.

19 **SECTION 3708.** 978.13 (1) (c) of the statutes is amended to read:

20 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
21 fringe benefit costs of clerk positions in the district attorney's office necessary for the
22 prosecution of violent crime cases primarily involving felony violations under s.
23 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
24 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall
25 pay the amount authorized under this paragraph to the county treasurer pursuant

1 to a voucher submitted by the district attorney to the secretary of administration
2 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph
3 may not exceed ~~\$82,600~~ \$88,500 in the ~~1995-96~~ 1997-98 fiscal year and ~~\$85,500~~
4 \$91,600 in the ~~1996-97~~ 1998-99 fiscal year.

5 **SECTION 5491b.** 980.02 (5) of the statutes is created to read:

6 980.02 (5) Notwithstanding sub. (4), if the department of justice decides to file
7 a petition under sub. (1) (a), it may file the petition in the circuit court for Dane
8 County.

9 **SECTION 5491c.** 980.06 (2) (b) of the statutes is amended to read:

10 980.06 (2) (b) An order for commitment under this section shall specify either
11 institutional care ~~in a secure mental health unit or facility, as provided under s.~~
12 ~~980.065, or other facility~~ or supervised release. In determining whether
13 commitment shall be for institutional care ~~in a secure mental health unit or facility~~
14 ~~or other facility~~ or for supervised release, the court may consider, without limitation
15 because of enumeration, the nature and circumstances of the behavior that was the
16 basis of the allegation in the petition under s. 980.02 (2) (a), the person's mental
17 history and present mental condition, where the person will live, how the person will
18 support himself or herself, and what arrangements are available to ensure that the
19 person has access to and will participate in necessary treatment. The department
20 shall arrange for control, care and treatment of the person in the least restrictive
21 manner consistent with the requirements of the person and in accordance with the
22 court's commitment order.

23 **SECTION 5491g.** 980.065 (title) of the statutes is amended to read:

24 **980.065** (title) ~~Secure mental health unit or facility~~ **Institutional care**
25 **for sexually violent persons.**

1 **SECTION 5491L.** 980.065 (1) (intro.), (a) and (b) of the statutes are consolidated,
2 renumbered 980.065 (1m) and amended to read:

3 980.065 **(1m)** The department shall may place a person committed to a secure
4 ~~mental health unit or facility~~ institutional care under s. 980.06 (2) (b) at ~~one of the~~
5 ~~following:~~ ~~(a) The a mental health unit or facility, including a secure mental health~~
6 ~~unit or facility at the~~ Wisconsin resource center established under s. 46.056. ~~(b) A~~
7 ~~or a secure mental health unit or facility provided by the department of corrections~~
8 under sub. (2).

9 **SECTION 5491p.** 980.065 (2) of the statutes is amended to read:

10 980.065 **(2)** The department may contract with the department of corrections
11 for the provision of a secure mental health unit or facility for persons committed to
12 institutional care under s. 980.06 (2) (b) ~~to a secure mental health unit or facility.~~
13 The department shall operate a secure mental health unit or facility provided by the
14 department of corrections under this subsection and shall promulgate rules
15 governing the custody and discipline of persons placed by the department in the
16 secure mental health unit or facility provided by the department of corrections under
17 this subsection.

18 **SECTION 5491t.** 980.08 (1) of the statutes is amended to read:

19 980.08 **(1)** Any person who is committed ~~for~~ to institutional care ~~in a secure~~
20 ~~mental health unit or facility or other facility~~ under s. 980.06 may petition the
21 committing court to modify its order by authorizing supervised release if at least 6
22 months have elapsed since the initial commitment order was entered, the most
23 recent release petition was denied or the most recent order for supervised release was
24 revoked. The director of the facility at which the person is placed may file a petition
25 under this subsection on the person's behalf at any time.

1 **SECTION 5491x.** 980.08 (4) of the statutes is amended to read:

2 980.08 (4) The court, without a jury, shall hear the petition within 30 days after
3 the report of the court-appointed examiner is filed with the court, unless the
4 petitioner waives this time limit. Expenses of proceedings under this subsection
5 shall be paid as provided under s. 51.20 (18). The court shall grant the petition unless
6 the state proves by clear and convincing evidence that the person is still a sexually
7 violent person and that it is still substantially probable that the person will engage
8 in acts of sexual violence if the person is not ~~confined in a secure mental health unit~~
9 ~~or facility~~ continued in institutional care. In making a decision under this
10 subsection, the court may consider, without limitation because of enumeration, the
11 nature and circumstances of the behavior that was the basis of the allegation in the
12 petition under s. 980.02 (2) (a), the person's mental history and present mental
13 condition, where the person will live, how the person will support himself or herself
14 and what arrangements are available to ensure that the person has access to and will
15 participate in necessary treatment.

16 **SECTION 3709.** 1995 Wisconsin Act 27, section 9126 (26j) (a) is renumbered
17 46.705 of the statutes and amended to read:

18 **46.705 Contract with Red Cliff Band of Lake Superior Chippewas. (1)**
19 The department of ~~health and social services~~ shall ~~establish~~ administer a pilot
20 project under which the Red Cliff Band of Lake Superior Chippewas may directly
21 negotiate a contract with the department of ~~health and social services~~ to provide
22 certain social services for tribal members who reside within the boundaries of the
23 reservation of the Red Cliff Band of Lake Superior Chippewas. Specific programs,
24 services and funding levels that are to be provided under the project shall be
25 determined by negotiations between the department of ~~health and social services~~

1 and the Red Cliff Band of Lake Superior Chippewas and shall be specified in the
2 contract. As a condition of the contract, the Red Cliff Band of Lake Superior
3 Chippewas shall contract for performance of an independent evaluation of the
4 project.

5 (2) This section does not apply after June 30, 1999.

6 **SECTION 3710.** 1995 Wisconsin Act 27, section 9126 (26j) (b) is repealed.

7 **SECTION 5503g.** 1995 Wisconsin Act 27, section 9142 (10j) is renumbered 30.92
8 (4r) of the statutes and amended to read:

9 30.92 (4r) (title) ~~RECREATIONAL BOATING PROJECTS; DAM RENOVATION AND REPAIR~~
10 CHAIR FACTORY DAM. Of the amounts appropriated under section ~~s.~~ 20.370 (5) (cq) of
11 ~~the statutes, as affected by this act, and before applying the percentages under~~
12 ~~section 30.92 sub. (4) (b) 6. of the statutes, the department of natural resources shall~~
13 ~~expend in fiscal year 1995-96 the amount that is necessary for the renovation and~~
14 ~~repair or the removal of the Chair Factory Dam in Grafton, but the amount shall not~~
15 ~~exceed \$264,000. Notwithstanding section 30.92 sub. (1) (c) of the statutes, the dam~~
16 ~~project specified under this subsection is a recreational boating facility for the~~
17 ~~purpose of expending moneys under this subsection. The dam section. This project~~
18 ~~specified under this subsection is exempt from being need not be placed on the~~
19 ~~priority list under section 30.92 sub. (3) (a) of the statutes.~~

20 **SECTION 5503m.** 1995 Wisconsin Act 92, section 10 (1) is repealed and
21 recreated to read:

22 [1995 Wisconsin Act 92] Section 10 (1) This act first applies to a person for
23 whom a petition for protective placement under section 55.06 (2) of the statutes is
24 filed on December 16, 1995, except that, for persons protectively placed under
25 chapter 55 of the statutes for whom the petition for protective placement was filed

1 before December 16, 1995, this act first applies to a person for whom a petition under
2 section 55.06 (10) (b) of the statutes or a report concerning a periodic reexamination
3 of the protective placement is filed with a court on the date specified in section 9400
4 of the 1997-99 biennial budget act.

5 **SECTION 3711.** 1995 Wisconsin Act 113, section 9155 (4m) (title) is renumbered
6 85.105 (title) of the statutes and amended to read:

7 **85.105** (title) **Department Sale of motor vehicle records.**

8 **SECTION 3712.** 1995 Wisconsin Act 113, section 9155 (4m) (a) is renumbered
9 85.105 (1) of the statutes and amended to read:

10 85.105 (1) Notwithstanding section ~~s.~~ 343.24 (2m) of the statutes, as affected
11 by this act, the department of transportation may contract with a person to
12 periodically furnish that person with any records on computer tape or other
13 electronic media that contain information from files of motor vehicle accidents or
14 uniform traffic citations and which were produced for or developed by the
15 department for purposes related to maintenance of the operating record file data
16 base. The department and the person desiring to contract with the department shall
17 make a good faith effort to negotiate the purchase price for the records to be provided
18 under this paragraph. ~~No record may be furnished under this subsection after June~~
19 ~~30, 1997~~ section.

20 **SECTION 5505g.** 1995 Wisconsin Act 113, section 9155 (4m) (b) is renumbered
21 85.105 (2) (a) of the statutes and amended to read:

22 85.105 (2) (a) ~~The department of transportation shall, no later than March 1,~~
23 ~~1996, submit a report to each member of the joint committee on finance summarizing~~
24 ~~the terms and conditions of any contract entered into under paragraph (a). If~~
25 Whenever the department enters into a contract under paragraph (a) after March

1 ~~1, 1996 sub. (1)~~, the department shall, prior to the next regular quarterly meeting
2 of the joint committee on finance, submit to each member of that committee a report
3 summarizing the terms and conditions of that contract.

4 **SECTION 5505m.** 1995 Wisconsin Act 113, section 9155 (4m) (c) is renumbered
5 85.105 (2) (b) of the statutes and amended to read:

6 85.105 (2) (b) If, during the period of any contract entered into under ~~paragraph~~
7 ~~(a) sub. (1)~~, the department determines that ~~the cost of providing operators' records,~~
8 uniform traffic citations and motor vehicle accident reports under this subsection
9 and section 343.24 (2m) of the statutes, ~~as affected by this act, exceeds~~ has reduced
10 the total revenues received from the sale of those records and operator's records
11 under s. 343.24 (2m), the department shall submit a report to each member of the
12 joint committee on finance summarizing the expenditures and revenues related to
13 the sale of ~~those records~~ under this section and under s. 343.24 (2m).

14 **SECTION 3713.** 1995 Wisconsin Act 113, section 9155 (4m) (d) is repealed.

15 **SECTION 3714.** 1995 Wisconsin Act 289, section 275 (6) is amended to read:

16 [1995 Wisconsin Act 289] Section 275 (6) KINSHIP CARE ASSESSMENTS AND
17 BACKGROUND INVESTIGATIONS. Beginning on July 1, 1996, each county department of
18 human services or social services under sections 46.215, 46.22 and 46.23 of the
19 statutes, when conducting its regularly scheduled reinvestigation under section
20 49.19 (5) (e) of the statutes of each nonlegally responsible relative who is providing
21 care for a dependent child, as defined in section 49.19 (1) (a) of the statutes, under
22 a program administered by that county department, shall assess and conduct a
23 background investigation of the relative to determine if the relative is eligible to
24 receive kinship care payments under section 48.57 (3m) (am) of the statutes, as
25 created by this act. Immediately after conducting the assessment and background

1 investigation, each county department of human services or social services under
2 section 46.215, 46.22 and 46.23 of the statutes shall end income maintenance
3 payments under section 49.33 of the statutes to the nonlegally responsible relative
4 and, if the relative is determined to be eligible to receive kinship care payments
5 under section 48.57 (3m) (am) of the statutes, as created by this act, the department
6 of ~~industry, labor and job development~~ health and family services shall begin making
7 those kinship care payments or, if the relative is determined eligible to receive foster
8 care payments under section 48.62 (4) of the statutes, the county department shall
9 begin making those foster care payments. Each county department of human
10 services or social services under sections 46.215, 46.22 and 46.23 shall complete all
11 of the assessments and background investigations required under this subsection
12 and shall end all income maintenance payments under section 49.33 of the statutes
13 to those relatives by ~~July 1, 1997~~ December 31, 1997, or if a county department under
14 section 46.215 of the statutes is unable to complete all of those assessments and
15 background investigations and to end all of those payments by December 31, 1997,
16 the county department shall notify the department of health and family services of
17 that inability and that department shall assist the county department in completing
18 all of those assessments and background investigations and shall require the county
19 department to end those payments by December 31, 1997.

20 **SECTION 3715.** 1995 Wisconsin Act 351, section 41 (1) is amended to read:

21 [1995 Wisconsin Act 351] Section 41 (1) RECONCILIATION. ~~Cellular mobile radio~~
22 ~~telecommunications utilities~~ Persons that provide commercial mobile service and
23 telephone companies that provide basic local exchange service shall reconcile their
24 first payments under subchapter V of chapter 76 of the statutes, as created by this
25 act, to reflect their overpayment or under payment of their final instalment of gross

1 receipts taxes. All other telephone companies shall reconcile their first payments
2 under subchapter IV of chapter 76 of the statutes, as created by this act, to reflect
3 their overpayment or underpayment of their final instalment of gross receipts taxes.

4 **SECTION 5508t.** 1995 Wisconsin Act 445, section 1h is repealed.

5 **SECTION 5508tb.** 1995 Wisconsin Act 445, section 6n is repealed.

6 **SECTION 5508td.** 1995 Wisconsin Act 445, section 8 is repealed.

7 **SECTION 5508tf.** 1995 Wisconsin Act 445, section 8n is repealed.

8 **SECTION 5508tg.** 1995 Wisconsin Act 445, section 10 is repealed.

9 **SECTION 5510e.** 1995 Wisconsin Act 445, section 23 (2) is amended to read:

10 [1995 Wisconsin Act 445] Section 23 (2) The repeal of sections ~~13.101 (3m),~~
11 ~~20.525 (1) (k) and (qr), 20.865 (4) (e), 25.40 (2) (b) 20p. and section 341.14 (6r) (bg)~~
12 and (f) 52. of the statutes takes effect on July 1, 1999.

13 **SECTION 5510m.** 1995 Wisconsin Act 453, section 12 (1) (b) is amended to read:

14 [1995 Wisconsin Act 453] Section 12 (1) (b) The repeal of section 632.745 (1) (f)
15 2. of the statutes takes effect on the 31st day after the day on which the commissioner
16 of insurance certifies to the revisor of statutes under section ~~632.898 (7) 632.745 (1m)~~
17 of the statutes, as created by this act affected by 1997 Wisconsin Act (Senate Bill
18 77), that section 632.745 (1) (f) 2. of the statutes, as created by this act, is not
19 necessary for the purpose for which it was intended.

20 **SECTION 5510s.** 1997 Wisconsin Act 4, section 4 (1) (a) is amended to read:

21 [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act
22 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,
23 until July 1, ~~1998~~ 1999, operate the juvenile secured correctional facility authorized
24 under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named in section

1 302.01 of the statutes, as affected by this act, for the placement of prisoners, as
2 defined in section 301.01 (2) of the statutes, who are young adults.

3 **SECTION 9101. Nonstatutory provisions; administration.**

4 (1) TRANSFER OF LAND INFORMATION FUNCTIONS.

5 (a) *Employe transfers.* All incumbent employes holding positions with the land
6 information board are transferred on the effective date of this paragraph to the
7 department of administration.

8 (b) *Employe status.* Employes transferred under paragraph (a) have all the
9 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
10 statutes in the department of administration that they enjoyed with the land
11 information board immediately before the transfer. Notwithstanding section 230.28
12 (4) of the statutes, no employe so transferred who has attained permanent status in
13 class is required to serve a probationary period.

14 (2) WISCONSIN LAND COUNCIL. Notwithstanding the length of term specified in
15 section 15.107 (16) (d) of the statutes, as created by this act, the initial terms of 3 of
16 the members appointed under section 15.107 (16) (b) 8. to 13. of the statutes, as
17 created by this act, shall expire on July 1, 2000, the initial terms of 3 other members
18 so appointed shall expire on July 1, 2001, and the initial terms of 3 other members
19 so appointed shall expire on July 1, 2002.

20 (3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and
21 program revenue moneys appropriated to the department of administration for the
22 office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by
23 this act, and section 20.505 (6) (pb) of the statutes, the department shall expend
24 \$253,200 in fiscal year 1997-98 and \$256,500 in fiscal year 1998-99 to provide the
25 multi-jurisdictional enforcement group serving Milwaukee County with funding for

1 3 assistant district attorneys to prosecute criminal violations of chapter 961 of the
2 statutes, as affected by this act. The funding is not subject to the grant procedure
3 under section 16.964 (2m) of the statutes.

4 (4) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program
5 revenue moneys appropriated to the department of administration for the office of
6 justice assistance under section 20.505 (6) (g) of the statutes, as affected by this act,
7 and section 20.505 (6) (pb) of the statutes, the department shall expend \$81,600 in
8 fiscal year 1997-98 and \$84,900 in fiscal year 1998-99 to provide the
9 multi-jurisdictional enforcement group serving Dane County with funding for one
10 assistant district attorney to prosecute criminal violations of chapter 961 of the
11 statutes as affected by this act. The funding is not subject to the grant procedure
12 under section 16.964 (2m) of the statutes.

13 (4t) TRANSFER OF SENTENCING COMMISSION RECORDS. The department of
14 administration shall transfer all records of the sentencing commission to the director
15 of state courts as soon as possible after September 1, 1997, or the effective date of this
16 subsection, whichever is later.

17 (6) DISTRICT ATTORNEYS FOR PROSECUTION OF SEXUALLY VIOLENT PERSONS
18 COMMITMENT CASES. Of the authorized FTE positions for the department of
19 administration for assistant district attorneys under sections 978.03 and 978.04 of
20 the statutes, 2.0 GPR project positions shall be used for the period ending on June
21 30, 1999, to provide one assistant district attorney for Brown County and one
22 assistant district attorney for Milwaukee County, to file and prosecute proceedings
23 under chapter 980 of the statutes, as affected by this act, in any prosecutorial unit,
24 as defined in section 978.001 (2) of the statutes, in this state.

25 (7) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

1 (a) In any case in which the district attorney files a sexually violent person
2 petition under section 980.02 (1) (b) of the statutes, as affected by this act, on or after
3 the effective date of this paragraph but before July 1, 1999, the district attorney shall
4 maintain a record of the amount of time spent by the district attorney and by any
5 deputy district attorneys or assistant district attorneys doing all of the following:

6 1. Prosecuting the petition through trial under section 980.05 of the statutes
7 and, if applicable, commitment of the person subject to the petition under section
8 980.06 of the statutes, as affected by this act.

9 2. If applicable, representing the state on petitions for supervised release
10 under section 980.08 of the statutes, as affected by this act, or for discharge under
11 section 980.09 or 980.10 of the statutes brought by the person who is the subject of
12 the petition.

13 (b) Annually, on a date specified by the department of administration, the
14 district attorney shall submit to the department of administration a report
15 summarizing the records under paragraph (a) covering the preceding 12-month
16 period. The department of administration shall maintain the information submitted
17 under this paragraph by district attorneys.

18 (9) INITIAL APPOINTMENTS TO TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN
19 WISCONSIN BOARD. Notwithstanding section 15.105 (25) (intro.) of the statutes, as
20 created by this act, the initial members of the technology for educational
21 achievement in Wisconsin board appointed under section 15.105 (25) (a), (b) and (bm)
22 of the statutes, as created by this act, and one of the initial members appointed under
23 section 15.105 (25) (c) of the statutes, as created by this act, shall serve for terms
24 expiring on May 1, 2001; 2 of the initial members of the technology for educational
25 achievement in Wisconsin board appointed under section 15.105 (25) (c) of the

1 statutes, as created by this act, shall serve for terms expiring on May 1, 1999; and
2 one of the initial members of the technology for educational achievement in
3 Wisconsin board appointed under section 15.105 (25) (c) of the statutes, as created
4 by this act, shall serve for a term expiring on May 1, 2003.

5 (9m) RULES RELATING TO EDUCATIONAL TECHNOLOGY TRAINING GRANTS.

6 (a) Subject to paragraph (b), the technology for educational achievement in
7 Wisconsin board shall use the procedure under section 227.24 of the statutes to
8 promulgate the rules required under section 44.72 (1) (d) of the statutes, as created
9 by this act, for a period but not to exceed the period authorized under section 227.24
10 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the
11 statutes, the board need not provide evidence of the necessity of preserving the public
12 peace, health, safety or welfare in promulgating the rules under this paragraph.

13 (b) The board shall submit the proposed rules under paragraph (a) to the
14 cochairpersons of the joint committee on information policy. If the cochairpersons of
15 the committee do not notify the board that the committee has scheduled a meeting
16 for the purpose of reviewing the proposed rules within 14 working days after the date
17 of the board's submittal, the board may proceed to promulgate the rules. If, within
18 14 working days after the date of the board's submittal, the cochairpersons of the
19 committee notify the board that the committee has scheduled a meeting for the
20 purpose of reviewing the proposed rules, the board shall not promulgate the rules
21 until the committee approves the rules.

22 (9s) RULES RELATING TO EDUCATIONAL TECHNOLOGY INFRASTRUCTURE LOANS.

23 (a) Subject to paragraph (b), the technology for educational achievement in
24 Wisconsin board shall use the procedure under section 227.24 of the statutes to
25 promulgate the rules required under section 44.72 (4) (a) of the statutes, as created

1 by this act, for the period before permanent rules take effect, but not to exceed the
2 period authorized under section 227.24 (1) (c) and (2) of the statutes.
3 Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the board need not
4 provide evidence of the necessity of preserving the public peace, health, safety or
5 welfare in promulgating the rules under this paragraph.

6 (b) The board shall submit the proposed rules under paragraph (a) to the
7 cochairpersons of the joint committee on information policy. If the cochairpersons of
8 the committee do not notify the board that the committee has scheduled a meeting
9 for the purpose of reviewing the proposed rules within 14 business days after the date
10 of the board's submittal, the board may proceed to promulgate the rules. If, within
11 14 business days after the date of the board's submittal, the cochairpersons of the
12 committee notify the board that the committee has scheduled a meeting for the
13 purpose of reviewing the proposed rules, the board shall not promulgate the rules
14 until the committee approves the rules.

15 (10) EDUCATIONAL TECHNOLOGY BOARD.

16 (a) *Contracts.* All contracts entered into by the educational technology board
17 in effect on the effective date of this paragraph remain in effect and are transferred
18 to the technology for educational achievement in Wisconsin board. The technology
19 for educational achievement in Wisconsin board shall carry out any such contractual
20 obligations until modified or rescinded by the technology for educational
21 achievement in Wisconsin board to the extent allowed under the contract.

22 (b) *Rules and orders.* All rules promulgated by the educational technology
23 board that are in effect on the effective date of this paragraph remain in effect until
24 their specified expiration date or until amended or repealed by the technology for
25 educational achievement in Wisconsin board. All orders issued by the educational

1 technology board that are in effect on the effective date of this paragraph remain in
2 effect until their specified expiration date or until modified or rescinded by the
3 technology for educational achievement in Wisconsin board.

4 (c) *Pending matters.* Any matter pending with the educational technology
5 board on the effective date of this paragraph is transferred to the technology for
6 educational achievement in Wisconsin board and all materials submitted to or
7 actions taken by the educational technology board with respect to the pending
8 matter are considered as having been submitted to or taken by the technology for
9 educational achievement in Wisconsin board.

10 (dm) *Pioneering partners grants.*

11 1. From the appropriation under section 20.275 (1) (d) of the statutes, as
12 created by this act, in the 1997-98 fiscal year the technology for educational
13 achievement in Wisconsin board shall award grants to those applicants
14 recommended for grants by the educational technology board under section 16.992,
15 1995 stats., in the February 1997 funding cycle.

16 2. In submitting information under section 16.42 of the statutes for the
17 purposes of the 1999-2001 biennial budget bill, the technology for educational
18 achievement in Wisconsin board shall submit information concerning the
19 appropriation under section 20.275 (1) (f) of the statutes, as created by this act, as
20 though the amount appropriated under section 20.275 (1) (d) of the statutes, as
21 created by this act, in the 1997-98 fiscal year had been appropriated under section
22 20.275 (1) (f) of the statutes, as created by this act, in the 1998-99 fiscal year.

23 (11g) INFORMATION TECHNOLOGY SYSTEM DEVELOPMENT AND PROCUREMENT
24 PROJECTS REPORTS. The department of administration shall submit its initial report
25 concerning state information technology system development and procurement

1 under section 16.971 (2s) of the statutes, as created by this act, no later than
2 September 1, 1997, or the day after publication of this act, whichever is later.

3 (11h) FREE BOOKS TO ORGANIZATIONS. The secretary of administration, acting
4 under section 16.50 (2) of the statutes, shall require submission of expenditure
5 estimates for all moneys appropriated under section 20.505 (1) (fn) of the statutes,
6 as created by this act, and shall withhold approval of such estimates unless the
7 secretary receives a report after November 30, 1997, from the employe of the
8 department of administration who is charged with the responsibility to administer
9 section 16.23 of the statutes, as created by this act, and from the governor concerning
10 their success in obtaining the additional resources specified in section 16.23 (2) of the
11 statutes, as created by this act. If the secretary is satisfied that the efforts to obtain
12 additional resources have been sufficient, the secretary may approve an expenditure
13 estimate for the moneys appropriated under section 20.505 (1) (fn) of the statutes,
14 as created by this act.

15 (11m) REPORT BY LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL. No
16 later than September 1, 2002, the land information board and Wisconsin land council
17 shall report to the legislature in the manner provided under section 13.172 (2) of the
18 statutes and to the governor concerning the issue of continuation of their functions,
19 including the feasibility of combination of their functions.

20 (12z) SANDHILL WILDLIFE AREA SKILLS CENTER. To the greatest extent possible,
21 the department of administration shall utilize the Wisconsin conservation corps for
22 the dormitory construction project at the Sandhill Wildlife Area Skills Center.

23 **SECTION 9104. Nonstatutory provisions; agriculture, trade and**
24 **consumer protection.**

1 (1) FOOD INSPECTION PROGRAM EFFICIENCY STUDY. The department of agriculture,
2 trade and consumer protection shall study its current procedures in its food
3 inspection programs, identify areas in those food inspection programs that could
4 become more efficient, develop a plan to streamline its food inspection procedures
5 and operations and identify any cost-saving mechanisms that could be implemented
6 as a result of the efficiencies and improved procedures identified in the study. The
7 department of agriculture, trade and consumer protection shall submit its findings
8 and plan to the joint committee on finance by October 1, 1997. If the joint committee
9 on finance approves the plan, it may supplement the appropriation under section
10 20.115 (1) (a) of the statutes from the appropriation under section 20.865 (4) (a) of
11 the statutes. Notwithstanding section 13.101 (3) (a) of the statutes, the committee
12 is not required to find that an emergency exists.

13 (1m) NUTRIENT MANAGEMENT PROPOSALS. The department of agriculture, trade
14 and consumer protection shall develop proposals to improve agricultural nutrient
15 management in this state. The proposals shall include incentives, educational and
16 outreach provisions and compliance requirements. The department shall submit the
17 proposals to the legislature in the manner provided in section 13.172 (2) of the
18 statutes no later than January 1, 1999.

19 **SECTION 9105. Nonstatutory provisions; arts board.**

20 (1x) EFFICIENCY MEASURES. By September 1, 1997, the arts board shall submit
21 a report to the governor and to the joint committee on finance recommending how
22 reductions in fiscal year 1997-98 of \$20,500 and in fiscal year 1998-99 of \$20,500
23 resulting from budgetary efficiency measures should be allocated among the arts
24 board's general purpose revenue appropriations. If the cochairpersons of the
25 committee do not notify the arts board that the committee has scheduled a meeting

1 for the purpose of reviewing the report within 14 working days after the date of the
2 submittal, the recommendation may be implemented as proposed by the arts board.
3 If, within 14 working days after the date of the submittal, the cochairpersons of the
4 committee notify the arts board that the committee has scheduled a meeting for the
5 purpose of reviewing the report, the recommendation may be implemented only upon
6 approval of the committee.

7 **SECTION 9107. Nonstatutory provisions; building commission.**

8 (1) 1997-99 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years
9 beginning on July 1, 1997, and ending on June 30, 1999, the authorized state
10 building program is as follows:

11 (a) DEPARTMENT OF ADMINISTRATION

12 1. *Projects financed by general fund supported borrowing:*

13 Black Point Estate site improvements — Lake Gene-	
14 va	\$ 1,600,000

15 2. *Projects financed by program revenue supported*
16 *borrowing:*

17 Waukesha State Office Building — expansion	4,800,000
18 Hill Farms telecommunications cabling — Madison	460,000

19 (Total project all funding sources \$1,700,000)

20 Justice building telecommunications cabling — Madi-	
21 son	520,000
22 Day care building purchase — Madison	2,600,000

1	3. <i>Projects financed by segregated fund supported revenue</i>	
2	<i>borrowing:</i>	
3	Hill Farms telecommunications cabling — Madison	1,240,000
4	(Total project all funding sources \$1,700,000)	
5	4. <i>Agency totals:</i>	
6	General fund supported borrowing	1,600,000
7	Program revenue supported borrowing	8,380,000
8	Segregated fund supported revenue borrowing	<u>1,240,000</u>
9	Total — All sources of funds	\$ 11,220,000
10	(b) DEPARTMENT OF CORRECTIONS	
11	1. <i>Projects financed by general fund supported borrowing:</i>	
12	Probation and parole holding facility/alcohol and oth-	
13	er drug abuse facility to provide 600 beds in south-	
14	eastern Wisconsin	\$ 49,800,000
15	Medium security correctional facility or facilities to	
16	provide 1,000 beds	74,800,000
17	(Total project all funding sources \$85,000,000)	
18	Green Bay Correctional Institution — expansion of	
19	segregation unit by 42 cells	500,000
20	Perimeter security enhancement at maximum securi-	
21	ty correctional institution under s. 301.16 (1n),	
22	stats.	750,000

1	Perimeter security improvement at Oakhill Correc-	
2	tional Institution	600,000
3	Ethan Allen School — gate house facility	990,000
4	<i>2. Projects financed by existing general fund supported</i>	
5	<i>borrowing authority:</i>	
6	Medium security correctional facility or facilities to	
7	provide 1,000 beds	10,200,000
8	(Total project all funding sources \$85,000,000)	
9	<i>3. Projects financed by program revenue supported</i>	
10	<i>borrowing:</i>	
11	Oakhill Correctional Institution — industries build-	
12	ing	728,000
13	<i>4. Agency totals:</i>	
14	General fund supported borrowing	127,440,000
15	Existing general fund supported borrowing authority	10,200,000
16	Program revenue supported borrowing	<u>728,000</u>
17	Total — All sources of funds	\$138,368,000
18	(c) EDUCATIONAL COMMUNICATIONS BOARD	
19	<i>1. Projects financed by general fund supported borrowing:</i>	
20	Lapham Peak Tower relocation	\$ 559,400
21	(Total project all funding sources \$864,400)	
22	Emergency weather warning system	308,600

1	2. <i>Projects financed by existing general fund supported</i>	
2	<i>borrowing authority — stewardship general property</i>	
3	<i>development funds:</i>	
4	Lapham Peak Tower relocation	155,000
5	(Total project all funding sources \$864,400)	
6	3. <i>Projects financed by segregated fund supported revenue</i>	
7	<i>borrowing:</i>	
8	Lapham Peak Tower relocation	150,000
9	(Total project all funding sources \$864,400)	
10	4. <i>Agency totals:</i>	
11	General fund supported borrowing	868,000
12	Existing general fund supported borrowing authority	
13	— stewardship general property development funds	155,000
14	Segregated fund supported revenue borrowing	<u>150,000</u>
15	Total — All sources of funds	\$ 1,173,000
16	(d) LEGISLATURE	
17	1. <i>Projects financed by general fund supported borrowing:</i>	
18	Capitol restoration project	\$ 9,860,000
19	Capitol south wing renovation and restoration	7,700,000
20	2. <i>Agency totals:</i>	
21	General fund supported borrowing	<u>17,560,000</u>
22	Total — All sources of funds	\$ 17,560,000

1	(e) DEPARTMENT OF MILITARY AFFAIRS	
2	1. <i>Projects financed by general fund supported borrowing:</i>	
3	Hardwood range land acquisition	\$ 1,375,000
4	2. <i>Projects financed by federal funds:</i>	
5	Unheated storage building — West Bend	580,000
6	Shop addition and upgrade — Eau Claire	435,600
7	Shop addition and upgrade — Oshkosh	716,400
8	3. <i>Agency totals:</i>	
9	General fund supported borrowing	1,375,000
10	Federal funds	<u>1,732,000</u>
11	Total — All sources of funds	\$ 3,107,000
12	(f) DEPARTMENT OF NATURAL RESOURCES	
13	1. <i>Projects financed by general fund supported borrowing:</i>	
14	Antigo office and ranger station	\$ 504,000
15	(Total project all funding sources \$1,911,800)	
16	Winnebago County/Oshkosh Cooperative Service	
17	Center	670,000
18	(Total project all funding sources \$1,200,000)	
19	Darwin Road warehouse purchase — Madison	455,000
20	(Total project all funding sources \$1,200,000)	

1	2. <i>Projects financed by existing general fund supported</i>	
2	<i>borrowing authority — stewardship general property</i>	
3	<i>development funds:</i>	
4	Statewide toilet/shower buildings	2,323,300
5	Crex Meadows Wildlife Area education center	250,000
6	(Total project all funding sources \$1,000,000)	
7	3. <i>Projects financed by existing general fund supported</i>	
8	<i>borrowing authority — stewardship trail funds:</i>	
9	Henry Aaron State Park Trail	290,000
10	4. <i>Projects financed by segregated fund supported</i>	
11	<i>borrowing:</i>	
12	Antigo office and ranger station	1,407,800
13	(Total project all funding sources \$1,911,800)	
14	Sandhill Wildlife Area Skills Center dormitory	360,000
15	Winnebago County/Oshkosh Cooperative Service	
16	Center	530,000
17	(Total project all funding sources \$1,200,000)	
18	Darwin Road warehouse purchase — Madison	745,000
19	(Total project all funding sources \$1,200,000)	
20	Statewide storage/maintenance facilities	806,700
21	Peninsula State Park — Golf course irrigation system	250,000
22	(Total project all funding sources \$734,100)	

1	5. <i>Projects financed by segregated fund revenue:</i>	
2	Ranger stations — Woodruff and Wausaukee	1,246,300
3	6. <i>Projects financed by gifts, grants and other receipts:</i>	
4	Peninsula State Park — Golf course irrigation system	484,100
5	(Total project all funding sources \$734,100)	
6	Crex Meadows Wildlife Area education center	750,000
7	(Total project all funding sources \$1,000,000)	
8	7. <i>Agency totals:</i>	
9	General fund supported borrowing	1,629,000
10	Existing general fund supported borrowing authority	
11	— stewardship general property development funds	2,573,300
12	Existing general fund supported borrowing authority	
13	— stewardship trail funds	290,000
14	Segregated fund supported borrowing	4,099,500
15	Segregated fund revenue	1,246,300
16	Gifts, grants and other receipts	<u>1,234,100</u>
17	Total — All sources of funds	\$ 11,072,200
18	(g) STATE FAIR PARK BOARD	
19	1. <i>Projects financed by general fund supported borrowing:</i>	
20	Utility improvements	\$ 2,000,000
21	(Total project all funding sources \$2,489,000)	

1	2. <i>Projects financed by program revenue supported</i>	
2	<i>borrowing:</i>	
3	Utility improvements	489,000
4	(Total project all funding sources \$2,489,000)	
5	Racetrack improvements	3,048,000
6	3. <i>Agency totals:</i>	
7	General fund supported borrowing	2,000,000
8	Program revenue supported borrowing	<u>3,537,000</u>
9	Total — All sources of funds	\$ 5,537,000
10	(h) DEPARTMENT OF TRANSPORTATION	
11	1. <i>Projects financed by segregated fund supported revenue</i>	
12	<i>borrowing:</i>	
13	Beaver Dam Service Center renovation	\$ 105,000
14	Fond du Lac County tower and building replacement	272,000
15	Waukesha state patrol headquarters expansion	2,019,400
16	Waukesha sign shop renovation	263,700
17	Green Bay district headquarters renovation	780,000
18	Advanced learning systems building purchase — Wis-	
19	consin Rapids	680,600
20	(Total project all funding sources \$1,580,600)	
21	2. <i>Projects financed by existing segregated fund supported</i>	
22	<i>revenue borrowing authority:</i>	

1	Advanced learning systems building purchase — Wis-	
2	consin Rapids	900,000
3	(Total project all funding sources \$1,580,600)	
4	3. <i>Agency totals:</i>	
5	Segregated fund supported revenue borrowing	4,120,700
6	Existing segregated fund supported revenue borrow-	
7	ing authority	<u>900,000</u>
8	Total — All sources of funds	\$ 5,020,700
9	(i) DEPARTMENT OF VETERANS AFFAIRS	
10	1. <i>Projects financed by general fund supported borrowing:</i>	
11	Veterans museum expansion	\$ 100,000
12	2. <i>Projects financed by program revenue supported</i>	
13	<i>borrowing:</i>	
14	Garner and Beck halls renovation	402,500
15	(Total project all funding sources \$1,150,000)	
16	3. <i>Projects financed by federal funds:</i>	
17	Garner and Beck halls renovation	747,500
18	(Total project all funding sources \$1,150,000)	
19	Northwestern veterans cemetery	3,000,000
20	4. <i>Agency totals:</i>	
21	General fund supported borrowing	100,000
22	Program revenue supported borrowing	402,500

1	Federal funds	<u>3,747,500</u>
2	Total — All sources of funds	\$ 4,250,000
3	(j) UNIVERSITY OF WISCONSIN SYSTEM	
4	1. <i>Projects financed by general fund supported borrowing:</i>	
5	Milwaukee — Sabin Hall remodeling	\$ 6,662,000
6	Parkside — Physical education addition - Phase 2	4,813,500
7	(Total project all funding sources \$6,013,500)	
8	Stout — Communication Center replacement	7,532,000
9	System — Classroom renovation/instructional	
10	technology improvements	6,000,000
11	2. <i>Projects financed by program revenue supported</i>	
12	<i>borrowing:</i>	
13	Eau Claire — Student residence hall	10,000,000
14	Green Bay — Housing Service Center addition	500,000
15	La Crosse — Student Life Center addition	2,949,000
16	— Whitney Center dining room remodeling	1,287,000
17	— Parking lot C7 improvements	478,000
18	Madison — Clinical Science Center parking ramp	
19	addition	3,426,000
20	Parkside — Physical education addition - Phase 2	900,000
21	(Total project all funding sources \$6,000,000)	

1	Platteville — Auxiliary services storage/maintenance	
2	facility	772,000
3	Whitewater — Esker dining hall remodeling	2,000,000
4	— Campus Information Center and site de-	
5	velopment	658,000
6	3. <i>Projects financed by program revenue:</i>	
7	Eau Claire — Crest Wellness Center remodeling	557,000
8	Madison — Eagle Heights Community Center addi-	
9	tion	245,000
10	(Total project all funding sources \$1,847,000)	
11	4. <i>Projects financed by gifts, grants and other receipts:</i>	
12	Madison — Crew House/Humphrey Hall renovation	
13	and addition	1,100,000
14	— Softball grandstand facility	3,043,000
15	— Psychiatric institute/clinics remodeling -	
16	Phase 2	700,000
17	— Eagle Heights Community Center addi-	
18	tion	1,602,000
19	(Total project all funding sources \$1,847,000)	
20	— Arlington swine research facility replace-	
21	ment	3,006,000
22	Parkside — Physical education addition - Phase 2	300,000

1	(Total project all funding sources \$6,000,000)	
2	5. <i>Agency totals:</i>	
3	General fund supported borrowing	25,007,500
4	Program revenue supported borrowing	22,970,000
5	Program revenue	802,000
6	Gifts, grants and other receipts	<u>9,751,000</u>
7	Total — All sources of funds	\$ 58,530,500
8	(k) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED	
9	RESEARCH	
10	1. <i>Projects financed by general fund supported borrowing:</i>	
11	WISTAR projects	\$ 12,500,000
12	2. <i>Projects funded by gifts, grants and other receipts:</i>	
13	WISTAR projects	25,000,000
14	3. <i>Program totals:</i>	
15	General fund supported borrowing	12,500,000
16	Gifts, grants and other receipts	<u>25,000,000</u>
17	Total — All sources of funds	\$ 37,500,000
18	(L) HEALTHSTAR PROGRAM	
19	1. <i>Projects funded by general fund supported borrowing:</i>	
20	Healthstar projects	\$ 72,000,000

1	2. <i>Projects funded by program revenue supported</i>	
2	<i>borrowing:</i>	
3	Healthstar projects	18,000,000
4	3. <i>Projects funded by gifts, grants and other receipts:</i>	
5	Healthstar projects	120,000,000
6	4. <i>Program totals:</i>	
7	General fund supported borrowing	72,000,000
8	Program revenue supported borrowing	18,000,000
9	Gifts, grants and other receipts	<u>120,000,000</u>
10	Total —All sources of funds	\$210,000,000
11	(n) ALL AGENCY PROJECT FUNDING	
12	1. <i>Projects financed by general fund supported borrowing:</i>	
13	Facilities repair and renovation	\$ 43,010,000
14	(Total program all funding sources \$75,198,000)	
15	Utilities repair and renovation	25,000,000
16	(Total program all funding sources \$38,593,000)	
17	Health, safety and environmental protection	25,000,000
18	(Total program all funding sources \$29,943,000)	
19	Preventive maintenance program	5,000,000
20	Capital equipment acquisition	6,000,000
21	2. <i>Projects financed by existing general fund supported</i>	
22	<i>borrowing:</i>	

1	Facilities repair and renovation	2,000,000
2	(Total program all funding sources \$76,188,000)	
3	Utilities repair and renovation	2,000,000
4	(Total program all funding sources \$38,593,000)	
5	<i>3. Projects financed by existing general fund supported</i>	
6	<i>borrowing authority — stewardship general property</i>	
7	<i>development funds:</i>	
8	Facilities repair and renovation	655,000
9	(Total program all funding sources \$76,188,000)	
10	Utilities repair and renovation	1,145,000
11	(Total program all funding sources \$38,593,000)	
12	Health, safety and environmental protection	122,000
13	(Total program all funding sources \$29,943,000)	
14	<i>4. Projects financed by program revenue supported</i>	
15	<i>borrowing:</i>	
16	Facilities repair and renovation	26,737,000
17	(Total program all funding sources \$76,188,000)	
18	Utilities repair and renovation	5,378,000
19	(Total program all funding sources \$38,593,000)	
20	Health, safety and environmental protection	2,194,000
21	(Total program all funding sources \$29,943,000)	
22	Land and property acquisition	2,000,000

1	5. <i>Projects financed by program revenue:</i>	
2	Utilities repair and renovation	3,000,000
3	(Total program all funding sources \$38,593,000)	
4	6. <i>Projects financed by segregated fund supported</i>	
5	<i>borrowing:</i>	
6	Health, safety and environmental protection	200,000
7	(Total program all funding sources \$29,943,000)	
8	7. <i>Projects financed by segregated fund revenue:</i>	
9	Facilities repair and renovation	1,693,000
10	(Total program all funding sources \$76,188,000)	
11	Utilities repair and renovation	1,529,000
12	(Total program all funding sources \$38,593,000)	
13	Health, safety and environmental protection	1,189,000
14	(Total program all funding sources \$29,943,000)	
15	8. <i>Projects financed by moneys appropriated to agencies</i>	
16	<i>from any revenue source:</i>	
17	Utilities repair and renovation	210,000
18	(Total program all funding sources \$38,593,000)	
19	9. <i>Projects financed by federal funds:</i>	
20	Facilities repair and renovation	728,000
21	(Total program all funding sources \$76,188,000)	
22	Utilities repair and renovation	331,000

1	(Total program all funding sources \$38,593,000)	
2	Health, safety and environmental protection	1,238,000
3	(Total program all funding sources \$29,943,000)	
4	10. <i>Projects financed by gifts, grants and other receipts:</i>	
5	Facilities repair and renovation	375,000
6	(Total program all funding sources \$76,188,000)	
7	11. <i>All agency totals:</i>	
8	General fund supported borrowing authority	104,010,000
9	Existing general fund supported borrowing authority	4,000,000
10	Existing general fund supported borrowing authority	
11	— stewardship general property development funds	1,922,000
12	Program revenue supported borrowing	36,309,000
13	Program revenue	3,000,000
14	Segregated fund supported borrowing	200,000
15	Segregated fund revenue	4,411,000
16	Moneys appropriated to agencies from any revenue	
17	source	210,000
18	Federal funds	2,297,000
19	Gifts, grants and other receipts	<u>375,000</u>
20	Total — All sources of funds	\$156,734,000
21	(o) SUMMARY	
22	Total general fund supported borrowing	\$366,089,500

1	Total existing general fund supported borrowing au-	
2	thority	14,200,000
3	Total existing general fund supported borrowing au-	
4	thority — stewardship general property develop-	
5	ment funds	4,650,300
6	Total existing general fund supported borrowing au-	
7	thority — stewardship trail funds	290,000
8	Total program revenue supported borrowing	90,326,500
9	Total program revenue	3,802,000
10	Total segregated fund supported borrowing	4,299,500
11	Total segregated fund supported revenue borrowing	5,510,700
12	Total existing segregated fund supported revenue	
13	borrowing authority	900,000
14	Total segregated fund revenue	5,657,300
15	Total gifts, grants and other receipts	156,360,100
16	Total federal funds	7,776,500
17	Total moneys appropriated to agencies from any reve-	
18	nue source	<u>210,000</u>
19	Total — All sources of funds	\$660,072,400

20 (2) 1999-2001 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years
21 beginning on July 1, 1999, and ending on June 30, 2001, the authorized state
22 building program is as follows:

1	(a) DEPARTMENT OF HEALTH AND FAMILY SERVICES	
2	1. <i>Projects financed by general fund supported borrowing:</i>	
3	Secure Treatment Center	\$ 30,000,000
4	2. <i>Agency totals:</i>	
5	General fund supported borrowing	<u>30,000,000</u>
6	Total — All sources of funds	\$ 30,000,000
7	(b) UNIVERSITY OF WISCONSIN SYSTEM	
8	1. <i>Projects financed by general fund supported borrowing:</i>	
9	Green Bay — Academic building	\$ 14,000,000
10	(Total project all funding sources \$16,000,000)	
11	Oshkosh — Halsey Science Center renovation	13,885,000
12	2. <i>Projects financed by gifts, grants and other receipts:</i>	
13	Green Bay — Academic building	2,000,000
14	(Total project all funding sources \$16,000,000)	
15	3. <i>Agency totals:</i>	
16	General fund supported borrowing	27,885,000
17	Gifts, grants and other receipts	<u>2,000,000</u>
18	Total — All sources of funds	\$ 29,885,000
19	(c) SUMMARY	
20	Total general fund supported borrowing	\$ 57,885,000
21	Total gifts, grants and other receipts	<u>2,000,000</u>
22	Total — All sources of funds	\$ 59,885,000

1 (3) 1993-95 AND 1995-97 STATE BUILDING PROGRAM CHANGES.

2 (a) In 1993 Wisconsin Act 16, section 9108 (1) (g) 1., under projects financed by
3 general fund supported borrowing, and 1993 Wisconsin Act 16, section 9108 (1) (o)
4 1., under projects financed by existing general fund supported borrowing authority,
5 the 1993-95 state building program project identified as “New laboratory facility -
6 Phase 1” is transferred to 1993 Wisconsin Act 16, section 9108 (1) (a), under the
7 department of administration for projects financed by program revenue supported
8 borrowing and the appropriate totals are decreased and increased accordingly.

9 (b) In 1995 Wisconsin Act 27, section 9108 (1) (b) 3., as affected by 1995
10 Wisconsin Act 388, under projects financed by federal funds, the following project is
11 added to the 1995-97 state building program and the appropriate totals are
12 increased by the amounts shown:

13	Prison expansion project	\$2,700,000
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14 (c) In 1995 Wisconsin Act 27, section 9108 (1) (m), under projects financed by
15 general fund supported borrowing, the amount authorized for the project identified
16 as “Platteville — Russell Hall remodeling” is increased from \$7,297,000 to
17 \$7,927,000 and the appropriate totals are increased accordingly.

18 (d) In 1995 Wisconsin Act 27, section 9108 (1) (i) 2., under projects financed by
19 program revenue supported borrowing, the 1995-97 state building program project
20 identified as “Coliseum renovation” is deleted and the appropriate totals are
21 decreased accordingly.

22 (4) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing
23 authority enumerated under subsection (1), the building and financing authority

1 enumerated under the previous authorized state building programs is continued in
2 the 1997-99 fiscal biennium.

3 (5) LOANS. During the 1997-99 fiscal biennium, the building commission may
4 make loans from general fund supported borrowing or the building trust fund to state
5 agencies, as defined in section 20.001 (1) of the statutes, for projects which are to be
6 utilized for programs not funded by general purpose revenue and which are
7 authorized under subsection (1).

8 (6) PROJECT CONTINGENCY FUNDING RESERVE. During the 1997-99 fiscal
9 biennium, the building commission may allocate moneys from the appropriation
10 under section 20.866 (2) (yg) of the statutes, as affected by this act, for contingency
11 expenses in connection with any project in the authorized state building program.

12 (7) CAPITAL EQUIPMENT FUNDING ALLOCATION.

13 (a) During the 1997-99 fiscal biennium, the building commission may allocate
14 moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as
15 affected by this act, for capital equipment acquisition in connection with any project
16 in the authorized state building program.

17 (b) During the 1997-99 fiscal biennium, the building commission may allocate
18 moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as
19 affected by this act, to acquire other priority capital equipment for state agencies, as
20 defined in section 20.001 (1) of the statutes.

21 (10) REPLACEMENT OF SWINE RESEARCH FACILITY. Notwithstanding the
22 enumeration of the replacement of the Arlington swine research facility from gifts,
23 grants and receipts under subsection (1) (j) 5., the building commission may
24 supplement the project budget from funds appropriated to the board of regents of the
25 University of Wisconsin System.

1 (11) HEALTHSTAR FUNDING.

2 (b) Healthstar projects under subsection (1) (L) shall include a health sciences
3 learning center, interdisciplinary research center, parking ramps, related utility
4 expansions, ancillary systems and supporting infrastructure projects at the
5 University of Wisconsin — Madison. Healthstar projects under subsection (1) (L)
6 shall also include improvements to the project identified as “University of
7 Wisconsin–Madison — School of Pharmacy”, enumerated in 1995 Wisconsin Act 27,
8 section 9108 (1) (o) 1. and 3.

9 (c) The building commission may authorize changes in the sources of funds
10 identified under subsection (1) (L), if all of the following conditions are met:

11 1. The total adjusted cost of all healthstar projects funded from general fund
12 supported borrowing allocations under section 20.866 (2) (z) 2m. of the statutes, as
13 created by this act, does not exceed \$72,000,000.

14 2. The building commission determines that the total project funding from
15 gifts, grants and other receipts for all healthstar projects will be at least
16 \$120,000,000.

17 (13) DEPARTMENT OF TRANSPORTATION MINOR PROJECTS. Notwithstanding the
18 approval of the building commission of a project under section 13.48 (10) of the
19 statutes, the department may not use more than \$2,177,300 in segregated fund
20 supported revenue borrowing authority for minor building or maintenance projects
21 during the 1997–99 fiscal biennium.

22 **SECTION 9110. Nonstatutory provisions; commerce.**

23 (1) PLAT REVIEW TRANSFER.

24 (a) On the effective date of this paragraph, the assets and liabilities of the
25 department of commerce primarily related to the municipal boundary and plat

1 review responsibilities given to the department of administration by this act shall
2 become the assets and liabilities of the department of administration.

3 (b) On the effective date of this paragraph, the employes of the department of
4 commerce primarily performing duties related to the municipal boundary and plat
5 review responsibilities given to the department of administration by this act are
6 transferred to the department of administration.

7 (c) Employes transferred under paragraph (b) to the department of
8 administration have all of the rights and the same status under subchapter V of
9 chapter 111 and chapter 230 of the statutes in the department of administration that
10 they enjoyed in the department of commerce immediately before the transfer.
11 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who
12 has attained permanent status in class is required to serve a probationary period.

13 (d) On the effective date of this paragraph, all tangible personal property,
14 including records, of the department of commerce that is primarily related to the
15 municipal boundary and plat review responsibilities given to the department of
16 administration by this act is transferred to the department of administration.

17 (e) Any matter pending with the department of commerce on the effective date
18 of this paragraph relating to the municipal boundary and plat review responsibilities
19 given to the department of administration by this act is transferred to the
20 department of administration and all materials submitted to or actions taken by the
21 department of commerce with respect to the pending matter are considered to have
22 been submitted to or taken by the department of administration.

23 (2) BROWNFIELDS MEMORANDUM OF UNDERSTANDING. No later than December 31,
24 1997, the department of administration, the department of commerce and the

1 department of natural resources shall enter into a memorandum of understanding
2 that addresses at least all of the following:

3 (a) Providing advice and guidance to the governor and state agencies on issues
4 related to brownfields, as defined in section 560.13 (1) (a) of the statutes, as created
5 by this act.

6 (b) Criteria priorities, within statutory guidelines, for awarding grants and
7 loans under brownfields redevelopment programs.

8 (c) Procedures for each of the departments to follow in making
9 recommendations to another department on awarding grants or loans under a
10 brownfields redevelopment program.

11 (d) Remediation activities that qualify as in-kind contributions under section
12 560.13 (2) (b) 1. of the statutes, as created by this act.

13 (e) A mechanism for resolving conflicts and disagreements among the 3
14 departments related to brownfields issues.

15 (3) RULES FOR BROWNFIELDS FUNDING GUIDELINES. The department of commerce
16 shall submit in proposed form the rules required under section 560.13 (6) of the
17 statutes, as created by this act, to the legislative council staff under section 227.15
18 (1) of the statutes no later than December 31, 1997.

19 (3g) MINING ECONOMIC DEVELOPMENT GRANTS AND LOANS. The funding in section
20 20.143 (1) (r) of the statutes, as created by this act, for the 1997-99 fiscal biennium
21 for the mining economic development grant and loan program under section 560.135
22 of the statutes, as created by this act, shall come first from any project reserve fund
23 under section 70.395 (2) (d) 4. of the statutes, as affected by this act, notwithstanding
24 the limits on the use of project reserve funds under section 70.395 (2) (d) 4. of the
25 statutes, as affected by this act.

1 (4) EXEMPTION FROM EMERGENCY RULE-MAKING PROCEDURES. Using the procedure
2 under section 227.24 of the statutes, the department of commerce may promulgate
3 rules under section 560.13 (6) of the statutes, as created by this act, for the period
4 before the effective date of the permanent rules promulgated under section 560.13
5 (6) of the statutes, as created by this act, but not to exceed the period authorized
6 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24
7 (1) and (3) of the statutes, the department is not required to make a finding of
8 emergency.

9 (4m) RULES FOR REDUCTION OF PETROLEUM CLEANUP AWARDS. Using the procedure
10 under section 227.24 of the statutes, the department of commerce may promulgate
11 rules required under section 101.143 (4) (h) 2. of the statutes, as created by this act,
12 for the period before the effective date of permanent rules under that provision, but
13 not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
14 Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department
15 need not provide evidence of the necessity of preservation of the public peace, health,
16 safety or welfare in promulgating rules under this subsection.

17 (5) PETROLEUM DISCHARGES; INTEREST REIMBURSEMENT RULES. Using the
18 procedure under section 227.24 of the statutes, the department of commerce shall
19 promulgate rules required under section 101.143 (4) (c) 8. of the statutes, as created
20 by this act, for the period before the effective date of the permanent rules under that
21 provision, but not to exceed the period authorized under section 227.24 (1) (c) and (2)
22 of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the
23 department need not provide evidence of the necessity of preservation of the public
24 peace, health, safety or welfare in promulgating rules under this subsection.

25 (6g) LABOR TRAINING AND SERVICES GRANT.

1 (a) The department of commerce may make a grant of not more than \$100,000
2 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this
3 act, to the private industry council serving Ozaukee County to fund a labor training
4 and employment services program to provide employes of Garden Way, Inc., who are
5 being laid off from the company's facilities in Port Washington with job training and
6 related employment services, if all of the following apply:

7 1. The labor training and employment services are not eligible for funding
8 under the federal Job Training Partnership Act, or any other federal or state job
9 training program.

10 2. The private industry council submits a plan to the department of commerce
11 detailing the proposed use of the grant and the secretary of commerce approves the
12 plan.

13 3. The private industry council enters into a written agreement with the
14 department of commerce that specifies the conditions for use of the grant proceeds,
15 including training, reporting and auditing requirements.

16 4. The private industry council agrees in writing to submit to the department
17 of commerce the report required under paragraph (b) by the time required under
18 paragraph (b).

19 (b) If the private industry council serving Ozaukee County receives a grant
20 under this subsection, it shall submit to the department of commerce, within 6
21 months after spending the full amount of the grant, a report detailing how the grant
22 proceeds were used.

23 (c) The department of commerce may not pay grant proceeds under this
24 subsection after July 31, 1998.

1 (6h) STUDY ON HOME-BASED BUSINESS BARRIERS. The department of commerce
2 shall conduct a study on barriers to starting and operating home-based businesses
3 and on encouraging further development of home-based businesses in the state. On
4 or before January 1, 1998, the department shall submit a report of its findings,
5 conclusions and recommendations to the appropriate standing committees of the
6 legislature in the manner provided under section 13.172 (3) of the statutes.

7 (6m) RULES FOR THE IDENTIFICATION OF OXYGENATES. The department of
8 commerce shall review section Comm 48.10, Wisconsin Administrative Code, and
9 during that review consider incorporating the uniform laws and regulations in the
10 areas of legal metrology and engine fuel quality, as adopted by the National
11 Conference on Weights and Measures. The department of commerce shall submit
12 proposed rules that revise section Comm 48.10, Wisconsin Administrative Code, to
13 the legislative council staff under section 227.15 (1) of the statutes no later than the
14 first day of the 7th month beginning after the effective date of this subsection.

15 (6n) STUDY ON DOWNTOWN WISCONSIN FUND. The department of commerce shall
16 study the possibility and feasibility of creating a fund to provide financial assistance
17 to small-sized and medium-sized municipalities to assist in revitalizing and
18 promoting the economic health of downtown commercial districts, preserving
19 farmland and preventing urban sprawl. As part of the study, the department shall
20 explore the potential for coordinating assistance through the state main street
21 program under section 560.081 of the statutes and with the department of tourism
22 through its heritage tourism program under section 41.19 of the statutes, as affected
23 by this act. The department of commerce shall submit a report of its findings,
24 conclusions and recommendations to the joint committee on finance at the 2nd

1 quarterly meeting of the committee for the 1997-98 fiscal year under section 13.10
2 of the statutes.

3 **SECTION 9111. Nonstatutory provisions; corrections.**

4 (2u) TEMPORARY PLACEMENT OF YOUNG ADULT OFFENDERS. Notwithstanding 1995
5 Wisconsin Act 27, section 9126 (23) and (26v), the secretary of corrections may direct
6 the division of adult institutions in the department of corrections and the division of
7 juvenile correctional services in that department to enter into an intra-agency
8 agreement for the use of the secured correctional facility authorized under 1995
9 Wisconsin Act 27, section 9126 (26v), as a state prison as authorized under 1997
10 Wisconsin Act 4, section 4 (1) (a). The agreement shall require the division of adult
11 institutions in the department of corrections to reimburse the division of juvenile
12 correctional services in that department, from the appropriation account under
13 section 20.410 (1) (ab) of the statutes, as affected by this act, for the full cost of
14 operating that secured correctional facility as a state prison during the term of the
15 agreement. The division of juvenile corrections in the department of corrections
16 shall credit all moneys received under this subsection to the appropriation account
17 under section 20.410 (3) (hm) of the statutes, as affected by this act, and use those
18 moneys to operate the state prison authorized under 1997 Wisconsin Act 4, section
19 4 (1) (a).

20 (3) MANAGED HEALTH CARE STUDY FOR PRISONERS. The department of corrections
21 shall enter into a contract with a consulting firm to study the most cost-effective
22 method for the distribution of medication to prisoners and the feasibility of
23 contracting with a private health care organization for managed health care services
24 for prisoners. Of the moneys appropriated to the department of corrections under

1 section 20.410 (1) (a) of the statutes the department of corrections shall allocate
2 \$60,000 for fiscal year 1997-98 for the purpose of entering into this contract.

3 (3g) PRIVATE BUSINESSES AND PRISON EMPLOYMENT. (a) 1. No later than
4 December 1, 1997, the department of corrections shall submit a plan to the joint
5 committee on finance regarding proposed revenues and proposed expenditures
6 under section 303.01 (2) (em) of the statutes, as affected by this act, during the
7 1997-99 biennium. If the cochairpersons of the committee do not notify the
8 department of corrections within 14 working days after the date of the submittal that
9 the committee has scheduled a meeting to take place for the purpose of reviewing the
10 plan, the department may proceed with the plan. If, within 14 working days after
11 the date of the submittal, the cochairpersons of the committee notify the department
12 of corrections that the committee has scheduled a meeting to take place for the
13 purpose of reviewing the plan, the department may proceed with the plan only after
14 incorporating any changes that are made to the plan by the joint committee on
15 finance at the meeting.

16 2. Beginning after December 1, 1997, the department of corrections shall
17 submit any modifications to the plan approved by the the joint committee on finance
18 under subdivision 1. to the joint committee on finance. If the cochairpersons of the
19 committee do not notify the department of corrections within 14 working days after
20 the date of the submittal that the committee has scheduled a meeting to take place
21 for the purpose of reviewing the modified plan, the department may proceed with the
22 modified plan. If, within 14 working days after the date of the submittal, the
23 cochairpersons of the committee notify the department of corrections that the
24 committee has scheduled a meeting to take place for the purpose of reviewing the
25 modified plan, the department may proceed with the modified plan only after

1 incorporating any changes that are made to the modified plan by the joint committee
2 on finance at the meeting.

3 (b) No later than December 1, 1997, the department of corrections and the
4 department of administration shall jointly submit a plan to the joint committee on
5 finance regarding the distribution of assets and liabilities between the prison
6 industries program under section 303.01 (1) of the statutes and the private business
7 program operating under section 303.01 (2) (em) of the statutes, as affected by this
8 act. If the cochairpersons of the committee do not notify the department of
9 corrections and the department of administration within 14 working days after the
10 date of the submittal that the committee has scheduled a meeting to take place for
11 the purpose of reviewing the plan, the department of corrections and the department
12 of administration may proceed with the plan. If, within 14 working days after the
13 date of the submittal, the cochairpersons of the committee notify the department of
14 corrections and the department of administration that the committee has scheduled
15 a meeting to take place for the purpose of reviewing the plan, the department of
16 corrections and the department of administration may proceed with the plan only
17 after incorporating any changes that are made to the plan by the joint committee on
18 finance at the meeting.

19 (3v) SECURE JUVENILE DETENTION FACILITY IN NORTHWESTERN WISCONSIN. By
20 January 1, 1998, the department of corrections shall prepare a design for a
21 financially viable secure detention facility, as defined in section 938.02 (16) of the
22 statutes, to be located in the northwestern part of this state, develop a plan to fund
23 that secure detention facility by combining federal, state and county resources and
24 submit to the joint committee on finance a report on that design and funding plan.

1 (3x) EVALUATION OF THE USE OF FEDERAL CORRECTIONAL FACILITIES TO HOUSE
2 WISCONSIN PRISONERS. The department of corrections shall conduct an evaluation of
3 the state's need to contract for the transfer and confinement of state prisoners in
4 federal correctional facilities and the need for construction of additional minimum
5 security correctional institutions in this state. The department of corrections shall
6 also evaluate and compare federal and state minimum security classification
7 standards and institutional programming provided at federal and state minimum
8 security correctional facilities. The department of corrections shall submit the report
9 to the joint committee on finance by January 1, 1998.

10 (4t) IMPACT OF JUVENILE JUSTICE CODE ON YOUTH AIDS FUNDING. The department
11 of corrections shall conduct an evaluation of the impact that chapter 938 of the
12 statutes, as created by 1995 Wisconsin Act 77, and the decline of the average daily
13 populations of juveniles receiving state correctional care have had on the funding of
14 juvenile delinquency-related services under the community youth and family aids
15 program under section 301.26 of the statutes, as affected by this act, and on the costs
16 to counties and the state of providing juvenile correctional care. By January 1, 1998,
17 the department of corrections shall submit a report on that evaluation to the
18 governor and to the joint committee on finance. The report shall provide
19 recommendations regarding the funding of juvenile correctional care, including
20 recommendations regarding possible ways of reallocating or reducing the costs of
21 providing care in secured correctional facilities, as defined in section 938.02 (15m)
22 of the statutes, if the populations of those facilities continue to decline.

23 **SECTION 9120. Nonstatutory provisions; gaming board.**

24 (1) ELIMINATION OF GAMING BOARD; TRANSFER OF GAMING FUNCTIONS TO THE
25 DEPARTMENT OF ADMINISTRATION.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
2 liabilities of the gaming board shall become the assets and liabilities of the
3 department of administration.

4 (b) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the gaming board is transferred to
6 the department of administration.

7 (c) *Contracts.* All contracts entered into by the gaming board which are in
8 effect on the effective date of this paragraph remain in effect and are transferred to
9 the department of administration. The department of administration shall carry out
10 any such contractual obligations until modified or rescinded by the department of
11 administration to the extent allowed under the contracts.

12 (d) *Employe transfers and status.* On the effective date of this paragraph, all
13 incumbent employes holding positions in the gaming board are transferred to the
14 department of administration. Employes transferred under this paragraph have all
15 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
16 statutes that they enjoyed in the gaming board. Notwithstanding section 230.28 (4)
17 of the statutes, no employe so transferred who has attained permanent status in
18 class may be required to serve a probationary period.

19 (e) *Pending matters.* Any matters pending with the gaming board on the
20 effective date of this paragraph are transferred to the department of administration
21 and all materials submitted to or actions taken by the gaming board with respect to
22 any pending matter are considered as having been submitted to or taken by the
23 department of administration.

24 (f) *Rules and orders.* All rules promulgated by the gaming board, other than
25 rules that relate to chapter 565 of the statutes, as affected by this act, that are in

1 effect on the effective date of this paragraph remain in effect until their specified
2 expiration date or until amended or repealed by the department of administration.
3 All orders issued by the gaming board, other than orders that relate to chapter 565
4 of the statutes, that are in effect on the effective date of this paragraph remain in
5 effect until their specified expiration date or until modified or rescinded by the
6 department of administration.

7 (2) LOTTERY FUNCTIONS TRANSFER. All rules that relate to chapter 565 of the
8 statutes that are in effect before the effective date of this subsection shall remain in
9 effect until their specified expiration date or until amended or repealed by the
10 department of revenue. All orders that relate to chapter 565 of the statutes that are
11 in effect before the effective date of this subsection shall remain in effect until their
12 specified expiration date or until amended or rescinded by the department of
13 revenue.

14 **SECTION 9123. Nonstatutory provisions; health and family services.**

15 (1) MILWAUKEE CHILD WELFARE TRANSFER.

16 (a) *Tangible personal property.* On the effective date of this paragraph, all
17 tangible personal property, including records, of the Milwaukee County department
18 of social services and of the Milwaukee County children's court center that is
19 primarily related to providing child welfare services under chapter 48 of the statutes
20 is transferred to the department of health and family services. The Milwaukee
21 County department of social services, the Milwaukee County children's court center
22 and the department of health and family services shall jointly identify this tangible
23 personal property, including records, and shall jointly develop and implement a plan
24 for the orderly transfer thereof. In the event of any disagreement, the secretary of

1 administration shall resolve the dispute and shall develop a plan for the orderly
2 transfer thereof.

3 (b) *Pending matters.* Any matter pending under chapter 48 of the statutes with
4 the Milwaukee County department of social services or with the Milwaukee County
5 children's court center on the effective date of this paragraph is transferred to the
6 department of health and family services. All materials submitted or actions taken
7 by the Milwaukee County department of social services or by the Milwaukee County
8 children's court center with respect to the pending matter are considered as having
9 been submitted to or taken by the department of health and family services.

10 (c) *Custody.* On the effective date of this paragraph, all persons who are under
11 the legal custody, supervision or guardianship of the Milwaukee County department
12 of social services under chapter 48 of the statutes are transferred to the legal custody,
13 supervision or guardianship of the department of health and family services. The
14 Milwaukee County department of social services and the department of health and
15 family services shall jointly determine those persons and shall jointly develop a plan
16 for the orderly transfer thereof. In the event of any disagreement, the secretary of
17 administration shall resolve the dispute and shall develop a plan for the orderly
18 transfer thereof.

19 (dz) *Site selection process.* The secretary of administration, in consultation
20 with the department of health and family services, shall submit a proposal for the
21 selection of the 5 neighborhood-based child welfare service delivery sites planned for
22 Milwaukee County under 1995 Wisconsin Act 303, section 9127 (1) (b), to the joint
23 committee on finance. If the cochairpersons of the committee do not notify the
24 secretary of administration that the committee has scheduled a meeting for the
25 purpose of reviewing the proposal within 14 working days after the date of submittal

1 of the proposal, the department of administration and the department of health and
2 family services may implement the proposal. If within 14 working days after the date
3 of the submittal by the secretary of administration the cochairpersons of the
4 committee notify him or her that the committee has scheduled a meeting for the
5 purpose of reviewing the proposal, the department of administration and the
6 department of health and family services may implement the proposal only with the
7 approval of the committee.

8 (eg) *Funding for prevention contracts.* The department of health and family
9 services may request the joint committee on finance to supplement, from the
10 appropriation account under section 20.865 (4) (a) of the statutes, the appropriation
11 account under section 20.435 (3) (cx) of the statutes, as created by this act, to fund
12 contracts for services to prevent child abuse and neglect in Milwaukee County. If the
13 department of health and family services requests supplementation of the
14 appropriation account under section 20.435 (3) (cx) of the statutes, as created by this
15 act, under this paragraph, that department shall submit for each fiscal year a plan
16 for the expenditure of the moneys supplemented to the secretary of administration.
17 If the secretary of administration approves the plan, he or she shall submit the plan
18 to the joint committee on finance. If the cochairpersons of the committee do not notify
19 the secretary of administration within 14 working days after the date of his or her
20 submittal of the plan that the committee has scheduled a meeting for the purpose of
21 reviewing the plan, the joint committee on finance is considered to have approved the
22 request, the appropriation account under section 20.435 (3) (cx) of the statutes, as
23 created by this act, is supplemented by the amount requested and the department
24 of health and family services may encumber the supplemented moneys as provided
25 in the plan. If within 14 working days after the date of the submittal by the secretary

1 of administration the cochairpersons of the committee notify the secretary of
2 administration that the committee has scheduled a meeting for the purpose of
3 reviewing the plan, the department of health and family services may implement the
4 plan only with the approval of the committee. Notwithstanding section 13.101 (3)
5 (a) of the statutes, the committee is not required to find that an emergency exists.

6 (2) CARRY-OVER FOR LONG-TERM CARE PILOT PROJECT. Notwithstanding section
7 20.435 (7) (bd) of the statutes, the department of health and family services may
8 carry forward funds allocated under section 46.27 of the statutes from the
9 appropriation account under section 20.435 (7) (bd) of the statutes, as affected by this
10 act, that are not spent or encumbered by counties by December 31 or carried forward
11 under section 46.27 (7) (fm) or (g) of the statutes for the purpose of establishing and
12 operating a pilot project under section 46.271 (2m) of the statutes, as created by this
13 act. All funds carried forward under this subsection that are not spent or
14 encumbered by June 30, 1999, shall lapse to the general fund on July 1, 1999.

15 (3) SUPPLEMENTAL PAYMENTS FOR THE SUPPORT OF CHILDREN OF SUPPLEMENTAL
16 SECURITY INCOME RECIPIENTS. Notwithstanding section 49.775 (2) of the statutes, as
17 created by this act, the department of health and family services may make a
18 payment under section 49.775 (2) of the statutes, as created by this act, to a custodial
19 parent for the support of a dependent child for whom aid is paid under section 49.19
20 of the statutes, as affected by this act, beginning on the later of the following:

21 (a) The first day of the 3rd month beginning after the effective date of this
22 paragraph.

23 (b) The first day of the first month beginning after the first regularly scheduled
24 reinvestigation under section 49.19 (5) (e) of the statutes conducted after the
25 effective date of this paragraph.

1 (4) EXEMPTION FROM EMERGENCY RULE PROCEDURES FOR MANDATORY HEALTH
2 INSURANCE RISK-SHARING PLAN. Using the procedure under section 227.24 of the
3 statutes, the department of health and family services may promulgate any rules
4 that the department is authorized or required to promulgate under chapter 149 of
5 the statutes, as affected by this act, for the period before the effective date of any
6 permanent rules promulgated by the department under chapter 149 of the statutes,
7 as affected by this act, but not to exceed the period authorized under section 227.24
8 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the
9 statutes, the department is not required to make a finding of emergency.

10 (5) HEALTH INSURANCE PROGRAM FOR UNINSURED CHILDREN. By July 1, 1998, the
11 department of health and family services shall conduct and report to the legislature
12 in the manner provided under section 13.172 (2) of the statutes and to the governor
13 on the results of a study to explore, on a statewide basis, possible provision of a health
14 insurance program for uninsured families and school-age children, as determined
15 by the department. If the health insurance program appears to be feasible, the
16 department shall, with the report, include proposed statutory language necessary to
17 implement the program. The department shall also include in the report all of the
18 following:

19 (a) An evaluation of the current medical assistance outreach efforts. The
20 department shall, in the report, make recommendations that would increase the
21 enrollment in the medical assistance program of children who are currently eligible
22 for the medical assistance program.

23 (b) A study on the cost-effectiveness of expanding the medical assistance
24 income standard for children.

1 (c) A comparison of providing a health insurance program, increasing the
2 enrollment in the medical assistance program of children currently eligible for the
3 medical assistance program and expanding the medical assistance income standard.

4 The comparison shall be based on all of the following:

5 1. The costs and benefits of each approach.

6 2. The number of children who would receive health care coverage who are
7 currently uninsured.

8 3. The administrative feasibility of each approach.

9 (6) HEALTH PROGRAMS FOR WOMEN. From the appropriation account under
10 section 20.435 (5) (cb) of the statutes, as created by this act, the department of health
11 and family services shall do all of the following:

12 (a) Conduct a women's health campaign to do all of the following:

13 1. Increase women's awareness of issues that affect their health.

14 2. Reduce the prevalence of chronic and debilitating health conditions that
15 affect women.

16 (b) Distribute funds to applying individuals, institutions or organizations for
17 the conduct of projects to enhance activities of communities in establishing and
18 maintaining a comprehensive women's health program that addresses all major risk
19 factors for chronic disease for middle-aged and older women. Distribution of funds
20 to an applicant under this paragraph is conditioned upon receipt by the department
21 of an agreement by the applicant to provide funds or in-kind services to match 25%
22 of the amount of the funds distributed to the applicant.

23 (7) DEVELOPMENT OF A FACILITY LICENSING AND CERTIFICATION SYSTEM. In fiscal
24 year 1997-98, the department of health and family services shall distribute \$150,000
25 from the appropriation under section 20.435 (3) (a) of the statutes and \$100,000 from

1 the appropriation under section 20.435 (6) (jm) of the statutes, as affected by this act,
2 and in fiscal year 1998-99, the department of health and family services shall
3 distribute \$150,000 from the appropriation under section 20.435 (3) (a) of the
4 statutes, to develop and extend use of a facility licensing and certification system.
5 However, the secretary of administration may, under section 16.50 (2) of the statutes,
6 withhold approval of an expenditure estimate of the funds under this subsection
7 until he or she determines that the department of health and family services has
8 adequately explored and planned for the use of a common licensing and certification
9 system with the department of regulation and licensing.

10 (8) TRANSFER OF INFORMATION SERVICES.

11 (a) *Employe transfers.* On the effective date of this paragraph, 9.5 FTE PR
12 positions in the department of health and family services that are primarily related
13 to internet and print services functions and the incumbents holding these positions,
14 as determined by the secretary of administration, are transferred to the department
15 of administration.

16 (b) *Employe status.* Employees transferred under paragraph (a) have all the
17 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
18 statutes in the department of administration that they enjoyed in the department
19 of health and family services immediately before the transfer. Notwithstanding
20 section 230.28 (4) of the statutes, no employe so transferred who has attained
21 permanent status in class is required to serve a probationary period.

22 (10g) WOMEN'S HEALTH INITIATIVE.

23 (a) *Mobile mammography van.* The secretary of health and family services
24 shall submit to the chairpersons of the joint committee on finance a plan that details
25 the budget and criteria to be used in awarding a grant for the performance of breast

1 cancer screening activities with the use of a mobile mammography van. If the joint
2 committee on finance approves the plan, it may supplement the appropriation under
3 section 20.435 (5) (cc) of the statutes, as affected by this act, for breast cancer
4 screening activities with the use of a mobile mammography van. Notwithstanding
5 section 13.101 (3) (a) of the statutes, the committee is not required to find that an
6 emergency exists.

7 (b) *Other women's health programs.* The secretary of health and family
8 services shall submit to the chairpersons of the joint committee on finance a plan that
9 details the budget and criteria to be used in awarding grants under section 255.075
10 of the statutes, as created by this act, and SECTION 9123 (6) (b) of this act. If the joint
11 committee on finance approves the plan, it may supplement the appropriation under
12 section 20.435 (5) (cb) of the statutes, as created by this act, for women's health
13 services. Notwithstanding section 13.101 (3) (a) of the statutes, the committee is not
14 required to find that an emergency exists.

15 (10n) PREGNANCY PREVENTION ACTIVITIES. The department of health and family
16 services shall, in consultation with the adolescent pregnancy prevention and
17 pregnancy services board, develop a plan that details specific activities that the
18 department of health and family services and the adolescent pregnancy prevention
19 and pregnancy services board will conduct to reduce the state's out-of-wedlock
20 births by federal fiscal year 1998-99 in order to receive federal funds that will be
21 made available to 5 states that experience the greatest decline in out-of-wedlock
22 births during the previous 2 years. The department of health and family services
23 shall submit the plan to the members of the joint committee on finance not later than
24 December 31, 1997.

1 (10t) RURAL MEDICAL CENTERS. The department of health and family services
2 shall assist the Wisconsin congressional delegation, if requested, to prepare federal
3 legislation to amend the Social Security Act to enable this state to operate a
4 demonstration project for rural medical centers. The assistance of the department
5 of health and family services shall end not later than December 31, 1997.

6 (11mp) STUDY ON FAMILY COVERAGE UNDER THE MANDATORY HEALTH INSURANCE
7 RISK-SHARING PLAN. The department of health and family services shall study the
8 feasibility of providing family coverage under the mandatory health insurance
9 risk-sharing plan under subchapter II of chapter 619 of the statutes, as affected by
10 this act, for an individual who is eligible for coverage under that plan and for the
11 members of the individual's family. The department shall also determine whether
12 providing such a plan of family coverage would satisfy the requirements under the
13 federal Health Insurance Portability and Accountability Act of 1996 to provide a
14 choice of coverage. On or before January 1, 1998, the department shall report its
15 findings, conclusions and recommendations to the appropriate standing committees
16 in the manner provided under section 13.172 (3) of the statutes and to the joint
17 committee on finance.

18 **SECTION 9124. Nonstatutory provisions; historical society.**

19 (1m) NORTHERN GREAT LAKES CENTER; POSITION. The moneys expended in the
20 1997-99 fiscal biennium from the appropriation under section 20.245 (4) (y) of the
21 statutes, as created by this act, for 1.0 SEG position, and the fringe benefits and
22 supplies and services associated with the position, shall be from moneys deposited
23 in the conservation fund that are generated from forestry-related activities engaged
24 in by the state.

1 (1x) EFFICIENCY MEASURES. By October 1, 1997, the historical society shall
2 submit a report to the governor and to the joint committee on finance recommending
3 how appropriation reductions in fiscal year 1997-98 of \$135,200 and in fiscal year
4 1998-99 of \$135,200, resulting from budgetary efficiency measures, should be
5 allocated among the sum certain appropriations made to the historical society from
6 general purpose revenue. If the cochairpersons of the committee do not notify the
7 historical society that the committee has scheduled a meeting for the purpose of
8 reviewing the report within 14 working days after the date of the submittal, the
9 recommendation may be implemented as proposed by the historical society. If,
10 within 14 working days after the date of the submittal, the cochairpersons of the
11 committee notify the historical society that the committee has scheduled a meeting
12 for the purpose of reviewing the report, the recommendation may be implemented
13 only upon approval of the committee.

14 (2c) TOURING EXHIBIT OF WISCONSIN STATE CAPITOL. In cooperation with the joint
15 committee on legislative organization, the historical society shall, during fiscal year
16 1997-98, provide a touring exhibit detailing the history of the Wisconsin state
17 capitol, and solicit donations to finance the exhibit.

18 **SECTION 9126. Nonstatutory provisions; workforce development.**

19 (2) DEFINITION OF NEEDY PERSON. Using the procedure under section 227.24 of
20 the statutes, the department of workforce development shall promulgate the rule
21 required under section 49.138 (1d) (b) of the statutes, as created by this act, for the
22 period before the effective date of the permanent rule promulgated under section
23 49.138 (1d) (b) of the statutes, as created by this act, but not to exceed the period
24 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding

1 section 227.24 (1) and (3) of the statutes, the department of workforce development
2 is not required to make a finding of emergency.

3 (3m) REQUEST FOR MORE FUNDING FOR THE DIVISION OF VOCATIONAL
4 REHABILITATION. In the event that the amounts appropriated to the department of
5 workforce development under section 20.445 (5) (a) and (bm) of the statutes are
6 insufficient to carry out the purposes for which appropriated and matching funding
7 is not available to the department, the department may make a request under
8 section 13.10 of the statutes to the joint committee on finance asking the committee
9 to supplement the appropriations under section 20.445 (5) (a) and (bm) of the
10 statutes.

11 (3w) JOB TRAINING PARTNERSHIP ACT FUNDING. From the appropriation account
12 under section 20.445 (1) (mc) of the statutes, in fiscal year 1997-98 the department
13 of workforce development shall distribute \$80,600 in moneys received under the
14 federal Job Training Partnership Act, 29 USC 1501 to 1792b, to the Northwest
15 Wisconsin Concentrated Employment Program, Inc.

16 (4s) LABOR TRAINING AND EMPLOYMENT SERVICES GRANT

17 (a) The department of workforce development may make a grant of not more
18 than \$50,000 from the appropriation under section 20.445 (1) (mc) of the statutes to
19 the private industry council serving Juneau County to fund a labor training and
20 employment services program to provide employes of Best Power Company who are
21 being laid off from that company's facility in Necedah with job training and related
22 employment services, if all of the following conditions apply:

23 1. The private industry council submits a plan to the department of workforce
24 development detailing the proposed use of the grant and the secretary of workforce
25 development approves the plan.

1 2. The private industry council enters into a written agreement with the
2 department of workforce development that specifies the conditions for use of the
3 grant proceeds, including training, reporting and auditing requirements.

4 3. The private industry council agrees in writing to submit to the department
5 of workforce development, within 6 months after the grant proceeds are spent, a
6 report detailing how the grant proceeds were used.

7 (b) The department of workforce development may not pay grant proceeds
8 under this subsection after July 31, 1998.

9 **SECTION 9127. Nonstatutory provisions; insurance.**

10 (1) TRANSFER OF FUNCTIONS OF OFFICE OF HEALTH CARE INFORMATION

11 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
12 liabilities of the office of the commissioner of insurance primarily related to the
13 functions of the office of health care information shall become the assets and
14 liabilities of the department of health and family services. The department of health
15 and family services and the office of the commissioner of insurance shall jointly
16 determine these assets and liabilities and shall jointly develop and implement a plan
17 for the orderly transfer thereof. In the event of any disagreement between the
18 department and the office of the commissioner of insurance, the secretary of
19 administration shall decide the question.

20 (b) *Employe transfers.* On the effective date of this paragraph, 19.0 FTE PR
21 positions in the office of the commissioner of insurance that are primarily related to
22 the functions of the office of health care information and the incumbents holding
23 these positions, as determined by the secretary of administration, are transferred to
24 the department of health and family services.

1 (c) *Employee status.* Employees transferred under paragraph (b) have all the
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
3 statutes in the department of health and family services that they enjoyed in the
4 office of the commissioner of insurance immediately before the transfer.
5 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
6 has attained permanent status in class is required to serve a probationary period.

7 (d) *Supplies and equipment.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the office of the commissioner of
9 insurance primarily related to the functions of the office of health care information
10 are transferred to the department of health and family services. The department of
11 health and family services and the office of the commissioner of insurance shall
12 jointly identify the tangible personal property, including records, and shall jointly
13 develop and implement a plan for the orderly transfer thereof. In the event of any
14 disagreement between the department and the office of the commissioner of
15 insurance, the secretary of administration shall decide the question.

16 (e) *Pending matters.* On the effective date of this paragraph, any matter
17 pending with the office of the commissioner of insurance primarily related to the
18 functions of the office of health care information is transferred to the department of
19 health and family services. All materials submitted or actions taken by the office of
20 the commissioner of insurance with respect to the pending matter are considered as
21 having been submitted to or taken by the department of health and family services.

22 (f) *Contracts.* On the effective date of this paragraph, all contracts entered into
23 by the office of the commissioner of insurance primarily related to the functions of
24 the office of health care information which are in effect on the effective date of this
25 paragraph, remain in effect and are transferred to the department of health and

1 family services. The department of health and family services and the office of the
2 commissioner of insurance shall jointly identify these contracts and shall jointly
3 develop and implement a plan for the orderly transfer thereof. In the event of any
4 disagreement between the department and the office of the commissioner of
5 insurance, the secretary of administration shall decide the question. The
6 department of health and family services shall carry out any such contractual
7 obligations until modified or rescinded by the department of health and family
8 services to the extent allowed under the contract.

9 (g) *Rules and orders.* All rules promulgated by the office of the commissioner
10 of insurance that are in effect on the effective date of this paragraph and that are
11 primarily related to the functions of the office of health care information remain in
12 effect until their specified expiration date or until amended or repealed by the
13 department of health and family services. All orders issued by the office of the
14 commissioner of insurance that are in effect on the effective date of this paragraph
15 and that are primarily related to the functions of the office of health care information
16 remain in effect until their specified expiration date or until modified or rescinded
17 by the department of health and family services.

18 (2) TRANSFER OF MANDATORY HEALTH INSURANCE RISK-SHARING PLAN.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
20 liabilities of the office of the commissioner of insurance primarily related to the
21 mandatory health insurance risk-sharing plan shall become the assets and
22 liabilities of the department of health and family services. The department of health
23 and family services and the office of the commissioner of insurance shall jointly
24 determine these assets and liabilities and shall jointly develop and implement a plan
25 for the orderly transfer thereof. In the event of any disagreement between the

1 department and the office of the commissioner of insurance, the secretary of
2 administration shall decide the question.

3 (b) *Employe transfers.* On the effective date of this paragraph, 1.5 FTE SEG
4 positions in the office of the commissioner of insurance that are primarily related to
5 the mandatory health insurance risk-sharing plan and the incumbents holding
6 these positions, as determined by the secretary of administration, are transferred to
7 the department of health and family services.

8 (c) *Employe status.* Employes transferred under paragraph (b) have all the
9 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
10 statutes, as affected by this act, in the department of health and family services that
11 they enjoyed in the office of the commissioner of insurance immediately before the
12 transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so
13 transferred who has attained permanent status in class is required to serve a
14 probationary period.

15 (d) *Supplies and equipment.* On the effective date of this paragraph, all
16 tangible personal property, including records, of the office of the commissioner of
17 insurance primarily related to the mandatory health insurance risk-sharing plan
18 are transferred to the department of health and family services. The department of
19 health and family services and the office of the commissioner of insurance shall
20 jointly identify the tangible personal property, including records, and shall jointly
21 develop and implement a plan for the orderly transfer thereof. In the event of any
22 disagreement between the department and the office of the commissioner of
23 insurance, the secretary of administration shall decide the question.

24 (e) *Pending matters.* On the effective date of this paragraph, any matter
25 pending with the office of the commissioner of insurance primarily related to the

1 mandatory health insurance risk-sharing plan is transferred to the department of
2 health and family services. All materials submitted or actions taken by the office of
3 the commissioner of insurance with respect to the pending matter are considered as
4 having been submitted to or taken by the department of health and family services.

5 (f) *Contracts.* On the effective date of this paragraph, all contracts entered into
6 by the office of the commissioner of insurance primarily related to the mandatory
7 health insurance risk-sharing plan that are in effect on the effective date of this
8 paragraph remain in effect and are transferred to the department of health and
9 family services. The department of health and family services and the office of the
10 commissioner of insurance shall jointly identify these contracts and shall jointly
11 develop and implement a plan for the orderly transfer thereof. In the event of any
12 disagreement between the department and the office of the commissioner of
13 insurance, the secretary of administration shall decide the question. The
14 department of health and family services shall carry out any such contractual
15 obligations until modified or rescinded by the department of health and family
16 services to the extent allowed under the contract.

17 (g) *Rules and orders.* All rules promulgated by the office of the commissioner
18 of insurance that are in effect on the effective date of this paragraph and that are
19 primarily related to the mandatory health insurance risk-sharing plan remain in
20 effect until their specified expiration date or until amended or repealed by the
21 department of health and family services. All orders issued by the office of the
22 commissioner of insurance that are in effect on the effective date of this paragraph
23 and that are primarily related to the mandatory health insurance risk-sharing plan
24 remain in effect until their specified expiration date or until modified or rescinded
25 by the department of health and family services.

1 (3m) HEALTH INSURANCE RISK-SHARING PLAN; RULES.

2 (a) *Rules on creditable coverage.* The commissioner of insurance shall submit
3 in proposed form the rules required under section 619.115 of the statutes, as created
4 by this act, to the legislative council staff under section 227.15 (1) of the statutes no
5 later than the first day of the 4th month beginning after the effective date of this
6 paragraph.

7 (b) *Exemption from emergency procedures.* Using the procedure under section
8 227.24 of the statutes, the commissioner of insurance may promulgate rules required
9 under section 619.115 of the statutes, as created by this act, for the period before the
10 effective date of the rules submitted under paragraph (a), but not to exceed the period
11 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
12 section 227.24 (1) (a) and (2) (b) of the statutes, the commissioner need not provide
13 evidence of the necessity of preservation of the public peace, health, safety or welfare
14 in promulgating rules under this paragraph.

15 (4m) HEALTH INSURANCE RISK-SHARING PLAN BOARD STUDY ON PLAN EFFICIENCY.
16 The health insurance risk-sharing plan board of governors under section 619.15 of
17 the statutes, as affected by this act, shall study the operation of the health insurance
18 risk-sharing plan under subchapter II of chapter 619 of the statutes, as affected by
19 this act. On or before June 30, 1998, the board shall submit a report to the legislature
20 in the manner provided under section 13.172 (2) of the statutes and to the governor
21 regarding the cost efficiency of the plan, including evaluations of all of the following:

22 (a) The impact on the plan of the greater use of managed care and case
23 management for eligible persons.

24 (b) The effect on the plan of the federal Health Insurance Portability and
25 Accountability Act of 1996.

1 **SECTION 9128. Nonstatutory provisions; investment board.**

2 (1m) CERTAIN DIRECT CHARGES. Prior to the enactment of the 1999-2001
3 biennial budget act, the investment board may not pay, as a direct charge to the funds
4 under the board's management pursuant to section 25.18 (1) (a) or (m) of the statutes,
5 expenses incurred in designing or installing computerized information systems,
6 except for expenses relating to transfers between the board and 3rd parties of data
7 relating to investment matters.

8 **SECTION 9131. Nonstatutory provisions; justice.**

9 (1m) PROSECUTORS FOR SEXUALLY VIOLENT PERSON COMMITMENT CASES. Of the
10 authorized FTE positions for the department of justice funded from the
11 appropriation under section 20.455 (1) (a) of the statutes, 2.5 GPR project positions
12 shall be used for the period ending on June 30, 1999, to provide 2.0 attorney positions
13 and 0.5 paralegal position to assist district attorneys in prosecuting sexually violent
14 person commitment proceedings under chapter 980 of the statutes, as affected by
15 this act.

16 (1t) STUDY OF HAZARDOUS SUBSTANCE CLEANUP AGREEMENTS. The department of
17 justice shall review the effectiveness of section 292.11 (7) (d) and (e) of the statutes,
18 as created by this act, and shall submit a report of its findings to the joint committee
19 on finance and to the legislative standing committees with jurisdiction over
20 environmental matters by January 1, 2000.

21 **SECTION 9132. Nonstatutory provisions; legislature.**

22 (1g) AUDIT OF THE PUBLIC EMPLOYE TRAINING FUNCTIONS OF THE DEPARTMENT OF
23 EMPLOYMENT RELATIONS. The joint legislative audit committee is requested to direct
24 the legislative audit bureau to perform a financial and performance evaluation audit
25 of the public employe training functions of the department of employment relations.

1 The audit shall include an evaluation of whether the department of employment
2 relations should offer training services to public employes. If the audit recommends
3 that the department of employment relations continue to provide training services
4 to public employes, the audit shall offer recommendations regarding what role the
5 department should adopt in providing such training services and whether current
6 law allows for the adoption of that role, whether departmental staff is required for
7 providing the training services and how the training services may be reliably funded
8 from fees paid by governmental agencies that contract with the department for
9 providing the services. If the committee directs the legislative audit bureau to
10 perform the audit, the bureau shall file its report as described under section 13.94
11 (1) (b) of the statutes by September 1, 1998.

12 (1h) A STUDY OF THE FEASIBILITY OF REOPENING THE VARIABLE RETIREMENT
13 INVESTMENT TRUST TO PARTICIPANTS IN THE WISCONSIN RETIREMENT SYSTEM.

14 (a) The retirement research committee, with the cooperation of the
15 department of employe trust funds and the investment board, is requested to study
16 the feasibility and cost implications of reopening the variable retirement investment
17 trust to participants in the Wisconsin retirement system who are currently
18 prohibited from having their employe and employer retirement contributions
19 credited to the variable retirement investment trust. The study shall include all of
20 the following:

21 1. An assessment of the impact on employer required contributions as a result
22 of reopening the variable retirement investment trust.

23 2. An examination of the impact on investments in the fixed retirement
24 investment trust if assets are transferred from the fixed retirement investment trust

1 to the variable retirement investment trust as a result of reopening the variable
2 retirement investment trust.

3 3. An evaluation of whether the administrative workload in the department of
4 employe trust funds and the investment board would increase as a result of
5 reopening the variable retirement investment trust.

6 4. A review of the implications for participating employes who may elect to
7 have their employe and employer retirement contributions credited to the variable
8 retirement investment trust.

9 (b) If the retirement research committee conducts the study specified in
10 paragraph (a), the retirement research committee shall submit its report to the joint
11 committee on finance by January 1, 1998.

12 (1k) REENGINEERING OF INFORMATION SYSTEMS IN THE DEPARTMENT OF
13 CORRECTIONS. If the department of administration or the department of corrections
14 contracts for a consultant to study the reengineering of the information systems in
15 the department of corrections, the department of corrections and the department of
16 administration shall jointly submit the results of the study to the joint committee on
17 information policy. The department of corrections and the department of
18 administration may not implement any of the recommendations in the study unless
19 the recommendations have been approved by the committee.

20 (1t) LAPTOP COMPUTER ACQUISITIONS FOR ASSEMBLY.

21 (a) In this subsection, "master lease" means an agreement entered into on
22 behalf of the state for the lease of goods and related services under which the state
23 agrees to make periodic payments, which may provide for the state to acquire title
24 to the goods upon compliance with the terms of the agreement.

1 (b) The committee on organization of the assembly is requested to enter into
2 a master lease for the acquisition of 100 laptop computers for assembly offices during
3 fiscal year 1997-98. The costs of any such agreement shall be paid from the
4 appropriation under section 20.765 (1) (d) of the statutes, as affected by this act,
5 within the amounts budgeted for that appropriation in the schedule under section
6 20.005 (3) of the statutes.

7 (1x) CONSOLIDATION OF STATE CENTERS FOR THE DEVELOPMENTALLY DISABLED.

8 (a) There is created a committee to develop and recommend a plan for the
9 consolidation of the 3 state centers for the developmentally disabled. In developing
10 and recommending the plan, the committee shall consider all of the following factors:

11 1. The availability of community-based support services for center residents
12 in place of institutional care.

13 2. The effect that consolidation of the 3 state centers for the developmentally
14 disabled will have on employment.

15 3. The fiscal effect that consolidation of the 3 state centers for the
16 developmentally disabled will have on the state.

17 4. The ability of relatives of center residents to maintain contact with those
18 residents if those residents are relocated as a result of the consolidation.

19 5. The impact on center residents of any relocation of center residents as a
20 result of the consolidation.

21 6. Possible alternative uses of any state center for the developmentally
22 disabled that is closed as a result of the consolidation.

23 (b) The committee shall consist of the following members, none of whom may
24 be a senator representing a senate district, or a representative to the assembly

1 representing an assembly district, in which a state center for the developmentally
2 disabled is located:

- 3 1. A member who is appointed by the governor.
- 4 2. The majority leader of the senate or his or her designee.
- 5 3. The senate minority leader or his or her designee.
- 6 4. The speaker of the assembly or his or her designee.
- 7 5. The assembly minority leader or his or her designee.

8 (c) The committee shall elect a chairperson of the committee from among the
9 members of the committee.

10 (d) The committee may call upon any state agency or officer for the facilities
11 and data of that agency or officer, and those agencies and officers shall cooperate with
12 the committee to the fullest extent possible.

13 (e) By January 1, 1998, the committee shall submit a report containing its
14 findings, conclusions and recommendations for the consolidation of the 3 state
15 centers for the developmentally disabled to the legislature in the manner provided
16 under section 13.172 (2) of the statutes and to the governor. The committee
17 terminates on submittal of the report as required under this paragraph.

18 (f) The department of health and family services shall consolidate the 3 state
19 centers for the developmentally disabled in accordance with the recommendation of
20 the committee, unless the legislature, by joint resolution, rejects the
21 recommendation of the committee within 60 days after the date on which the report
22 of the committee is submitted to the legislature under paragraph (e).

23 (g) If the committee recommends a plan for the consolidation of the 3 state
24 centers for the developmentally disabled that involves relocating state center
25 residents and if the legislature does not reject the plan under paragraph (f), the

1 department of health and family services shall request the joint committee on
2 finance to transfer moneys to the appropriation account under section 20.435 (5) (b)
3 of the statutes, as created by this act, to fund the cost of relocating those residents.
4 If the joint committee on finance determines that moneys are available to fund that
5 cost, the joint committee on finance shall transfer not more than \$600,000 in fiscal
6 year 1998-99 to the appropriation account under section 20.435 (5) (b) of the
7 statutes, as created by this act, and shall increase the expenditure authority under
8 section 20.435 (2) (gk) of the statutes, as affected by this act, by not more than
9 \$1,450,000 in fiscal year 1998-99.

10 (h) If the committee recommends a plan for the consolidation of the 3 state
11 centers for the developmentally disabled that involves closing one or more of those
12 state centers and if the legislature does not reject the plan under paragraph (f), the
13 department of health and family services may do any of the following:

14 1. Notwithstanding sections 51.10 and 51.15 of the statutes and sections 51.13,
15 51.20, 51.67 and 55.06 of the statutes, as affected by this act, refuse to admit new
16 residents to a state center for the developmentally disabled that is recommended for
17 closing.

18 2. Transfer residents among the state centers for the developmentally disabled
19 without providing the procedural protections specified in section 51.35 (1) of the
20 statutes, as affected by this act.

21 3. Relocate individuals who are receiving services under section 51.06 (1) (d)
22 of the statutes, as affected by this act.

23 (2a) INTEGRATED LEGISLATIVE INFORMATION SYSTEM STAFF CREATION.

24 (a) *Positions and employes.* All positions and incumbent employes holding
25 positions in the legislature related to the functions of the integrated legislative

1 information system staff on the effective date of this paragraph, as determined by
2 the joint committee on legislative organization, are transferred to the integrated
3 legislative information system staff.

4 (b) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the legislature relating to the
6 functions of the integrated legislative information system staff, as determined by the
7 joint committee on legislative organization, is transferred to the integrated
8 legislative information system staff.

9 (c) *Contracts.* All contracts entered into by the legislature in effect on the
10 effective date of this paragraph that are primarily related to the functions of the
11 integrated legislative information system staff, as determined by the joint committee
12 on legislative organization, remain in effect and are transferred to the integrated
13 legislative information system staff. The integrated legislative information system
14 staff shall carry out any obligations under such a contract until modified or rescinded
15 by the integrated legislative information system staff to the extent allowed under the
16 contracts.

17 (d) *Pending matters.* Any matter pending with the legislature on the effective
18 date of this paragraph relating to the functions of the integrated legislative
19 information system staff is transferred to the integrated legislative information
20 system staff and all materials submitted to or actions taken by the legislature with
21 respect to the pending matter are considered as having been submitted to or taken
22 by the integrated legislative information system staff.

23 (2g) TOURING EXHIBIT OF WISCONSIN STATE CAPITOL. The joint committee on
24 legislative organization, in cooperation with the state historical society of Wisconsin,
25 shall establish a touring exhibit dealing with the history of the Wisconsin state

1 capitol through photographs, videotapes and artifacts. For this purpose, the
2 committee may authorize expenditure of not more than \$100,000 in fiscal year
3 1997-98 from the appropriation under section 20.765 (1) (d) of the statutes, as
4 affected by this act, within the amounts budgeted for that appropriation in the
5 schedule under section 20.005 (3) of the statutes, to support production of the exhibit
6 after the state historical society of Wisconsin notifies the cochairpersons of the
7 committee that the society has received at least \$100,000 in donations to finance the
8 exhibit.

9 (2r) RESIDENTIAL SCHOOLS. From the appropriation under section 20.865 (4) (a)
10 of the statutes, the joint committee on finance shall supplement the appropriation
11 to the department of public instruction under section 20.255 (1) (b) of the statutes,
12 in an amount equal to \$91,200 in each fiscal year of the 1997-99 fiscal biennium, if
13 the joint committee on finance approves the applicable plan under SECTION 9140 (1)
14 of this act. Notwithstanding section 13.101 (3) (a) of the statutes, the committee is
15 not required to find that an emergency exists.

16 (2z) TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDING RESERVE.

17 (a) During the 1997-98 fiscal year, from the appropriation under section
18 20.865 (4) (m) of the statutes, as created by this act, the joint committee on finance
19 shall allocate \$14,000,000 to do any of the following:

20 1. Supplement payments under section 49.775 of the statutes, as created by
21 this act, for the support of the dependent children of recipients under the federal
22 supplemental security income program or under section 49.77 of the statutes.

23 2. Fund learning labs and customized labor training programs.

24 (b) From the appropriation under section 20.865 (4) (m) of the statutes, the
25 joint committee on finance shall supplement the appropriation to the department of

1 health and family services under section 20.435 (7) (ed) of the statutes, as affected
2 by this act, and the appropriation to the department of workforce development under
3 section 20.445 (3) (dz) of the statutes, as affected by this act, for the purposes
4 specified in paragraph (a) if all of the following occur:

5 1. The departments of health and family services and workforce development
6 submit to the committee a joint request for the funds.

7 2. The committee approves the request, or the cochairpersons do not notify
8 within 14 working days after the receipt of the request the secretaries of the
9 departments that it has scheduled a meeting for the purpose of reviewing the
10 request.

11 (c) If the department of health and family services certifies that federal law
12 does not recognize payments made under section 49.775 of the statutes, as created
13 by this act, as meeting maintenance-of-effort requirements under 42 USC 1382g,
14 supplementation of the appropriation under section 20.435 (7) (ed) of the statutes,
15 as affected by this act, shall take priority over supplementation of section 20.445 (3)
16 (dz) of the statutes, as affected by this act.

17 (d) Notwithstanding section 13.101 (3) (a) of the statutes, the committee is not
18 required to find that an emergency exists to supplement the appropriations as
19 provided in this subsection.

20 **SECTION 9135. Nonstatutory provisions; Medical College of Wisconsin.**

21 (2z) FAMILY PRACTICE RESIDENCY PROGRAM. Of the moneys appropriated to the
22 Medical College of Wisconsin, Inc., under section 20.250 (1) (b) of the statutes,
23 \$136,400 in fiscal year 1997-98 and \$181,900 in fiscal year 1998-99 may be expended
24 only to fund 2 additional family practice physicians for the family practice residency
25 program. The Medical College of Wisconsin, Inc., shall provide matching funds equal

1 to 50% of any moneys expended under this subsection. The 2 family practice
2 physicians shall be allocated to maximize the number of family practice residents in
3 the program.

4 **SECTION 9137. Nonstatutory provisions; natural resources.**

5 (1) FISH AND GAME APPROVAL ISSUING SYSTEM AND CAMPGROUND RESERVATION
6 SYSTEM. The department of natural resources may use the procedure under section
7 227.24 of the statutes to promulgate rules under sections 27.01 (7) (e) 2., (7m) (c) and
8 (11) (b) and 29.09 (3m) and (3r) of the statutes, as created by this act. If the
9 department uses this procedure to promulgate any of these rules, the department
10 shall promulgate the rules within 90 days after the effective date of this subsection.
11 Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not
12 required to make a finding of emergency for a rule promulgated under this
13 subsection. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the
14 effective period of a rule promulgated under this subsection is for one year after its
15 promulgation and may not be further extended under section 227.24 (2) of the
16 statutes.

17 (1h) WATER POLLUTION CREDIT TRADING PILOT PROJECT. During the 1997-99 fiscal
18 biennium, the department shall select an area within the Hay River Watershed that
19 includes the city of Cumberland as the project area for the program under section
20 283.84 of the statutes, as created by this act.

21 (1i) STUDY OF AIR EMISSION FEE CAP. The department of natural resources, in
22 consultation with the acid deposition research council, shall study the feasibility of
23 raising the 4,000 ton cap on the amount of regulated air pollutants on which the
24 department may charge air emission fees, under section 285.69 (2) (b) of the statutes,
25 and using the increased fee revenue for enhanced monitoring of sulfur dioxide,

1 nitrogen dioxide and mercury deposition in this state. The department shall submit
2 a report of its findings and recommendations to the joint committee on finance no
3 later than December 1, 1997.

4 (3) RECREATIONAL BOATING PROJECT; HIGH CLIFF STATE PARK. From the
5 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the
6 department of natural resources shall expend the amount that is necessary for the
7 construction of breakwater structures in Lake Winnebago at the entrance of High
8 Cliff State Park harbor to provide for boater safety, but the amount may not exceed
9 \$500,000. The department may either expend the amount directly or provide it as
10 a grant to Calumet County. Notwithstanding section 30.92 (4) (b) 2. of the statutes,
11 as affected by this act, neither the department nor Calumet County need contribute
12 any moneys to match the amount expended from the appropriation under section
13 20.370 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92
14 (4) (a) of the statutes, the department may expend directly the amount authorized
15 under this subsection even though Lake Winnebago is not an inland lake without a
16 public access facility. The amount expended under this subsection shall be
17 considered an expenditure for an inland water project as provided in section 30.92
18 (4) (b) 6. of the statutes. This project need not be placed on the priority list under
19 section 30.92 (3) (a) of the statutes. Section 20.924 (1) of the statutes, as affected by
20 this act, does not apply to the construction of these breakwater structures. This
21 subsection does not apply after June 30, 2000.

22 (3g) REPORT ON PAVING BICYCLE TRAILS. By July 1, 1998, the department of
23 natural resources shall submit a report to the legislature for distribution to the
24 appropriate standing committees in the manner provided in section 13.172 (3) of the
25 statutes on the feasibility of paving state bicycle trails, including factors such as the

1 effects of paving on trail maintenance and usage and the applicability to Wisconsin
2 of similar efforts in other states.

3 (3x) EMERGENCY RULES FOR SAFE DRINKING WATER PROGRAM. Using the procedure
4 under section 227.24 of the statutes, the department of natural resources may
5 promulgate rules for the program under section 281.61 of the statutes, as created by
6 this act, for the period before the effective date of permanent rules for the program,
7 but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the
8 statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the
9 department need not provide evidence of the necessity of preservation of public
10 peace, health, safety or welfare in promulgating rules under this subsection.

11 (6g) BROWNFIELDS STUDY.

12 (a) In this subsection, "brownfields" means abandoned, idle or underused
13 industrial or commercial facilities or sites, the expansion or redevelopment of which
14 is adversely affected by environmental contamination.

15 (b) The department of natural resources, in cooperation with the departments
16 of commerce, administration, revenue, transportation and agriculture, trade and
17 consumer protection, shall do all of the following:

18 1. Study the means by which this state can increase the number of brownfields
19 that are cleaned and returned to productive use.

20 2. Study the potential methods to provide long-term funding of brownfields
21 financial assistance programs.

22 3. Study optional methods to clean up groundwater on a comprehensive, rather
23 than property-by-property, basis.

24 4. Study the effectiveness of existing laws concerning the redevelopment of
25 brownfields.

1 5. Identify and evaluate additional legislative proposals to further the cleanup
2 and redevelopment of brownfields.

3 (c) The department of natural resources shall submit a report of the results of
4 paragraph (b) and any recommendations to the joint committee on finance and to the
5 legislative standing committees with jurisdiction over environmental matters no
6 later than December 1, 1997.

7 (7m) INFORMATION TECHNOLOGY EXPENDITURE REQUEST. No later than the joint
8 committee on finances' 3rd quarterly meeting held under section 13.10 of the
9 statutes for the 1997-98 fiscal year, the department of natural resources shall
10 submit a plan to expend money from the appropriation under section 20.370 (8) (mt)
11 of the statutes, as affected by this act, to conform the department of natural
12 resources' information technology to any guidelines and standards established
13 under section 16.971 (2) (j) of the statutes by the division of technology management
14 in the department of administration. The expenditure plan shall include all of the
15 following information:

16 (a) The unencumbered balance in the department of natural resources'
17 appropriation account under section 20.370 (8) (mt) of the statutes, as affected by this
18 act, broken down by the amounts allocated for car, truck, airplane, heavy equipment
19 and radio pools.

20 (b) The department of natural resources' proposed expenditure of excess funds
21 from the appropriation account under section 20.370 (8) (mt) of the statutes, as
22 affected by this act, to conform to the information technology guidelines established
23 under section 16.971 (2) (j) of the statutes.

24 (c) The department of natural resources' assessment of how a one-time
25 expenditure of funds from this appropriation would affect the following:

1 1. The rates charged for car, truck, airplane, heavy equipment and radio pools.

2 2. The sufficiency of revenues credited to the appropriation account under
3 section 20.370 (8) (mt) of the statutes, as affected by this act, to fund the projected
4 expenditures from that appropriation.

5 (d) A description of any proposed purchases of other equipment that would
6 have to be foregone in order to make the proposed transfer from the appropriation
7 account under section 20.370 (8) (mt) of the statutes, as affected by this act.

8 (e) The programs within the department of natural resources that provided the
9 revenue proposed to be expended under the plan and the programs within the
10 department of natural resources that are proposed to be benefited by the
11 expenditures.

12 (7n) EMERGENCY RULES; CERTIFIED REMEDIATION PROFESSIONALS. By February 1,
13 1998, the department of natural resources shall promulgate emergency rules under
14 section 227.24 of the statutes implementing section 292.85 of the statutes, as created
15 by this act. The emergency rules shall authorize a person to become a certified
16 remediation professional by certifying to the department that the person possesses
17 the minimum education and experience required under the rule for certified
18 remediation professionals. Notwithstanding section 292.85 (4) (c) of the statutes, as
19 created by this act, the department is not required to publish notice of applications
20 for certificates under the emergency rule. A certificate issued under the emergency
21 rule is valid until such time, as determined by the department, that a person may
22 become certified under permanent rules promulgated by the department or until the
23 certificate is revoked. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
24 the emergency rules may remain in effect for a period not to exceed 2 years.
25 Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department

1 need not provide evidence of the necessity of preservation of the public peace, health,
2 safety or welfare in promulgating the rules under this subsection.

3 (7x) LIMIT ON CLEAN WATER FUND PROGRAM ASSISTANCE. Notwithstanding section
4 281.58 (6) (b) and (7) of the statutes, as affected by this act, during the 1997-99 fiscal
5 biennium, the department of natural resources and the department of
6 administration may not provide financial assistance under the clean water fund
7 program, except for a loan at the market interest rate, for a project for wastewater
8 treatment work expansion and extension of sanitary sewer mains or interceptors of
9 over one mile if the project serves a community with a population of less than 2,500
10 that is located on STH 42 and on one of the outlying waters specified in section 29.01
11 (11) of the statutes.

12 (8tt) RECREATIONAL BOATING PROJECT; STOCKBRIDGE HARBOR. From the
13 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the
14 department of natural resources shall provide to Calumet County funding for the
15 completion of Stockbridge Harbor on Lake Winnebago. Calumet County and the
16 department shall contribute funding for the project. Calumet County shall
17 contribute for the project the amount required by the department and approved by
18 the Wisconsin waterways commission. If Calumet County conducts a boating safety
19 enforcement and education program approved by the department, the department's
20 contribution shall equal 90% of the project's costs or \$630,000, whichever is less. If
21 Calumet County does not conduct such a program approved by the department, the
22 department's contribution shall equal 80% of the project's costs or \$560,000,
23 whichever is less. Calumet County's contribution may be in matching funds or
24 in-kind contributions or both. The amount expended under this subsection shall be
25 considered an expenditure for an inland water project as provided in section 30.92

1 (4) (b) 6. of the statutes. This project need not be placed on the priority list under
2 section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30,
3 2000.

4 (8tu) RECREATIONAL BOATING PROJECT; COLUMBIA COUNTY PARK. From the
5 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the
6 department of natural resources shall provide to Fond du Lac County funding for
7 boat launching facilities at Columbia County Park on Lake Winnebago. Fond du Lac
8 County and the department shall contribute funding for the project. Fond du Lac
9 County shall contribute for the project the amount required by the department and
10 approved by the Wisconsin waterways commission. If Fond du Lac County conducts
11 a boating safety enforcement and education program approved by the department,
12 the department's contribution shall equal 90% of the project's costs or \$675,000,
13 whichever is less. If Fond du Lac County does not conduct such a program approved
14 by the department, the department's contribution shall equal 80% of the project's
15 costs or \$600,000, whichever is less. Fond du Lac County's contribution may be in
16 matching funds or in-kind contributions or both. The amount expended under this
17 subsection shall be considered an expenditure for an inland water project as provided
18 in section 30.92 (4) (b) 6. of the statutes. This project need not be placed on the
19 priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply
20 after June 30, 2000.

21 (8tv) RECREATIONAL BOATING PROJECT; PETENWELL LAKE. From the appropriation
22 under section 20.370 (5) (cq) of the statutes, as affected by this act, the department
23 of natural resources shall provide to Adams County funding to construct boat
24 launching facilities and a harbor of refuge on Petenwell Lake. Adams County and
25 the department shall contribute funding for the project. Adams County shall

1 contribute for the project the amount required by the department and approved by
2 the Wisconsin waterways commission. If Adams County conducts a boating safety
3 enforcement and education program approved by the department, the department's
4 contribution shall equal 90% of the project's costs or \$1,080,000, whichever is less.
5 If Adams County does not conduct such a program approved by the department, the
6 department's contribution shall equal 80% of the project's costs or \$960,000,
7 whichever is less. Adams County's contribution may be in matching funds or in-kind
8 contributions or both. The amount expended under this subsection shall be
9 considered an expenditure for an inland water project as provided in section 30.92
10 (4) (b) 6. of the statutes. This project need not be placed on the priority list under
11 section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30,
12 2000.

13 (10g) DRY CLEANER ENVIRONMENTAL RESPONSE PROGRAM. No later than August
14 1, 1998, the department of natural resources shall mail to each dry cleaning facility
15 of which it is aware notice of the dry cleaner environmental response programs under
16 sections 292.65 and 292.66 of the statutes, as created by this act.

17 (10m) URBAN FORESTRY GRANT FOR MILWAUKEE. From the appropriation under
18 section 20.370 (5) (bw) of the statutes, the department of natural resources shall
19 provide \$50,000 in fiscal year 1997-98 and \$50,000 in fiscal year 1998-1999 to the
20 city of Milwaukee for a tree planting demonstration project.

21 (10n) PRIVATE FOREST GRANTS; RULES. Using the procedure under section 227.24
22 of the statutes, the department of natural resources may promulgate rules under
23 section 26.38 (3) of the statutes, as created by this act, for the period before the
24 effective date of the permanent rules promulgated under section 26.38 (3) of the
25 statutes, as created by this act, but not to exceed the period authorized under section

1 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of
2 the statutes, the department is not required to make a finding of emergency.

3 (10t) **RULE FOR MANAGED FOREST LAND.** The department of natural resources
4 shall submit in proposed form the rule required under section 77.82 (1) (bn) of the
5 statutes, as created by this act, for review under section 227.15 (1) of the statutes no
6 later than September 1, 1998.

7 (10x) **FIRE SUPPRESSION GRANTS; RULES.** Using the procedure under section
8 227.24 of the statutes, the department of natural resources may promulgate rules
9 under section 26.145 (3) of the statutes, as created by this act, for the period before
10 the effective date of the permanent rules promulgated under section 26.145 (3) of the
11 statutes, as created by this act, but not to exceed the period authorized under section
12 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of
13 the statutes, the department is not required to make a finding of emergency.

14 (10y) **NONPOINT SOURCE PROGRAM FUNDING FOR COUNTY STAFF.** The department
15 of natural resources shall allocate \$500,000 from the appropriation under section
16 20.370 (6) (aq) of the statutes in fiscal year 1998-99 for funding staff in counties that
17 on July 1, 1997, do not receive funding for staff under the nonpoint source water
18 pollution abatement program under section 281.65 of the statutes, as affected by this
19 act. The department of natural resources and the department of agriculture, trade
20 and consumer protection shall develop a plan for distributing the funding to counties
21 and shall submit the plan to the land and water conservation board for approval.

22 (11t) **LEGISLATION CONCERNING DATA BASES.**

23 (a) In this subsection, "personally identifiable information" has the meaning
24 given in section 19.62 (5) of the statutes.

1 (b) No later than January 1, 1998, the department of natural resources shall
2 submit to the cochairpersons of the joint committee on finance and of the joint
3 committee on information policy proposed legislation in proper form for introduction
4 concerning providing access to records held by the department that contain
5 personally identifiable information relating to persons holding approvals issued
6 under chapter 29 of the statutes, as affected by this act, and to persons who have
7 registered all-terrain vehicles or snowmobiles or who have been issued registration
8 or certificate of number cards for boats. In preparing the legislation, the department
9 shall consider issues concerning public access to records, issues concerning privacy,
10 issues concerning assessment of access fees and the use of any access fees collected
11 to fund the department's information technology activities.

12 (11x) WILDLIFE DAMAGE PROGRAM.

13 (a) The department of natural resources shall submit proposed rules required
14 under section 29.598 of the statutes, as affected by this act, to the legislative council
15 staff for review under section 227.15 (1) of the statutes no later than October 1, 1997.

16 (b) Using the procedure under section 227.24 of the statutes, the department
17 of natural resources shall promulgate rules required under section 29.598 of the
18 statutes, as affected by this act, for the period before the effective date of the rules
19 submitted under paragraph (a), but not to exceed one year. Notwithstanding section
20 227.24 (1) and (3) of the statutes, the department is not required to make a finding
21 of emergency.

22 **SECTION 9139. Nonstatutory provisions; public defender board.**

23 (1) REPORT ON REPRESENTATION OF SEXUALLY VIOLENT PERSONS. By October 1,
24 1998, the state public defender shall submit a report to the legislature in the manner
25 provided in section 13.172 (2) of the statutes and to the governor specifying and

1 evaluating the time spent by the state public defender in representing persons under
2 chapter 980 of the statutes, as affected by this act.

3 (2t) EFFICIENCY MEASURES. No later than October 1, 1997, the public defender
4 board shall submit a report to the governor and to the joint committee on finance
5 recommending how reductions in fiscal year 1997-98 of \$816,900 and in fiscal year
6 1998-99 of \$987,600, resulting from budgetary efficiency measures, should be
7 allocated among sum certain appropriations made to the public defender board from
8 general purpose revenue. If the cochairpersons of the committee do not notify the
9 public defender board that the committee has scheduled a meeting for the purpose
10 of reviewing the report within 14 working days after the date of the submittal, the
11 recommendation may be implemented as proposed by the public defender board. If,
12 within 14 working days after the date of the submittal, the cochairpersons of the
13 committee notify the public defender board that the committee has scheduled a
14 meeting for the purpose of reviewing the report, the recommendation may be
15 implemented only upon approval of the committee.

16 **SECTION 9140. Nonstatutory provisions; public instruction.**

17 (1) RESIDENTIAL SCHOOLS. By October 1, 1997, and by October 1, 1998, the state
18 superintendent of public instruction shall submit to the joint committee on finance
19 a plan specifying all of the following:

20 (a) How the state superintendent will allocate \$74,000 of the supplement
21 under SECTION 9132 (2r) of this act in each fiscal year of the 1997-99 biennium for
22 maintenance projects at the Wisconsin School for the Deaf.

23 (b) How the state superintendent will allocate \$17,200 of the supplement
24 under SECTION 9132 (2r) of this act in each fiscal year of the 1997-99 biennium for
25 maintenance projects at the Wisconsin School for the Visually Handicapped.

1 (3) TRANSFER OF POSITIONS AND EMPLOYES.

2 (a) On the effective date of this paragraph, 4.6 FTE positions in the department
3 of public instruction that are primarily related to school-to-work programs, as
4 determined by the secretary of administration, and the incumbent employees holding
5 those positions, are transferred to the department of workforce development.

6 (b) Employees transferred under paragraph (a) have all the rights and the same
7 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
8 department of workforce development that they enjoyed in the department of public
9 instruction immediately before the transfer. Notwithstanding section 230.28 (4) of
10 the statutes, no employee so transferred who has attained permanent status in class
11 is required to serve a probationary period.

12 (4) EDUCATIONAL TECHNOLOGY BLOCK GRANTS. Notwithstanding section 44.72 (2)

13 (c) of the statutes, as created by this act, if in a common school district the annual
14 meeting required to be held between May 15, 1997, and September 30, 1997, has been
15 held before the effective date of this subsection, the school district is eligible for a
16 grant under section 44.72 (2) (a) or (b) of the statutes, as created by this act, in the
17 1997-98 school year if the school board adopts a resolution requesting the grant.

18 (5m) NEWSLINE. The department of public instruction, in consultation with the
19 Wisconsin Regional Library for the Blind and Physically Handicapped in the city of
20 Milwaukee, shall enter into a 2-year contract with the National Federation of the
21 Blind to provide the Newsline electronic information service from the Wisconsin
22 Regional Library for the Blind and Physically Handicapped in the city of Milwaukee
23 and from a location in the city of Madison selected by the department in consultation
24 with the Wisconsin Regional Library for the Blind and Physically Handicapped in
25 the city of Milwaukee. The department shall use the moneys transferred to the

1 appropriation account under section 20.255 (1) (ke) of the statutes under SECTION
2 9241 (1n) of this act to pay the costs of the contract.

3 (5n) TRANSFER OF ENVIRONMENTAL EDUCATION BOARD.

4 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets
5 and liabilities of the department of public instruction primarily related to the
6 functions of the environmental education board, as determined by the secretary of
7 administration, shall become the assets and liabilities of the board of regents of the
8 University of Wisconsin System.

9 (b) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of public instruction
11 that is primarily related to the functions of the environmental education board, as
12 determined by the secretary of administration, is transferred to the board of regents
13 of the University of Wisconsin System.

14 (c) *Pending matters.* Any matter pending with the department of public
15 education on the effective date of this paragraph that is primarily related to the
16 environmental education board, as determined by the secretary of administration,
17 is transferred to the board of regents of the University of Wisconsin System. All
18 materials submitted to or actions taken by the department of public instruction with
19 respect to the pending matter are considered as having been submitted to or taken
20 by the board of regents of the University of Wisconsin System.

21 (d) *Contracts.* All contracts entered into by the department of public
22 instruction in effect on the effective date of this paragraph that are primarily related
23 to the functions of the environmental education board, as determined by the
24 secretary of administration, remain in effect and are transferred to the board of
25 regents of the University of Wisconsin System. The board of regents of the

1 University of Wisconsin System shall carry out any obligations under those contracts
2 unless modified or rescinded by the board of regents of the University of Wisconsin
3 System to the extent allowed under the contract.

4 (e) *Rules and orders.* All rules promulgated by the department of public
5 instruction in effect on the effective date of this paragraph that are primarily related
6 to the environmental education board remain in effect until their specified
7 expiration date or until amended or repealed by the board of regents of the University
8 of Wisconsin System. All orders issued by the department of public instruction in
9 effect on the effective date of this paragraph that are primarily related to the
10 environmental education board remain in effect until their specified expiration date
11 or until modified or rescinded by the board of regents of the University of Wisconsin
12 System.

13 **SECTION 9141. Nonstatutory provisions; public service commission.**

14 (1) EDUCATIONAL TELECOMMUNICATIONS ACCESS.

15 (a) Subject to paragraph (b), using the procedure under section 227.24 of the
16 statutes, the public service commission shall promulgate the rules required under
17 section 196.218 (4r) (b) of the statutes, as created by this act, for the period before
18 the effective date of permanent rules promulgated under section 196.218 (4r) (b) of
19 the statutes, as created by this act, but not to exceed the period authorized under
20 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 of the
21 statutes, the commission need not provide evidence of the necessity of preservation
22 of the public peace, health, safety or welfare in promulgating rules under this
23 paragraph.

24 (b) The public service commission shall submit the proposed rules under
25 paragraph (a) to the cochairpersons of the joint committee on information policy and

1 to the cochairpersons of the joint committee on finance. If the cochairpersons of the
2 committees do not notify the commission that one or both of the committees has
3 scheduled a meeting for the purpose of reviewing the proposed rules within 14
4 working days after the date of the commission's submittal, the commission may
5 proceed to promulgate the rules. If, within 14 working days after the date of the
6 commission's submittal, the cochairpersons of either committee notify the
7 commission that the committee has scheduled a meeting for the purpose of reviewing
8 the proposed rules, the commission shall not promulgate the rules until that
9 committee approves the rules. The public service commission shall submit the
10 proposed rules to the committees under this paragraph no later than the 60th day
11 after the effective date of this paragraph.

12 (2m) REPORTS.

13 (a) The public service commission shall, no later than January 1, 1999, submit
14 a report to the legislature under section 13.172 (2) of the statutes, and to the
15 governor, that contains recommendations for each of the following:

16 1. Reducing any programmatic and funding differences between the
17 educational telecommunications access program established under section 196.218
18 (4r) of the statutes, as created by this act, and the assistance for institutions program
19 specified in section PSC 160.11, Wisconsin Administrative Code.

20 2. A date after which school districts, technical colleges, private colleges and
21 public library boards may no longer be eligible to participate in the educational
22 telecommunications access program established under section 196.218 (4r) of the
23 statutes, as created by this act.

1 (b) The public service commission and the technology for educational
2 achievement in Wisconsin board shall, no later than August 15, 1998, submit a joint
3 report to the joint committee on finance that includes each of the following:

4 1. The amounts encumbered under the appropriations under sections 20.155
5 (1) (q) and 20.275 (1) (s) and (t) of the statutes, as created by this act, during the
6 1997-98 fiscal year.

7 2. A summary of the programs, including activities and recipient classes,
8 funded under the appropriations specified in subdivision 1. during the 1997-98
9 fiscal year.

10 3. An assessment of the amounts necessary to fund the programs supported by
11 the appropriations specified in subdivision 1. in the 1998-99 fiscal year.

12 4. A recommendation on whether the appropriations specified in subdivision
13 1. should be increased for the 1998-99 fiscal year.

14 5. A recommendation on whether school districts with special needs relating
15 to size, location or geography should be provided with additional data lines or video
16 links under the educational telecommunications access program established under
17 section 196.218 (4r) of the statutes, as created by this act.

18 (c) In fiscal years 1997-98 and 1998-99, the public service commission shall,
19 no later than 90 days after it calculates the contribution amounts that are required
20 to be paid into the universal service fund by telecommunications utilities, as defined
21 in section 196.01 (10) of the statutes, that provide basic local exchange service, as
22 defined in section 196.01 (1g) of the statutes, report to the joint committee on finance
23 the portion of the contributions determined by the commission under section 196.218
24 (3) (a) 4. of the statutes, as created by this act.

25 **SECTION 9142. Nonstatutory provisions; regulation and licensing.**

1 (1g) APPOINTMENT OF MEMBER TO EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE
2 AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS. Notwithstanding section
3 15.405 (7c) (a) of the statutes, as affected by this act, the social worker member of the
4 examining board of social workers, marriage and family therapists and professional
5 counselors who has received a doctorate degree in sociology, psychology, criminal
6 justice or other human service field and who holds a faculty appointment at a college
7 or university in this state shall be appointed by the first day of the 4th month
8 beginning after the effective date of this subsection for a term expiring on July 1,
9 2001.

10 **SECTION 9143. Nonstatutory provisions; revenue.**

11 (2m) REPORT ON ALTERNATIVE METHODS OF FILING. The department of revenue
12 shall identify potential savings from using alternative methods of filing and paying
13 taxes and shall submit a report listing those savings to the joint committee on finance
14 at the committee's first quarterly meeting in 1998 under section 13.10 of the statutes.

15 (2n) GRANT FROM INVESTMENT AND LOCAL IMPACT FUND. The investment and local
16 impact fund board shall grant \$480,000 to the city of Ladysmith from the fund under
17 section 70.395 (2) (b) of the statutes.

18 (2x) ESTIMATED TAX PAYMENTS.

19 (a) Notwithstanding sections 71.09 and 71.29 of the statutes, as affected by
20 this act, and sections 71.48 and 77.947 of the statutes, the increase in the payments
21 that are due under those sections before the effective date of this paragraph solely
22 because of this act shall be prorated among, and paid with, estimated payments that
23 are due under those sections after the effective date of this paragraph.

24 (b) A corporation that may be treated as a tax-option corporation or a
25 qualified subchapter S subsidiary because of this act may treat any portion of a

1 payment of estimated taxes for its taxable year that begins in 1997 that the
2 corporation or its qualified subchapter S subsidiary makes before the effective date
3 of this paragraph as a payment made by a shareholder of the corporation on the
4 effective date of this paragraph, if the corporation so elects on or before the original
5 due date of the corporation's return under chapter 71 of the statutes, as affected by
6 this act, for its taxable year that begins in 1997, in the manner that the department
7 of revenue prescribes. That election is irrevocable.

8 (3t) REPORT ON AUDITORS. The department of revenue, on or before January 1,
9 2000, shall report to the joint committee on finance on the activities of the auditors
10 the positions of whom are authorized by this act, on the amount of revenue that they
11 generated and on the amount of revenue that could be generated by additional
12 auditors.

13 (4z) INTEGRATED TAX SYSTEM PLAN. The department of revenue shall submit a
14 plan to the joint committee on finance on the development of an integrated tax
15 system. The joint committee on finance may not release the funds for that project
16 until it receives a satisfactory plan.

17 (6g) STUDY OF DEBT COLLECTION. The department of revenue shall submit to the
18 joint committee on finance, at its 4th quarterly meeting in 1998 under section 13.10
19 of the statutes, a study of centralized debt collection for state government. The
20 department of revenue shall consider working with local units of government in a
21 coordinated fashion to collect debts.

22 (7k) ADULT ENTERTAINMENT TAX RULES. The department of revenue shall submit
23 in final form permanent rules that specify the products and services that are subject
24 to the tax under subchapter XIII of chapter 77 of the statutes, as created by this act,
25 to the legislative council staff under section 227.15 of the statutes. The department

1 of revenue may also promulgate emergency rules that specify those products and
2 services.

3 **SECTION 9147. Nonstatutory provisions; technical college system.**

4 (2m) FACULTY DEVELOPMENT GRANTS; REPORT. By March 1, 1999, the technical
5 college system board shall submit a report to the appropriate standing committees
6 of the legislature, in the manner provided under section 13.172 (3) of the statutes,
7 on the activities in each technical college district that have been funded with grants
8 awarded under section 38.33 of the statutes, as created by this act, and the
9 effectiveness of the activities in meeting the purposes of the faculty development
10 programs as specified under that section.

11 **SECTION 9148. Nonstatutory provisions; tourism.**

12 (2g) PLAN FOR MARKETING TOURISM OPPORTUNITIES TO RESIDENTS OF CANADA. The
13 department of tourism shall develop a plan for marketing tourism opportunities in
14 the state to residents of Canada. No later than January 1, 1998, the department of
15 tourism shall submit the plan to the appropriate standing committees in the manner
16 provided under section 13.172 (3) of the statutes and to the governor.

17 (2m) FILM OF MONONA TERRACE CONVENTION CENTER. From the appropriation
18 under section 20.380 (1) (b) of the statutes, as affected by this act, the department
19 of tourism shall make a grant of \$13,500 in the 1997-99 fiscal biennium for the
20 production of a film documenting the construction of the Frank Lloyd Wright
21 Monona Terrace Convention Center.

22 **SECTION 9149. Nonstatutory provisions; transportation.**

23 (1) FARM TRAILER REGISTRATION. Notwithstanding section 341.26 (3) (b) of the
24 statutes, as affected by this act, and section 341.264 of the statutes, upon receipt of
25 a completed application for the renewal of registration of a farm trailer that is

1 registered under section 341.26 (3) (b), 1995 stats., and used with a farm truck
2 tractor together with the registration fee of \$5, the department of transportation
3 shall register that farm trailer under section 341.264 of the statutes and shall issue
4 a permanent semitrailer registration plate to the owner of the farm trailer. Upon
5 receipt of such registration plate, the owner of the farm trailer shall dispose of the
6 plate previously issued for that farm trailer in a manner prescribed by the
7 department of transportation.

8 (1j) VEHICLE MILES RULES. The department of transportation shall submit in
9 proposed form permanent rules that establish a method for calculating vehicle miles
10 traveled in this state for the purpose of section 78.015 (3m) of the statutes, as created
11 by this act, to the legislative council staff under section 227.15 of the statutes no later
12 than October 1, 1997. The department of transportation may also promulgate
13 emergency rules that establish that method of calculation. Notwithstanding section
14 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence
15 of the necessity of preservation of the public peace, health, safety or welfare in
16 promulgating emergency rules under this subsection.

17 (1L) EFFICIENCY MEASURES. By September 1, 1997, the department of
18 transportation shall submit recommendations to the joint committee on finance if
19 the department wishes to reallocate, among the appropriations of the department of
20 transportation for state operations, reductions in each fiscal year of the 1997-99
21 biennium of \$4,981,500 resulting from budgetary efficiency measures and position
22 vacancy reductions of 26.5 FTE positions. If the cochairpersons of the committee do
23 not notify the department that the committee has scheduled a meeting for the
24 purpose of reviewing the recommendations within 14 working days after the date of
25 the submittal of the recommendations by the department, the recommendations may

1 be implemented as proposed by the department. If, within 14 working days after the
2 date that the department of transportation submits the recommendations, the
3 cochairpersons of the committee notify the department that the committee has
4 scheduled a meeting for the purpose of reviewing the recommendations, the
5 recommendations may be implemented only upon approval of the committee.

6 (1r) DOOR COUNTY LAND USE IMPACTS OF STH 57 IMPROVEMENT. In the final
7 environmental impact statement prepared under section 1.11 (2) of the statutes for
8 the major highway project enumerated under section 84.013 (3) (ag) of the statutes,
9 as created by this act, the department of transportation shall consider and address
10 the land use impacts that may result in Door County north of Sturgeon Bay from the
11 completion of that project.

12 (1rm) WAUSAU RIVER EDGE PARKWAY PROJECT. Notwithstanding section 85.026
13 (2) of the statutes, as created by this act, before any other project is awarded
14 assistance under section 85.026 of the statutes, as created by this act, the secretary
15 of transportation shall approve the Wausau River Edge Parkway project in Wausau
16 for an award of assistance under section 85.026 of the statutes, as created by this act,
17 if the project is consistent with federal regulations promulgated under 23 USC 133
18 (b) (8). The amount of the award shall be \$94,400 or 80% of the total cost of the
19 project, whichever is less.

20 (1y) DESIGNATION OF HIGHWAY; VEHICLE LENGTH. Notwithstanding section 348.07
21 (4) of the statutes, STH 64 between the city of Merrill in Lincoln County and the city
22 of Medford in Taylor County is designated a highway to which sections 348.07 (2) (f),
23 (fm), (gm) and (gr) and 348.08 (1) (e) and (h) of the statutes apply. The designation
24 of a portion of STH 64 under this subsection does not apply after December 31, 1998.

1 (1z) DESIGNATION OF HIGHWAY; VEHICLE LENGTH. Notwithstanding section 348.07
2 (4) of the statutes, STH 77 between the city of Hayward in Sawyer County and the
3 city of Hurley in Iron County is designated a highway to which sections 348.07 (2)
4 (f), (fm), (gm) and (gr) and 348.08 (1) (e) and (h) of the statutes apply. The designation
5 of a portion of STH 77 under this subsection does not apply after December 31, 1998.

6 (2g) FEDERAL HIGHWAY AID REPORT. The departments of administration and
7 transportation shall jointly submit, to the joint committee on finance for
8 consideration at its 3rd quarterly meeting in 1997 under section 13.10 of the statutes,
9 a report on their efforts to reverse the position of this state with respect to federal
10 highway aid payments whereby the proportional contributions of this state to the
11 highway trust fund exceeds the percentage of federal highway aid received by this
12 state from the highway trust fund. In preparing their report, the departments of
13 administration and transportation shall contact the members of this state's
14 congressional delegation, inquire as to their efforts to reverse this state's position
15 with respect to federal highway aid and include their responses in the report
16 submitted to the joint committee on finance.

17 (2m) EVALUATION OF PROPOSED MAJOR HIGHWAY PROJECTS. The secretary of
18 transportation shall submit in proposed form the rules required under section 85.05
19 of the statutes, as created by this act, to the legislative council staff under section
20 227.15 (1) of the statutes no later than January 1, 1998.

21 (2n) DELAY OF HIGHWAY SIGN REPLACEMENT. Notwithstanding section 16.42 (1)
22 (e) of the statutes, in submitting information under section 16.42 of the statutes for
23 purposes of the 1999-2001 biennial budget bill, the department of transportation
24 shall submit information concerning the appropriation under section 20.395 (3) (eq)
25 of the statutes, as affected by this act, as though a decrease of \$96,900 and a reduction

1 of the authorized SEG positions for the department by 0.5 FTE position, for the
2 purpose of delaying the replacement of highway signs, by this act had not been made.

3 (3d) **DETOURS PROHIBITED ON USH 2 PROJECT.** The department of transportation
4 shall develop and implement a traffic plan during the reconstruction of that portion
5 of USH 2 between Ino and STH 13 that ensures the continued flow of traffic during
6 that project without detouring traffic off USH 2 in Bayfield County.

7 (3g) **BUILD-OPERATE-LEASE OR TRANSFER AGREEMENTS STUDY.** The department of
8 transportation shall conduct a study of the feasibility and desirability of
9 build-operate-lease or transfer agreements under section 84.01 (30) of the statutes,
10 as created by this act, including any cost savings to be realized by the department
11 as a result of the use of build-operate-lease or transfer agreements. The
12 department shall submit a report containing its findings, conclusions and
13 recommendations, including any recommended statutory changes, no later than
14 July 1, 1998, to the governor, and to the legislature for distribution to the appropriate
15 standing committees in the manner provided under section 13.172 (3) of the statutes.

16 (4g) The department of transportation shall negotiate with Amtrak, as defined
17 in section 85.061 (1) of the statutes, with respect to the extension of rail passenger
18 service to the city of Madison. No later than January 1, 1998, the department shall
19 report the results of its negotiations with Amtrak to the joint committee on finance.

20 (4m) **TRANSFER OF PREVAILING WAGE ENFORCEMENT.** The secretary of
21 transportation and the secretary of workforce development shall determine the
22 positions and funding that are necessary for the enforcement of section 103.50 of the
23 statutes, as affected by this act, and, in time for the 3rd quarterly meeting of the joint
24 committee on finance under section 13.10 of the statutes in 1997, shall submit to the
25 joint committee on finance for the approval of that committee a proposal for the

1 transfer of those positions and that funding from the department of transportation
2 to the department of workforce development. If the joint committee on finance
3 approves the proposal, on the effective date specified in SECTION 9426 (12m) of this
4 act all of the following shall take place:

5 (a) *Assets and liabilities.* All assets and liabilities of the department of
6 transportation primarily related to the enforcement of section 103.50 of the statutes,
7 as affected by this act, shall become the assets and liabilities of the department of
8 workforce development. The department of transportation and the department of
9 workforce development shall jointly determine these assets and liabilities and shall
10 jointly develop and implement a plan for the orderly transfer thereof. In the event
11 of any disagreement between those departments, the secretary of administration
12 shall decide the question.

13 (b) *Employe transfers and status.* All positions in the department of
14 transportation that are primarily related to the enforcement of section 103.50 of the
15 statutes, as affected by this act, and the incumbents holding these positions, as
16 approved by the joint committee on finance, are transferred to the department of
17 workforce development. Employees transferred under this paragraph have all the
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the department of workforce development that they enjoyed in the
20 department of transportation immediately before the transfer. Notwithstanding
21 section 230.28 (4) of the statutes, no employe so transferred who has attained
22 permanent status in class is required to serve a probationary period.

23 (d) *Supplies and equipment.* All tangible personal property, including records,
24 of the department of transportation primarily related to the enforcement of section
25 103.50 of the statutes, as affected by this act, are transferred to the department of

1 workforce development. The department of transportation and the department of
2 workforce development shall jointly identify the tangible personal property,
3 including records, and shall jointly develop and implement a plan for the orderly
4 transfer thereof. In the event of any disagreement between those departments, the
5 secretary of administration shall decide the question.

6 (e) *Pending matters.* Any matter pending with the department of
7 transportation primarily related to the enforcement of section 103.50 of the statutes,
8 as affected by this act, is transferred to the department of workforce development.
9 All materials submitted or actions taken by the department of transportation with
10 respect to the pending matter are considered as having been submitted to or taken
11 by the department of workforce development.

12 (f) *Contracts.* All contracts entered into by the department of transportation
13 primarily related to the enforcement of section 103.50 of the statutes, as affected by
14 this act, that are in effect on the effective date of this paragraph remain in effect and
15 are transferred to the department of workforce development. The department of
16 transportation and the department of workforce development shall jointly identify
17 these contracts and shall jointly develop and implement a plan for the orderly
18 transfer thereof. In the event of any disagreement between those departments, the
19 secretary of administration shall decide the question. The department of workforce
20 development shall carry out any such contractual obligations until modified or
21 rescinded by the department of workforce development to the extent allowed under
22 the contract.

23 (g) *Rules and orders.* All rules promulgated by the department of
24 transportation that are in effect on the effective date of this paragraph and that are
25 primarily related to the enforcement of section 103.50 of the statutes, as affected by

1 this act, remain in effect until their specified expiration date or until amended or
2 repealed by the department of workforce development. All orders issued by the
3 department of transportation that are in effect on the effective date of this paragraph
4 and that are primarily related to the enforcement of section 103.50 of the statutes,
5 as affected by this act, remain in effect until their specified expiration date or until
6 modified or rescinded by the department of workforce development.

7 (4z) NEENAH BICYCLE-PEDESTRIAN FACILITY. Notwithstanding limitations on the
8 amount and use of aids provided under section 86.31 of the statutes, the department
9 of transportation shall pay 50% of the costs or \$125,000, whichever is less, for a
10 bicycle-pedestrian overpass over USH 41 in the city of Neenah. Payment under this
11 subsection shall be made from the appropriation under section 20.395 (2) (fr) of the
12 statutes, as affected by this act, and is in addition to Neenah's entitlement, as defined
13 in section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes.

14 (5g) REPORT ON MAJOR HIGHWAY PROJECT PASSING LANES. On or before January 1,
15 1998, the secretary of transportation shall submit a report to the joint committee on
16 finance summarizing the costs and benefits of adding passing lanes to the highways
17 that are enumerated under section 84.013 (3) of the statutes, as affected by this act,
18 but on which construction has not commenced. The report shall include
19 recommendations as to which of those highways or portions of those highways, if any,
20 should have passing lanes added before construction is commenced on the entire
21 project enumerated under section 84.013 of the statutes, as affected by this act. The
22 recommendations shall be based upon considerations of design and construction of
23 such passing lanes that are least likely to increase the total cost to complete the major
24 highway project.

25 **SECTION 9150. Nonstatutory provisions; treasurer.**

1 (1) TRANSFER OF DIVISION OF TRUST LANDS AND INVESTMENTS.

2 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
3 liabilities of the office of the state treasurer relating to the division of trust lands and
4 investments shall become the assets and liabilities of the department of
5 administration.

6 (a) *Tangible personal property.* On the effective date of this paragraph, all
7 tangible personal property, including records, of the office of the state treasurer
8 relating to the division of trust lands and investments is transferred to the
9 department of administration.

10 (c) *Contracts.* All contracts entered into by the office of the state treasurer
11 relating to the division of trust lands and investments, which are in effect on the
12 effective date of this paragraph, remain in effect and are transferred to the
13 department of administration. The department of administration shall carry out
14 any such contractual obligations until modified or rescinded by the department of
15 administration to the extent allowed under the contract.

16 (d) *Employee transfers and status.* On the effective date of this paragraph, all
17 incumbent employes holding positions in the office of the state treasurer relating to
18 the division of trust lands and investments, as determined by the secretary of
19 administration, are transferred to the department of administration. Employes
20 transferred under this paragraph have all rights and the same status under
21 subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act,
22 that they enjoyed in the office of the state treasurer. Notwithstanding section 230.28
23 (4) of the statutes, no employe so transferred who has attained permanent status in
24 class may be required to serve a probationary period.

1 (e) *Pending matters.* Any matter pending with the office of the state treasurer
2 relating to the division of trust lands and investments on the effective date of this
3 paragraph is transferred to the department of administration and all materials
4 submitted to or actions taken by the office of the state treasurer with respect to the
5 pending matter are considered as having been submitted to or taken by the
6 department of administration.

7 (f) *Rules and orders.* All rules promulgated by the office of the state treasurer
8 relating to the division of trust lands and investments that are in effect on the
9 effective date of this paragraph remain in effect until their specified expiration dates
10 or until amended or repealed by the department of administration. All orders issued
11 by the office of the state treasurer relating to the division of trust lands and
12 investments that are in effect on the effective date of this paragraph remain in effect
13 until their specified expiration dates or until amended or repealed by the department
14 of administration.

15 **SECTION 9153. Nonstatutory provisions; University of Wisconsin**
16 **System.**

17 (1g) PROJECT SUCCESS. From the appropriation under section 20.285 (1) (a) of
18 the statutes, the board of regents of the University of Wisconsin System shall allocate
19 \$125,000 in the 1997-98 fiscal year and \$125,000 in the 1998-99 fiscal year to Project
20 Success at the University of Wisconsin-Oshkosh in order to expand the program
21 from 55 students to 77 students. The board shall also provide 2.0 FTE positions for
22 Project Success at the University of Wisconsin-Oshkosh.

23 (1h) TRANSIT NEEDS STUDY.

24 (a) In this subsection, "mass transit system" has the meaning given in section
25 85.20 (1) (e) of the statutes.

1 (b) The board of regents of the University of Wisconsin System shall study the
2 transportation needs of the system and methods of increasing the use of
3 transportation services provided by mass transit systems by students, faculty and
4 staff. To the extent possible, the board shall conduct the study in coordination with
5 the mass transit systems serving the campuses at Eau Claire, Green Bay, La Crosse,
6 Madison, Milwaukee, Oshkosh, Parkside and Stevens Point. The study shall
7 compare the cost of constructing new parking facilities to the cost of expanding the
8 use of mass transit systems, and shall explore what strategies or incentives will
9 increase the use of mass transit systems and are cost-effective compared to
10 constructing new parking facilities. The study shall develop system-wide as well as
11 campus-specific recommendations. The board shall submit the results of the study
12 to the joint committee on finance by December 31, 1998.

13 (2t) UNIVERSITY OF WISCONSIN-EXTENSION.

14 (a) The board of regents of the University of Wisconsin System shall develop
15 a plan for allocating in the 1997-98 and 1998-99 fiscal years the reduction in the
16 base budget of the University of Wisconsin-Extension funded from general purpose
17 revenue that this act represents as equally as possible among all divisions of the
18 University of Wisconsin-Extension. The plan shall allocate the reductions so as to
19 minimize their effect on local and federal funds received by the University of
20 Wisconsin-Extension.

21 (b) By October 15, 1997, the board shall submit the plan developed under
22 paragraph (a) to the cochairpersons of the joint committee on finance. If the
23 cochairpersons of the committee do not notify the board that the committee has
24 scheduled a meeting for the purpose of reviewing the plan within 14 working days
25 after the date that the plan was submitted, the board may implement the plan. If,

1 within 14 working days after the date that the plan was submitted, the
2 cochairpersons of the committee notify the board that the committee has scheduled
3 a meeting for the purpose of reviewing the plan, the board may not implement the
4 plan until the committee approves the plan.

5 (c) By October 1, 1998, the board of regents of the University of Wisconsin
6 System shall submit a report on the University of Wisconsin-Extension to the
7 governor, the joint committee on finance and the joint legislative audit committee.
8 The report shall include all of the following:

9 1. An explanation of how the reductions described under paragraph (a) were
10 made so as to meet the concerns that were expressed in the legislative audit bureau's
11 April 1997 report on the University of Wisconsin-Extension.

12 2. A description of the practices that the board has implemented to improve
13 accountability, reporting, coordination and administrative efficiency.

14 3. A description of the methods that the board has adopted to establish a
15 consistent fee policy and to generate sufficient program revenue to reduce reliance
16 on general purpose revenue.

17 4. A description of the board's efforts to better focus the mission of the
18 University of Wisconsin-Extension in order to avoid duplication of services,
19 eliminate outdated services and extend programs to individuals who were previously
20 not served by the University of Wisconsin-Extension.

21 **SECTION 9154. Nonstatutory provisions; veterans affairs.**

22 (1) RULES ON PERSONAL LOANS. Using the procedure under section 227.24 of the
23 statutes, the department of veterans affairs shall promulgate rules for the
24 administration of the veterans personal loan program under section 45.356 of the
25 statutes, as affected by this act. Notwithstanding section 227.24 (1) (a) and (2) (b)

1 of the statutes, the department need not provide evidence of the necessity of
2 preservation of the public peace, health, safety or welfare in promulgating rules
3 under this subsection.

4 (2m) VETERANS ASSISTANCE CENTER AT UNION GROVE. The department of
5 veterans affairs shall submit a plan to the joint committee on finance detailing the
6 amount and source of funding, including veterans trust fund moneys and federal
7 moneys, the department expects to use for the operation of a veterans assistance
8 program at the Southern Wisconsin Center for the Developmentally Disabled in
9 Union Grove.

10 (2n) USE OF FEDERAL PER DIEM PAYMENTS. The department of veterans affairs
11 shall submit a written report to the joint committee on finance on any federal money
12 available to provide per diem payments to veterans participating in the veterans
13 assistance program under section 45.357 of the statutes, as affected by this act, any
14 conditions on the use of that federal money and how the department expects to use
15 the federal money. The department may use the federal money in the manner
16 reported to the joint committee on finance if, within 14 working days after submitting
17 the report, the cochairpersons of the joint committee on finance do not notify the
18 department that the committee has scheduled a meeting to review the department's
19 proposal. If, within 14 working days after submitting the report, the cochairpersons
20 of the joint committee on finance notify the department that the committee has
21 scheduled a meeting to review the department's proposal, the department may use
22 the federal money only as approved by the joint committee on finance.

23 **SECTION 9156. Nonstatutory provisions; other.**

24 (1) RECREATION OF HIGHER EDUCATIONAL AIDS BOARD.

1 (a) On the effective date of this paragraph, the assets and liabilities identified
2 by 1995 Wisconsin Act 27, section 9127 (1) (c), and any other assets and liabilities of
3 a successor agency of the higher educational aids board that are primarily related
4 to higher educational aids, as determined by the secretary of administration, shall
5 become the assets and liabilities of the higher educational aids board.

6 (b) All incumbent employes transferred by 1995 Wisconsin Act 27, section 9127
7 (1) (d), and any other incumbent employes holding positions in a successor agency
8 of the higher educational aids board performing duties primarily related to higher
9 educational aids, are transferred on the effective date of this paragraph to the higher
10 educational aids board.

11 (c) Employes transferred under paragraph (b) have all the rights and the same
12 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
13 higher educational aids board that they enjoyed immediately before the transfer.
14 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who
15 has attained permanent status in class is required to serve a probationary period.

16 (d) On the effective date of this paragraph, all tangible personal property,
17 including records, identified by 1995 Wisconsin Act 27, section 9127 (1) (f), and any
18 other tangible personal property, including records, of a successor agency of the
19 higher educational aids board that are primarily related to higher educational aids
20 are transferred to the higher educational aids board.

21 (e) All contracts identified by 1995 Wisconsin Act 27, section 9127 (1) (g), and
22 any other contracts entered into by a successor agency of the higher educational aids
23 board that are primarily related to higher educational aids, that are in effect on the
24 effective date of this paragraph, remain in effect and are transferred to the higher
25 educational aids board. The higher educational aids board shall carry out any such

1 contractual obligations until modified or rescinded by the higher educational aids
2 board to the extent allowed under the contract.

3 (f) All rules identified by 1995 Wisconsin Act 27, section 9127 (1) (h), and any
4 other rules of a successor agency of the higher educational aids board that are
5 primarily related to higher educational aids, that are in effect on the effective date
6 of this paragraph, remain in effect until their specified expiration date or until
7 amended or repealed by the higher educational aids board. All orders identified by
8 1995 Wisconsin Act 27, section 9127 (1) (h), and any other orders of a successor
9 agency of the higher educational aids board that are primarily related to higher
10 educational aids, that are in effect on the effective date of this paragraph, remain in
11 effect until their specified expiration date or until modified or rescinded by the higher
12 educational aids board.

13 (g) Any matter identified by 1995 Wisconsin Act 27, section 9127 (1) (i), and any
14 other matter of a successor agency of the higher educational aids board that is
15 primarily related to higher educational aids, that is pending on the effective date of
16 this paragraph, is transferred to the higher educational aids board and all materials
17 submitted to or actions taken with respect to any pending matter identified in this
18 paragraph are considered as having been submitted to or taken by the higher
19 educational aids board.

20 (gm) Notwithstanding the length of term specified in section 15.67 (1) (intro.)
21 of the statutes, as created by this act, the initial terms of the members appointed
22 under section 15.67 (1) (a) 1. and (b) 2. of the statutes, as created by this act, expire
23 on May 1, 1999; the initial terms of the members appointed under section 15.67 (1)
24 (a) 2. and 4. and (c) of the statutes, as created by this act, expire on May 1, 2000; and

1 the initial terms of the members appointed under section 15.67 (1) (a) 3. and (b) 1.
2 of the statutes, as created by this act, expire on May 1, 2001.

3 (h) The higher educational aids board, with the assistance of the educational
4 approval board, shall conduct a study to identify all statutes relating to the functions
5 and duties of each board that are obsolete or antiquated. The higher educational aids
6 board shall report its findings, conclusions and recommendations, including
7 recommended statutory changes, on or before July 1, 1998, to the legislature in the
8 manner provided under section 13.172 (2) of the statutes and to the governor.

9 (2) RECREATION OF EDUCATIONAL APPROVAL BOARD.

10 (a) On the effective date of this paragraph, the assets and liabilities identified
11 by 1995 Wisconsin Act 27, section 9154 (1) (c), and any other assets and liabilities of
12 a successor agency of the educational approval board that are primarily related to
13 the functions previously performed by the educational approval board, as
14 determined by the secretary of administration, shall become the assets and liabilities
15 of the educational approval board.

16 (b) All incumbent employes transferred by 1995 Wisconsin Act 27, section 9154
17 (1) (d), and any other incumbent employes holding positions in a successor agency
18 of the educational approval board performing duties primarily related to the
19 functions previously performed by the educational approval board, as determined by
20 the secretary of administration, are transferred on the effective date of this
21 paragraph to the educational approval board.

22 (c) Employes transferred under paragraph (b) have all the rights and the same
23 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
24 educational approval board that they enjoyed immediately before the transfer.

1 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who
2 has attained permanent status in class is required to serve a probationary period.

3 (d) On the effective date of this paragraph, all tangible personal property,
4 including records, identified by 1995 Wisconsin Act 27, section 9154 (1) (f), and any
5 other tangible personal property, including records, of a successor agency of the
6 educational approval board that are primarily related to the functions previously
7 performed by the educational approval board, as determined by the secretary of
8 administration, are transferred to the educational approval board.

9 (e) All contracts identified by 1995 Wisconsin Act 27, section 9154 (1) (g), and
10 any other contracts entered into by a successor agency of the educational approval
11 board that are primarily related to the functions previously performed by the
12 educational approval board, as determined by the secretary of administration, that
13 are in effect on the effective date of this paragraph, remain in effect and are
14 transferred to the educational approval board. The educational approval board shall
15 carry out any such contractual obligations until modified or rescinded by the
16 educational approval board to the extent allowed under the contract.

17 (f) All rules identified by 1995 Wisconsin Act 27, section 9154 (1) (h), and any
18 other rules of a successor agency of the educational approval board that are primarily
19 related to the functions previously performed by the educational approval board, as
20 determined by the secretary of administration, that are in effect on the effective date
21 of this paragraph, remain in effect until their specified expiration date or until
22 amended or repealed by the educational approval board. All orders identified by
23 1995 Wisconsin Act 27, section 9154 (1) (h), and any other orders of a successor
24 agency of the educational approval board that are primarily related to the functions
25 previously performed by the educational approval board, as determined by the

1 secretary of administration, that are in effect on the effective date of this paragraph,
2 remain in effect until their specified expiration date or until modified or rescinded
3 by the educational approval board.

4 (g) Any matter identified by 1995 Wisconsin Act 27, section 9154 (1) (i), and any
5 other matter of a successor agency of the educational approval board that is
6 primarily related to the functions previously performed by the educational approval
7 board, as determined by the secretary of administration, that is pending on the
8 effective date of this paragraph, is transferred to the educational approval board and
9 all materials submitted to or actions taken with respect to any pending matter
10 identified in this paragraph are considered as having been submitted to or taken by
11 the educational approval board.

12 (3g) MINORITY BUSINESS DEVELOPMENT AND TRAINING.

13 (a) On the effective date of this paragraph, all records of the Milwaukee
14 Metropolitan Sewerage District that relate to the minority business development
15 and training program are transferred to the department of commerce.

16 (b) All contracts entered into by the Milwaukee Metropolitan Sewerage
17 District that relate to the minority business development and training program, that
18 are in effect on the effective date of this paragraph, remain in effect and are
19 transferred to the department of commerce. The department of commerce shall carry
20 out any such contractual obligations until modified or rescinded by the department
21 of commerce to the extent allowed under the contract.

22 (c) Any matter of the Milwaukee Metropolitan Sewerage District that relates
23 to the minority business development and training program, that is pending on the
24 effective date of this paragraph, is transferred to the department of commerce and
25 all materials submitted to or actions taken with respect to any pending matter

1 identified in this paragraph are considered as having been submitted to or taken by
2 the department of commerce.

3 (5m) PERFORMANCE BASED BUDGETING PILOT PROGRAM.

4 (a) In this subsection, "participating agency" means the departments of
5 corrections, health and family services, natural resources, transportation and
6 workforce development.

7 (b) Each participating agency shall prepare, under the direction of the
8 department of administration, proposed measures of program outcomes for each
9 agency program. The proposed measures of program outcomes shall be designed to
10 allow the governor and the legislature to assess the performance of an agency's
11 programs in terms of their success in achieving the identified program outcomes. No
12 later than July 1, 1998, each participating agency shall submit its proposed program
13 outcome measures to the department of administration for approval.

14 (c) After reviewing the proposed program outcome measures submitted under
15 paragraph (b), the department of administration shall approve program outcome
16 measures to be used by each participating agency in preparing the agency request
17 under section 16.42 of the statutes that is due no later than September 15, 1998.
18 Each participating agency shall submit its agency request under section 16.42 of the
19 statutes in a performance-based budget format specified by the department of
20 administration. This performance-based budget format shall be organized to
21 facilitate measuring each program of the participating agency against the program
22 outcome measures approved by the department of administration under this
23 paragraph.

24 (5y) SUNKEN LOGS ON SUBMERGED STATE LANDS. Notwithstanding SECTION 9356
25 (8y) of this act, a person holding a permit under section 170.12 of the statutes on the

1 effective date of this subsection may, by filing a written consent with the board of
2 commissioners of public lands, elect to be subject to the sections of the statutes listed
3 in SECTION 9356 (8y) of this act, as those sections are affected by this act, prior to the
4 renewal of the person's permit. The sections of the statutes listed in SECTION 9356
5 (8y) of this act, as those sections are affected by this act, first apply to a person
6 making the election under this subsection on the date of which the election is
7 received by the board of commissioners of public lands.

8 **SECTION 9201. Appropriation changes; administration.**

9 (1) COLLEGE TUITION PREPAYMENT PROGRAM. In the schedule under section
10 20.005 (3) of the statutes for the appropriation to the department of administration
11 under section 20.505 (9) (a) of the statutes, as affected by the acts of 1997, the dollar
12 amount is increased for fiscal year 1997-98 by the amount that lapsed to the general
13 fund from that appropriation account at the end of the 1996-97 fiscal year, for the
14 purposes for which the appropriation is made.

15 (2) FACILITY OPERATIONS AND MAINTENANCE LAPSE. Notwithstanding section
16 20.001 (3) (a) of the statutes, the secretary of administration shall lapse, no later
17 than June 30, 1998, \$1,500,000 from the appropriation account under section 20.505
18 (5) (ka) of the statutes, as affected by this act, to the general fund.

19 (3h) BREATH SCREENING INSTRUMENTS TRANSFER. The secretary of
20 administration shall transfer from the appropriation account under section 20.435
21 (6) (hx) of the statutes, as affected by this act, to the appropriation account under
22 section 20.395 (5) (ci) of the statutes, as created by this act, the amount necessary to
23 fully fund the costs of purchasing and maintaining breath screening instruments for
24 fiscal year 1997-98.

1 (3x) INFORMATION TECHNOLOGY PROCESSING SERVICES REVENUE LAPSE.
2 Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the general
3 fund \$2,000,000 from the appropriation account to the department of administration
4 under section 20.505 (1) (kL) of the statutes, as affected by this act.

5 (4g) DIVISION OF TRUST LANDS AND INVESTMENTS; REIMBURSEMENT OF GENERAL
6 FUND. Notwithstanding section 20.001 (3) (a) of the statutes, no later than 30 days
7 after the effective of this subsection, the department of administration shall lapse
8 \$48,400 from the appropriation account under section 20.507 (1) (h) of the statutes,
9 as affected by this act, to the general fund to reimburse the general fund for the
10 lapses required under section 20.585 (2) (h), 1995 stats., for the 1993-94, 1994-95
11 and 1995-96 fiscal years.

12 **SECTION 9204. Appropriation changes; agriculture, trade and**
13 **consumer protection.**

14 (1) AGRICULTURAL CHEMICAL CLEANUP LAPSE. Notwithstanding section 20.001 (3)
15 (c) of the statutes, on the effective date of this subsection, there is lapsed to the
16 general fund, from the appropriation account to the department of agriculture, trade
17 and consumer protection under section 20.115 (7) (e) of the statutes, as affected by
18 this act, an amount equal to the unencumbered balance in that appropriation
19 account on the day before the effective date of this subsection.

20 (2) AGRICULTURAL CHEMICAL CLEANUP TRANSFER. On the effective date of this
21 subsection, there is transferred from the agrichemical management fund to the
22 agricultural chemical cleanup fund an amount determined by the secretary of
23 administration to be equal to the unexpended revenue generated by the fee increases
24 resulting from the treatment of sections 94.64 to 94.704 of the statutes by 1993
25 Wisconsin Act 16.

1 (3m) AGRICULTURAL CHEMICAL CLEANUP FUND INTEREST TRANSFER. On June 30,
2 1999, there is transferred from the agricultural chemical cleanup fund to the general
3 fund an amount equal to the interest earned on the agricultural chemical cleanup
4 fund during the 1997–99 fiscal biennium.

5 **SECTION 9207. Appropriation changes; building commission.**

6 (1x) ADVANCE PLANNING REIMBURSEMENT. If the building commission contracts
7 public debt under section 20.866 (2) (y) of the statutes, as affected by this act, for the
8 purpose of funding the project identified as “Capitol restoration project” under
9 SECTION 9107 (1) (d) 1. of this act, the building commission shall transfer, from the
10 capital improvement fund to the general fund, an amount sufficient to reimburse the
11 general fund for the amount expended under the appropriation under section 20.855
12 (3) (b) of the statutes, as created by this act.

13 **SECTION 9223. Appropriation changes; health and family services.**

14 (1) PRIMARY HEALTH CARE PROGRAM REVENUE. Notwithstanding section 20.001 (3)
15 (c) of the statutes, \$725,900 shall lapse to the general fund from the unencumbered
16 balance in the appropriation account under section 20.435 (5) (gp) of the statutes on
17 the effective date of this subsection.

18 **SECTION 9226. Appropriation changes; workforce development.**

19 (1) CHILD SUPPORT COLLECTIONS. The unencumbered balance in the
20 appropriation account under section 20.445 (3) (g) of the statutes, as affected by this
21 act, immediately before the effective date of this subsection is transferred to the
22 appropriation account under section 20.445 (3) (k) of the statutes, as created by this
23 act.

24 **SECTION 9237. Appropriation changes; natural resources.**

1 (1) TRANSFER FROM RECYCLING FUND. There is transferred from the recycling
2 fund to the general fund \$3,850,000.

3 (2) RECREATIONAL BOATING AIDS LAPSE. Notwithstanding section 20.001 (3) (c) of
4 the statutes, on the effective date of the subsection, there is lapsed to the
5 conservation fund \$2,800,000 from the appropriation account to the department of
6 natural resources under section 20.370 (5) (cq) of the statutes.

7 **SECTION 9241. Appropriation changes; public service commission.**

8 (1m) UNIVERSAL SERVICE FUND. On the effective date of this subsection, the
9 unencumbered balance in the universal service fund established under section
10 196.218 (2) (b), 1995 stats., immediately prior to the effective date of this subsection
11 is transferred to the universal service fund established under section 25.95 of the
12 statutes, as created by this act.

13 (1n) TRANSFER TO DEPARTMENT OF PUBLIC INSTRUCTION. On the effective date of
14 this subsection, there is transferred \$111,000 from the appropriation account under
15 section 20.155 (1) (q) of the statutes, as created by this act, to the appropriation
16 account under section 20.255 (1) (ke) of the statutes. On July 1, 1998, there is
17 transferred \$35,000 from the appropriation account under section 20.155 (1) (q) of
18 the statutes, as created by this act, to the appropriation account under section 20.255
19 (1) (ke) of the statutes.

20 **SECTION 9242. Appropriation changes; regulation and licensing.**

21 (1) APPLICANT INVESTIGATION REIMBURSEMENT. Notwithstanding section 20.002
22 (3m) of the statutes, the balance in the appropriation account under section 20.165
23 (1) (gm) of the statutes does not lapse to the general fund upon its repeal and
24 recreation by this act.

25 **SECTION 9243. Appropriation changes; revenue.**

1 (1) DEBT COLLECTION LAPSE. Notwithstanding section 20.001 (3) (a) of the
2 statutes, on the effective date of this subsection there is lapsed to the general fund
3 \$250,000 from the appropriation account to the department of revenue under section
4 20.566 (1) (h) of the statutes, as affected by the acts of 1997.

5 **SECTION 9249. Appropriation changes; transportation.**

6 (1m) TRANSPORTATION FUND APPROPRIATION TRANSFERS. If the effective date of
7 this subsection is after July 1, 1997, there is transferred from the general fund to the
8 transportation fund an amount of moneys equal to the amount encumbered,
9 expended or transferred, during the period between July 1, 1997, and immediately
10 before the effective date of this subsection, from the appropriation accounts under
11 sections 20.115 (1) (q), 20.245 (3) (u), 20.255 (2) (r) and (u), 20.285 (1) (x), 20.292 (1)
12 (r), (u) and (v), 20.370 (1) (mr), (2) (cq) and (3) (ay), 20.435 (1) (rg) and (rm), 20.445
13 (1) (uz) and (6) (v), 20.455 (2) (q), 20.465 (3) (q), (rg), (rk), (rp) and (s), 20.485 (2) (s)
14 and (sm) and 20.505 (4) (q) of the statutes, as affected by this act. In computing the
15 amounts to be transferred under this subsection, encumbrances, expenditures or
16 transfers from continuing appropriation balances existing on June 30, 1997, shall be
17 disregarded.

18 **SECTION 9256. Appropriation changes; other.**

19 (1m) WISCONSIN SESQUICENTENNIAL COMMISSION.

20 (a) The unencumbered balance of the appropriation account to the department
21 of administration under section 20.505 (1) (gm) of the statutes, as affected by this act,
22 immediately before the effective date of this paragraph is transferred to the
23 historical legacy trust fund.

24 (b) The unencumbered balances of the appropriation accounts to the office of
25 the governor under section 20.525 (1) (e), (em), (gm) and (k) of the statutes and

1 section 20.525 (1) (g) and (h) of the statutes, as affected by this act, immediately
2 before the effective date of this paragraph are transferred to the historical legacy
3 trust fund.

4 (c) The unencumbered balance of the appropriation account to the joint
5 committee on finance under section 20.865 (4) (c) of the statutes immediately before
6 the effective date of this paragraph is transferred to the historical legacy trust fund.

7 (2z) PROPERTY TAX RELIEF FUND TRANSFER. On the effective date of this
8 subsection, the unencumbered balance in the property tax relief fund is transferred
9 to the general fund.

10 **SECTION 9304. Initial applicability; agriculture, trade and consumer**
11 **protection.**

12 (1t) VEHICLE SCALE LICENSES.

13 (a) The treatment of section 98.16 (2) (a) 1. and (c) of the statutes and the
14 amendment of section 98.16 (2) (b) of the statutes first apply to licenses issued on the
15 effective date of this paragraph.

16 (b) The repeal and recreation of section 98.16 (2) (b) of the statutes first applies
17 to licenses issued on July 1, 1999.

18 (2) LICENSES TO WORK WITH WEIGHTS AND MEASURES. The treatment of section
19 98.18 (1) (c) and (1h) of the statutes first applies to licenses issued on the effective
20 date of this subsection.

21 **SECTION 9305. Initial applicability; arts board.**

22 (1m) FINE ARTS IN STATE BUILDINGS. The treatment of sections 44.51 (2) and (3)
23 (intro.) and 44.57 (1) (a), (b), (c), (d) and (e), (2), (3) (b) (intro.) and 4., (4) (a) and (c)
24 and (5) (d) of the statutes, the renumbering and amendment of section 44.57 (3) (a)

1 of the statutes and the creation of section 44.57 (3) (a) 2. of the statutes first apply
2 to advisory committees that are convened on the effective date of this subsection.

3 **SECTION 9309. Initial applicability; circuit courts.**

4 (1) LIABILITY OF CERTAIN SUBROGATED PLAINTIFFS. The treatment of section
5 814.03 (3) of the statutes first applies to actions or claims commenced on the effective
6 date of this subsection.

7 **SECTION 9310. Initial applicability; commerce.**

8 (1) PHYSICIAN AND HEALTH CARE PROVIDER LOAN ASSISTANCE PROGRAMS; PENALTIES.
9 The treatment of sections 560.183 (6m) and 560.184 (6m) of the statutes first applies
10 to physicians who begin participation in the program under section 560.183 of the
11 statutes, as affected by this act, and health care providers who begin participation
12 in the program under section 560.184 of the statutes, as affected by this act, on the
13 effective date of this subsection.

14 (2) COMMUNITY-BASED ECONOMIC DEVELOPMENT PROGRAMS. The treatment of
15 section 560.14 (2) (a) 1. and (c) (intro.), 1. and 2. and (4m) of the statutes first applies
16 to grants for which application is made on the effective date of this subsection.

17 (3) RURAL ECONOMIC DEVELOPMENT PROGRAM. The treatment of section 560.17
18 (1) (bm) and (d) 2., (3) (intro.), (a), (b) and (e), (4) (c), (cm) and (f), (5) (intro.), (5c), (5m)
19 (a) (intro.), 1. and 4., (b) (intro.), (bm) and (c), (6m) and (7) (a) and (am) of the statutes
20 first applies to grants or loans for which application is made on the effective date of
21 this subsection.

22 (4) REDUCTION OF PETROLEUM PRODUCT CLEANUP AWARDS. The treatment of
23 section 101.143 (4) (h) 1. and 1m. of the statutes first applies to claims submitted on
24 the effective date of this subsection.

1 (5) COVERAGE OF ABOVEGROUND PETROLEUM STORAGE TANKS. The treatment of
2 section 101.143 (2) (e) (as it relates to coverage of aboveground petroleum storage
3 tanks) and (3) (a) (intro.) (as it relates to coverage of aboveground petroleum storage
4 tanks), (ah) and (ap) of the statutes first applies to claims submitted for costs
5 incurred on the effective date of this subsection.

6 (5m) PETROLEUM DISCHARGES; INTEREST REIMBURSEMENT. The treatment of
7 section 101.143 (4) (c) 8., 9. and 10. of the statutes first applies to loans secured on
8 the effective date of this subsection.

9 (6) DEVELOPMENT ZONES CREDIT. The treatment of sections 560.70 (6) and (7),
10 560.75 (8), 560.768 (1) (a), 560.785, 560.795 (3) (d) and 560.797 (3) (b) 9. and (4) (g)
11 of the statutes first applies to taxable years beginning on January 1, 1998.

12 (7) PETROLEUM ALLOWANCE. The treatment of section 168.12 (6) of the statutes
13 first applies to purchases made on the effective date of this subsection.

14 (10) MUNICIPALITY PARTIALLY IN DEVELOPMENT ZONE. The treatment of section
15 560.735 (6r) of the statutes first applies to development zones in existence on the
16 effective date of this subsection.

17 **SECTION 9311. Initial applicability; corrections.**

18 (1) VIOLENT AND DISRUPTIVE JUVENILES. The treatment of sections 48.366 (8),
19 301.03 (10) (d), 938.183 (2) (b), 938.357 (4) (d) and 938.538 (3) (a) 1. and 1m. and (5)
20 (c) of the statutes first applies to a juvenile whose conduct presents a serious problem
21 to the juvenile or others on the effective date of this subsection.

22 **SECTION 9315. Initial applicability; employe trust funds.**

23 (1k) DETERMINATION OF EARNINGS UNDER THE WISCONSIN RETIREMENT SYSTEM FOR
24 STATE SENATORS. The renumbering of section 40.02 (22) (d) and (33) (b) of the statutes
25 and the creation of section 40.02 (22) (d) 2. and (33) (b) 2. of the statutes first apply

1 to a participant in the Wisconsin retirement system who is a participating employe
2 on the effective date of this subsection.

3 **SECTION 9316. Initial applicability; employment relations**
4 **commission.**

5 (2p) CODE OF ETHICS VIOLATIONS; PROHIBITED SUBJECT OF COLLECTIVE BARGAINING.

6 The treatment of section 111.91 (2) (kg) of the statutes first applies to employes who
7 are affected by a collective bargaining agreement that contains provisions
8 inconsistent with that treatment on the day on which the collective bargaining
9 agreement expires or is extended, modified or renewed, whichever occurs first.

10 (2q) FRINGE BENEFITS OF ASSISTANT DISTRICT ATTORNEYS. The treatment of section
11 111.91 (2) (Lm) of the statutes first applies to employes who are affected by a
12 collective bargaining agreement that contains provisions inconsistent with that
13 treatment on the day on which the collective bargaining agreement expires or is
14 extended, modified or renewed, whichever occurs first.

15 **SECTION 9318. Initial applicability; ethics board.**

16 (2m) LOBBYING REGULATION FEES. The treatment of section 13.75 (1), (1m), (2)
17 and (4) of the statutes first applies to fees paid for the biennial period commencing
18 on January 1, 1999.

19 **SECTION 9319. Initial applicability; financial institutions.**

20 (2) BUSINESS COMBINATIONS. The treatment of sections 180.0722 (8) (b) and (c),
21 180.1130 (1) (a) and (c), (2) (b), (3) (a) (intro.) and (b), (8), (9) (a) 4., (10m), (11) and
22 (13) (intro.), (d) and (f), 180.1131 (intro.), 180.1132 (1) (a) (intro.), (2) (c) and (3),
23 180.1134 (intro.), (1) and (2), 180.1150 (1) (a), (b) and (c), (2), (3) (intro.), (e), (f), (g)
24 and (i), (4) (intro.), (c) and (f), (5) (a) and (d) and (7) and 180.1602 (2) (c) of the statutes
25 first applies to transactions entered into on the effective date of this subsection.

1 **SECTION 9323. Initial applicability; health and family services.**

2 (1) TRANSFER BY AFFIDAVIT BY FORMER GUARDIAN. The treatment of sections
3 30.541 (3) (d) 2. d., 214.37 (4) (k) 1., 215.26 (8) (e) 1., 342.17 (4) (b) 4., 867.03 (1), (1c),
4 (1m) (a) and (b) and (2) and 867.035 (1) (d) of the statutes first applies to transfers
5 because of deaths that occur on the effective date of this subsection.

6 (2) LICENSE AND CERTIFICATION CONTINUANCE FOR AGENCIES AND FACILITIES THAT
7 SERVE ADULTS. The treatment of sections 50.03 (1m), (2) (d), (3) (b) (intro.) and (f), (4)
8 (a) 1. b. and 2., (c), (e) and (f), (5) (title), (a), (b), (c) and (d) (title), 2. and 3., (5g) (c)
9 3., (d) (intro.), (e) 1., (f) and (g) 2. and 3. and (5m) (a) 2. and 3., 50.032 (2), (2r) and
10 (4), 50.033 (2), (2m) and (4), 50.037 (2) (b) and (c), 50.05 (2) (b) and (c), 50.09 (6) (d),
11 50.355, 50.49 (2) (b) and (6), 50.51 (2) (b) and (c), 50.52 (2) (intro.) and (4), 50.535,
12 50.56 (1) (intro.), 50.92 (2), (4) and (5), 50.93 (1) (intro.), (c) and (d), (2) (title), (a), (b)
13 and (d), (3m) and (4) (title), (a), (b), (c) and (d) 2. and 3. and 50.95 (5) of the statutes
14 first applies to licenses for nursing homes, community-based residential facilities,
15 adult family homes, home health agencies, rural medical centers and hospices and
16 certifications for adult family homes and hospitals that are issued, suspended or
17 revoked on the effective date of this subsection.

18 (3) COMMUNITY-BASED RESIDENTIAL FACILITY LICENSURE FEES. The treatment of
19 section 50.037 (2) (a) of the statutes first applies to licensure fees for
20 community-based residential facility licenses that are initially issued or renewed on
21 the effective date of this subsection.

22 (4) NONEXPIRING LICENSES FOR CHILDREN'S PROGRAMS. The treatment of sections
23 48.60 (1) and (3), 48.615 (1) (c) and (2), 48.625 (1) and (2) (b), 48.627 (2) (a), 48.65 (1),
24 (1m) (b) 2. and 3. and (c) 2. and 3. and (3) (b), 48.66 (4) and (5), 48.68 (1) and (2), 48.715
25 (3) (c), (4) (e) and (4m) (b), 48.735, 48.737 and 938.22 (7) (a) and (c) of the statutes and

1 the amendment of sections 48.625 (2) (a) (with respect to continuation of a license),
2 48.65 (3) (a) (with respect to continuation of a license), 48.66 (1), 48.72 and 938.22
3 (7) (b) (with respect to continuation of a license) of the statutes first apply to licenses
4 issued under section 48.66 (1) of the statutes, as affected by this act, for which the
5 continuation date is the effective date of this subsection.

6 (5) SUPPLEMENTAL PAYMENTS FOR CHILDREN OF SUPPLEMENTAL SECURITY INCOME
7 RECIPIENTS. The treatment of section 49.775 of the statutes first applies to a person
8 applying for aid under section 49.19 of the statutes, as affected by this act, on behalf
9 of a dependent child on the effective date of this subsection.

10 (11t) COMMUNITY OPTIONS PROGRAM SERVICES LIMIT. The treatment of sections
11 46.27 (7) (cj) 3. a. and (11) (c) 5n. a. and 46.277 (5) (d) 1n. a. of the statutes first applies
12 to the use of funds under those sections for a person who is admitted to a
13 community-based residential facility on the effective date of this subsection.

14 **SECTION 9326. Initial applicability; workforce development.**

15 (3) FOOD STAMP OFFENSES. The treatment of section 49.127 (8) (d) 1m. of the
16 statutes first applies to a person convicted on August 22, 1996.

17 (4) UNIFORM INTERSTATE FAMILY SUPPORT ACT. The treatment of sections 769.101
18 (7), (16) and (19), 769.207 (title), (1) (intro.), (a), (b), (c) and (d), (1c), (1r), (2), (3) and
19 (4), 769.305 (1) and (5), 769.306, 769.307 (2) (d) and (e), 769.501 (1) (intro.), (a), (b)
20 and (c) and (2) (intro.), (a) and (b), 769.502, 769.503, 769.504, 769.505, 769.506 (title)
21 and (2) (b), 769.605 (1), 769.606 (3), 769.611 (1) (intro.) and (b), (3) and (5) and 769.613
22 and subchapter V (title) of chapter 769 of the statutes, the renumbering of section
23 769.304 of the statutes and the creation of section 769.304 (2) of the statutes first
24 apply to proceedings commenced, actions taken and income-withholding orders

1 received under chapter 769 of the statutes, as affected by this act, on the effective
2 date of this subsection.

3 (8h) FINANCIAL INCENTIVE FOR FILING PATERNITY ACKNOWLEDGMENT FORM. The
4 treatment of section 69.14 (1) (cm) of the statutes first applies to forms filed on the
5 effective date of this subsection.

6 **SECTION 9327. Initial applicability; insurance.**

7 (3g) COVERAGE FOR ALCOHOLISM, OTHER DRUG ABUSE PROBLEMS AND NERVOUS AND
8 MENTAL DISORDERS. The treatment of section 632.89 (2) (a) 2. and (c) 2. a. and b., (d)
9 2. and (dm) 2. of the statutes first applies to all of the following:

10 (a) Except as provided in paragraph (b), group or blanket disability insurance
11 policies that are issued or renewed on the effective date of this paragraph.

12 (b) Group or blanket disability insurance policies covering employes who are
13 affected by a collective bargaining agreement containing provisions inconsistent
14 with section 632.89 (2) (a) 2. or (c) 2. a. or b., (d) 2. or (dm) 2. of the statutes, as affected
15 by this act, that are issued or renewed on the earlier of the following:

- 16 1. The day on which the collective bargaining agreement expires.
- 17 2. The day on which the collective bargaining agreement is extended, modified
18 or renewed.

19 (3m) HEALTH INSURANCE RISK-SHARING PLAN; LIFETIME LIMIT. The treatment of
20 sections 619.12 (2) (c) and 619.14 (2) (a) of the statutes (with respect to the lifetime
21 limit of coverage) first applies to policies that are in effect on the effective date of this
22 subsection.

23 (3n) PROCEDURES INVOLVING A BONE. The treatment of sections 40.51 (8) (with
24 respect to requiring insurance coverage of certain procedures and intraoral devices)
25 and (8m) (with respect to requiring insurance coverage of certain procedures and

1 intraoral devices), 60.23 (25) (with respect to requiring insurance coverage of certain
2 procedures and intraoral devices), 66.184 (with respect to requiring insurance
3 coverage of certain procedures and intraoral devices), 111.91 (2) (n) (with respect to
4 requiring insurance coverage of certain procedures and intraoral devices), 120.13 (2)
5 (g) (with respect to requiring insurance coverage of certain procedures and intraoral
6 devices), 185.981 (4t) (with respect to requiring insurance coverage of certain
7 procedures and intraoral devices), 185.983 (1) (intro.) (with respect to requiring
8 insurance coverage of certain procedures and intraoral devices), 609.78 and 632.895
9 (11) of the statutes first applies to all of the following:

10 (a) Except as provided in paragraphs (b) and (c), disability insurance policies
11 that are issued or renewed, and self-insured health plans that are established,
12 extended, modified or renewed, on the effective date of this paragraph.

13 (b) Disability insurance policies covering employes who are affected by a
14 collective bargaining agreement containing provisions inconsistent with this act
15 that are issued or renewed on the earlier of the following:

16 1. The day on which the collective bargaining agreement expires.

17 2. The day on which the collective bargaining agreement is extended, modified
18 or renewed.

19 (c) Self-insured health plans covering employes who are affected by a
20 collective bargaining agreement containing provisions inconsistent with this act
21 that are established, extended, modified or renewed on the earlier of the following:

22 1. The day on which the collective bargaining agreement expires.

23 2. The day on which the collective bargaining agreement is extended, modified
24 or renewed.

1 (3p) HOSPITAL SERVICES AND ANESTHETICS FOR DENTAL CARE. The treatment of
2 sections 40.51 (8) (with respect to insurance coverage of hospital services and
3 anesthetics for dental care) and (8m) (with respect to insurance coverage of hospital
4 services and anesthetics for dental care), 60.23 (25) (with respect to insurance
5 coverage of hospital services and anesthetics for dental care), 66.184 (with respect
6 to insurance coverage of hospital services and anesthetics for dental care), 111.91 (2)
7 (n) (with respect to insurance coverage of hospital services and anesthetics for dental
8 care), 120.13 (2) (g) (with respect to insurance coverage of hospital services and
9 anesthetics for dental care), 185.981 (4t) (with respect to insurance coverage of
10 hospital services and anesthetics for dental care), 185.983 (1) (intro.) (with respect
11 to insurance coverage of hospital services and anesthetics for dental care), 609.79
12 and 632.895 (12) of the statutes first applies to all of the following:

13 (a) Except as provided in paragraphs (b) and (c), disability insurance policies
14 that are issued or renewed, and self-insured health plans that are established,
15 extended, modified or renewed, on the effective date of this paragraph.

16 (b) Disability insurance policies covering employes who are affected by a
17 collective bargaining agreement containing provisions inconsistent with this act
18 that are issued or renewed on the earlier of the following:

19 1. The day on which the collective bargaining agreement expires.

20 2. The day on which the collective bargaining agreement is extended, modified
21 or renewed.

22 (c) Self-insured health plans covering employes who are affected by a
23 collective bargaining agreement containing provisions inconsistent with this act
24 that are established, extended, modified or renewed on the earlier of the following:

25 1. The day on which the collective bargaining agreement expires.

1 2. The day on which the collective bargaining agreement is extended, modified
2 or renewed.

3 **SECTION 9331. Initial applicability; justice.**

4 (1x) DELINQUENCY VICTIM AND WITNESS ASSISTANCE SURCHARGE. The treatment of
5 sections 46.07, 301.32 (1), 303.01 (8), 895.035 (2m) (b), (bm) 1. and (c), 938.34 (8d) and
6 938.345 (1) (c) of the statutes and the repeal and recreation of sections 20.455 (5) (g),
7 59.25 (3) (f) 2. and 59.40 (2) (m) of the statutes first apply to juveniles who are
8 adjudicated delinquent on the effective date of this subsection.

9 **SECTION 9336. Initial applicability; military affairs.**

10 (1) NATIONAL GUARD TUITION GRANTS. The treatment of section 21.49 (2) (a) and
11 (3) (a) of the statutes first applies to courses completed on the effective date of this
12 subsection.

13 **SECTION 9337. Initial applicability; natural resources.**

14 (1) REMEDIATED PROPERTY. The treatment of section 292.15 (2) (a) of the statutes
15 first applies to persons issued certificates by the department of natural resources on
16 the effective date of this subsection.

17 (2) PETROLEUM PRODUCT DISCHARGES CAUSED BY OTHERS. The treatment of
18 section 101.143 (4) (g) 7. of the statutes first applies to petroleum product discharges
19 caused by services or products provided on the day after the effective date of this
20 subsection.

21 (3) WELL COMPENSATION FEE. The treatment of section 289.63 (3) (b) of the
22 statutes first applies to solid waste or hazardous waste disposed of on the effective
23 date of this subsection.

24 (3z) EFFECTIVE RECYCLING PROGRAM AND GRANTS. The treatment of section
25 287.23 (3) (b) and (5s) of the statutes first applies to grants of assistance for 1998.

1 (4) **BROWNFIELDS REDEVELOPMENT.** The treatment of sections 23.09 (19) (a) and
2 (cm), 23.175 (4m) and 30.277 (3) (k) and (6) of the statutes and the creation of section
3 23.09 (19) (a) 1. of the statutes first apply to grants or aid applied for on the effective
4 date of this subsection.

5 (7g) **CHAPTER 30 REQUESTS FOR HEARING.** The treatment of section 30.28 (2) (c)
6 of the statutes first applies to requests for hearing received by the department on the
7 effective date of this subsection.

8 (7xo) **WILDLIFE DAMAGE PROGRAM.** The treatment of sections 29.59 (5) (a) and (b)
9 and 29.598 of the statutes first applies to wildlife damage claims submitted, and to
10 requests for wildlife damage abatement made, on the effective date of this
11 subsection.

12 (7z) **RECREATIONAL BOATING PROJECTS.** The treatment of section 30.92 (4) (b) 2.
13 and 2m. of the statutes and the creation of section 30.92 (4) (b) 2. b. of the statutes
14 first apply to recreational boating projects that are approved by the Wisconsin
15 waterways commission under section 30.92 (3) (a) of the statutes.

16 **SECTION 9340. Initial applicability; public instruction.**

17 (2) **CHARTER SCHOOLS.**

18 (a) The treatment of section 118.40 (1m) (a) of the statutes first applies to
19 petitions submitted on the effective date of this paragraph.

20 (b) The treatment of section 118.40 (2) (a) and (c) of the statutes first applies
21 to petition hearings that take place on the effective date of this paragraph.

22 (c) The treatment of section 118.40 (3) (b) (by SECTION 2149) of the statutes first
23 applies to contracts entered into, extended, modified or renewed on the effective date
24 of this paragraph.

1 (5x) YOUTH OPTIONS PROGRAM. The treatment of sections 38.04 (11) (a) 2. and
2 (21), 38.22 (1) (intro.), 115.28 (38), 118.15 (2) (c), 118.33 (3m), 118.37 (title), (1), (2),
3 (3), (3m), (4), (5) (intro.), (a), (b) and (c), (6), (7g), (8) and (9), 118.55 (7r) and 121.05
4 (1) (a) 5. of the statutes and the repeal of section 118.37 (1) (title) of the statutes first
5 apply to pupils who intend to participate in the youth options program under section
6 118.55 of the statutes, as affected by this act, in the fall semester of 1998.

7 **SECTION 9341. Initial applicability; public service commission.**

8 (2) TRANSCRIPT EXPENSES. The treatment of sections 196.20 (5) (d) and (6) and
9 196.36 (1r) and (2) of the statutes first applies to transcripts, audiotapes or
10 videotapes that are produced or copies of transcripts that are requested on the
11 effective date of this subsection.

12 **SECTION 9342. Initial applicability; regulation and licensing.**

13 (1) INVESTIGATIONS OF CREDENTIAL APPLICANTS. The treatment of sections 20.165
14 (1) (g) and (gm), 440.03 (13) and 440.26 (2) (b) 1. and 2., (3) and (5m) (a) 1. and 4. of
15 the statutes first applies to applications for credentials under chapters 440 to 480 of
16 the statutes, as affected by this act, that are received on the effective date of this
17 subsection.

18 (3g) ASSESSMENT OF COSTS IN DISCIPLINARY PROCEEDINGS. The treatment of
19 section 440.22 (2) of the statutes first applies to costs that are assessed on the
20 effective date of this subsection.

21 **SECTION 9343. Initial applicability; revenue.**

22 (1) HOMESTEAD CREDIT, SCHOLARSHIP INCOME. The treatment of section 71.52 (6)
23 of the statutes first applies to taxable years beginning on January 1 of the year in
24 which this subsection takes effect, except that, if this subsection takes effect on or
25 after August 1, the treatment of section 71.52 (6) of the statutes first applies to

1 taxable years beginning on January 1 of the year following the year in which this
2 subsection takes effect.

3 (1c) EXCLUSION FOR CAPITAL GAINS ON CERTAIN BUSINESS ASSETS. The treatment
4 of section 71.05 (6) (b) 25. of the statutes first applies to taxable years beginning on
5 January 1, 1999.

6 (1tu) LOCAL GOVERNMENTAL REGULATION OF ALCOHOL BEVERAGES. The treatment
7 of section 125.10 (1) of the statutes first applies to violations committed on the
8 effective date of this subsection, but does not preclude the counting of prior violations
9 of an ordinance enacted under chapter 125, 1995 stats., when sentencing a person.

10 (1tv) ALCOHOL BEVERAGE "CLASS B" LICENSES. The renumbering and
11 amendment of section 125.51 (3) (e) of the statutes and the creation of section 125.51
12 (3) (e) 2. and 3. of the statutes first apply to license applications submitted after the
13 effective date of this subsection.

14 (2g) WORKING FAMILIES TAX CREDIT. The treatment of sections 71.07 (5m), 71.10
15 (4) (du) and 71.64 (9) (b) of the statutes first applies to taxable years beginning on
16 January 1, 1998.

17 (2u) PERSONAL EXEMPTIONS TAX CREDIT. The renumbering and amendment of
18 section 71.07 (8) (a) of the statutes and the creation of section 71.07 (8) (a) 1. to 6. of
19 the statutes first apply to taxable years beginning on January 1, 1997.

20 (4) PAYING PROPERTY TAXES BY CREDIT CARD. The treatment of sections 74.11 (13),
21 74.12 (13) and 74.87 (9) of the statutes first applies to taxes based on the assessment
22 as of January 1, 1997.

23 (6d) LOTTERY CREDIT. The treatment of sections 20.835 (3) (r), 25.75 (3) (d),
24 66.058 (3) (c) 8., 79.10 (1) (f), (1m), (5) (a), (7m) (b) 1. a., (7r), (9) (bm) 1. and (c), (10)

1 (title), (a) to (d) and (e) and (11) (a) and (b) and 79.11 (2) of the statutes first applies
2 to credits against taxes that are due during 1998.

3 (7) SALES TAX ON MANUFACTURED BUILDINGS. The treatment of section 77.51 (2),
4 (4) (b) 3. and 7. and (15) (b) 4. and 6. of the statutes first applies to sales of property
5 pursuant to contracts that are entered into on the first day of the 2nd month
6 beginning after publication.

7 (8g) MOTOR VEHICLE FUEL TAX RATE INDEXING. The treatment of section 78.015
8 (1) and (3m) of the statutes first applies to the indexing on April 1, 1998.

9 (8v) SINGLE-OWNER ENTITIES.

10 (a) The treatment of sections 71.02 (1) (in respect to single-owner entities),
11 71.195, 71.20 (1), 71.21 (1), (2), (3) and (4) (in respect to single-owner entities), 71.22
12 (1) and 71.63 (3) (c) of the statutes first applies to taxable years beginning on January
13 1, 1997.

14 (b) The renumbering and amendment of section 183.0802 (3) of the statutes
15 and the creation of section 183.0802 (3) (b) of the statutes first apply to members who
16 acquired an interest in a limited liability company on the effective date of this
17 paragraph.

18 (8w) UNIVERSITY FOOD. The treatment of section 77.54 (20) (c) 5. of the statutes
19 first applies to contracts or agreements that are entered into on the effective date of
20 this subsection.

21 (9m) GARBAGE AND TRASH DISPOSAL AND COLLECTION. The treatment of section
22 70.119 (3) (d) of the statutes first applies to garbage and trash disposal and collection
23 services provided on the effective date of this subsection.

24 (9x) INTERNAL REVENUE CODE UPDATE.

1 (a) The treatment of sections 71.01 (7r) and (15), 71.05 (6) (intro.), (a) 19. and
2 (b) 24., 71.07 (2dr) (a) and (5) (a) 7., 71.10 (4) (j), 71.122, 71.22 (1), 71.26 (2) (b) (title)
3 and (3) (y), 71.34 (1) (i), 71.365 (1m), (4) (a) and (7), 71.45 (2) (a) 10m. and 13. and
4 71.83 (1) (c) of the statutes, the renumbering and amendment of section 71.125 of the
5 statutes and the creation of section 71.125 (2) of the statutes first apply to taxable
6 years beginning on January 1, 1997.

7 (b) The treatment of section 71.77 (2m) of the statutes first applies to
8 deficiencies caused by notices received by the department of revenue on the effective
9 date of this paragraph.

10 (c) The treatment of sections 71.28 (4) (a) (as it relates to an alternative
11 computation) and (am) 1. and 71.47 (4) (a) (as it relates to an alternative
12 computation) and (am) (as it relates to an alternative computation) of the statutes
13 first applies to taxable years beginning on January 1, 1997.

14 (9z) FUEL TAX CREDIT. The treatment of sections 71.05 (6) (a) 15. (as it relates
15 to the credit for fuel), 71.07 (3s) and (10) (a) and (b), 71.10 (4) (de), 71.21 (4) (as it
16 relates to the credit for fuel), 71.28 (3) (b), (c) 2. to 6. and (d), 71.34 (1) (e) and (g) (as
17 it relates to the credit for fuel), 71.365 (3) (a) and (b) and 71.47 (3) (b), (c) 2. to 6. and
18 (d) of the statutes and the renumbering of sections 71.28 (3) (c) and 71.47 (3) (c) of
19 the statutes first apply to taxable years beginning on January 1, 1998.

20 **SECTION 9347. Initial applicability; technical college system.**

21 (1) YOUTH APPRENTICESHIP INSTRUCTION. The treatment of section 38.14 (3) (am)
22 of the statutes first applies to contracts entered into, modified or renewed on the
23 effective date of this subsection.

24 **SECTION 9349. Initial applicability; transportation.**

1 (1) MOTOR VEHICLE TITLE INSPECTIONS. The treatment of sections 341.05 (19) and
2 342.06 (1) (g) of the statutes first applies to applications for certificates of title
3 submitted on January 1, 1998.

4 (2z) GENERAL TRANSPORTATION AND CONNECTING HIGHWAY AID MONTHLY PAYMENTS.
5 The treatment of sections 86.30 (2) (e) and 86.32 (2) (b) 4. of the statutes first applies
6 to general transportation and connecting highway aids payable on January 5, 1998.

7 (3) BREATH SCREENING EQUIPMENT. The treatment of sections 20.395 (5) (ci) and
8 (di), 20.435 (6) (hx) and (7) (hz) and 346.655 (1) and (2) of the statutes first applies
9 to offenses committed on the effective date of this subsection.

10 (3m) LOCAL VEHICLE REGISTRATION FEE. The treatment of section 341.35 (6r) of
11 the statutes first applies to moneys expended by a municipality or county on January
12 1, 1998.

13 (4) CERTIFICATES OF TITLE.

14 (a) The treatment of sections 342.01 (2) (a) and (ag), 342.06 (1) (intro.) and (i)
15 and (1m) and 342.10 (6) of the statutes first applies to applications for certificates of
16 title that are submitted on the effective date of this paragraph.

17 (af) The treatment of section 342.14 (1) and (3) of the statutes first applies to
18 applications for a certificate of title submitted on September 1, 1997.

19 (4m) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)
20 (hq), (hr) and (hs) and 85.20 (4m) (ag), (ej) and (em) (intro.) (by SECTION 2481pj), 1.
21 (by SECTION 2481pm) and 1m. (by SECTION 2481pp), (4s) (by SECTION 2481ps) and (7)
22 (a) (intro.) (by SECTION 2481pv) and 2. (by SECTION 2481px) of the statutes first
23 applies to urban mass transit operating assistance payments for calendar year 1998.

24 (7m) FREIGHT RAILROAD LOANS.

1 (a) The treatment of section 85.08 (4m) (e) 1. of the statutes first applies to
2 applications for loans for single-year projects that are received by the department
3 of transportation on January 1, 1998.

4 (b) The treatment of section 85.08 (4m) (e) 1. of the statutes first applies to
5 applications for loans for multiyear projects that were received by the department
6 of transportation on April 2, 1997.

7 (9) STATE TRAFFIC PATROL SERVICES. The treatment of sections 85.51 and 348.26
8 (2) of the statutes first applies to services provided on the effective date of this
9 subsection.

10 (9gz) SALE OF MOTOR VEHICLE ACCIDENT AND CITATION RECORDS. The treatment of
11 1995 Wisconsin Act 113, section 9155 (4m) (b) and (c), first applies to contracts
12 entered into on the effective date of this subsection.

13 (9s) TEMPORARY OPERATION PLATES. The treatment of sections 341.04 (1) (intro.)
14 and (a) (by SECTION 3962m), 341.09 (2) (c), (d) and (f), (2m) (b) and (c), (4) (by SECTION
15 3973e), (5) and (9) and 885.237 (title) of the statutes, the renumbering of section
16 885.237 of the statutes, the renumbering and amendment of section 341.09 (1) (by
17 SECTION 3971g) and (2m) (a) (by SECTION 3972d) of the statutes and the creation of
18 sections 341.09 (1) (b) and (2m) (a) 2. and 885.237 (2) of the statutes first apply to
19 transfers of interests in and the operation of motor vehicles occurring on the effective
20 date of this subsection.

21 (10m) TRANSACTIONS BY FINANCIAL INSTITUTIONS. The treatment of section
22 341.255 (title) and (4) of the statutes first applies to applications that are submitted
23 to the department of transportation on the effective date of this subsection.

24 (11) FILING OF CERTIFICATIONS AND RECERTIFICATIONS BY INSURERS. The treatment
25 of section 344.42 of the statutes first applies to certifications and recertifications

1 submitted to the department of transportation on the effective date of this
2 subsection.

3 **SECTION 9350. Initial applicability; treasurer.**

4 (1) SUNKEN LOGS ON SUBMERGED STATE LANDS. The treatment of section 170.12
5 (3) (d), (5) (intro.) and (a) to (c), (6) (d) and (9) of the statutes first applies to permits
6 issued or renewed on the effective date of this subsection.

7 **SECTION 9353. Initial applicability; University of Wisconsin System.**

8 (1) APPLICATION FEES. The treatment of section 36.11 (3) (d) 1. and 2. of the
9 statutes first applies to applications for enrollment in the 1998 fall semester.

10 **SECTION 9354. Initial applicability; veterans affairs.**

11 (1) COUNTY VETERANS' SERVICE OFFICE GRANTS. The treatment of section 45.43 (7)
12 (b) of the statutes first applies to grant applications received by the department of
13 veterans affairs on the effective date of this subsection.

14 (2) VETERANS EDUCATIONAL PROGRAMS. The treatment of sections 45.25 (1), (3)
15 (a), (am) and (b) (intro.) and (4) (a) and 45.396 (2), (4), (5) and (8) of the statutes first
16 applies to courses completed on the effective date of this subsection.

17 (3) VETERANS HOUSING LOANS. The treatment of sections 45.74 (7) and 45.79 (3)
18 (a) 1. of the statutes first applies to applications received by the department of
19 veterans affairs on the effective date of this subsection.

20 **SECTION 9356. Initial applicability; other.**

21 (1v) PENALTIES FOR FORGERY. The treatment of section 943.38 (1) (intro.), (a), (b)
22 and (c), (1m) and (2) of the statutes first applies to offenses committed on the effective
23 date of this subsection.

1 (6) SHERIFF FEES. The renumbering of section 814.705 (intro.), (1), (2), (3) and
2 (4) of the statutes and the creation of section 814.705 (2) of the statutes first apply
3 to sheriff's sales commenced on the effective date of this subsection.

4 (6p) ACADEMIC EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS. The treatment of
5 sections 20.235 (1) (fy) and 39.41 (2) (a) and (b) and (4) (b) of the statutes first applies
6 to scholars who are awarded or receive academic excellence higher education
7 scholarships for the 1997-98 academic year.

8 (8m) ANNEXATION; ZONING AND TAX INCREMENTAL DISTRICT BOUNDARY LIMITATIONS.

9 (a) The treatment of sections 59.69 (5) (e) 7. and (7), 62.23 (7) (a) and (am),
10 66.021 (7) (a) (with respect to temporary zoning designations) and 66.024 (5m) of the
11 statutes first applies to annexations that take effect on the effective date of this
12 paragraph.

13 (b) The treatment of section 66.46 (3) (a), (3m) and (4) (h) 2. of the statutes first
14 applies to tax incremental districts that are created on, or whose boundaries are
15 expanded on, the effective date of this paragraph.

16 (8y) SUNKEN LOGS ON SUBMERGED STATE LANDS. The treatment of sections 20.245
17 (4) (j), 20.507 (1) (j), 44.085, 44.47 (1) (f) and (5r), 170.12 (1) (b), (3) (intro.), (dm) and
18 (g), (6) (intro.), (a), (dm), (e) and (g), (7), (8m) and (9m) and 560.03 (23) of the statutes,
19 the renumbering and amendment of section 170.12 (10) of the statutes, the
20 amendment of section 170.12 (10) (title) of the statutes and the creation of section
21 170.12 (10) (b) and (c) of the statutes first apply to permits issued or renewed on the
22 effective date of this subsection.

23 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
24 SECTIONS 9401 to 9456 of this act, this act takes effect on July 1, 1997, or on the day
25 after publication, whichever is later.

1 **SECTION 9401. Effective dates; administration.**

2 (2) EDUCATIONAL TECHNOLOGY INFRASTRUCTURE LOANS. The amendment of
3 section 20.866 (2) (zc) and (zcm) of the statutes takes effect on July 1, 1998.

4 (3g) FUNDING OF INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS. The
5 treatment of sections 16.971 (5) (a) (by SECTION 143s) and (f) (by SECTION 145p) and
6 20.870 (intro.) and (1) (title) (by SECTION 740f) of the statutes and the repeal of
7 sections 16.971 (5) (i), 20.505 (1) (am) and 20.870 (1) (intro.) and (2) of the statutes
8 take effect on July 1, 1999.

9 **SECTION 9404. Effective dates; agriculture, trade and consumer**
10 **protection.**

11 (1) FERTILIZER FEES AND SURCHARGES. The treatment of section 94.64 (3) (b) and
12 (c), (3r), (4) to (6), (6m) and (6p) of the statutes takes effect on August 1, 1998.

13 (2) COMMERCIAL FEED FEES. The treatment of section 94.72 (6) (a) and (am) of
14 the statutes takes effect on February 1, 1998.

15 (2x) FEDERAL DAIRY POLICY REFORM. The repeal of sections 20.115 (4) (cd) and
16 93.06 (12) of the statutes takes effect on July 1, 1999.

17 (4t) VEHICLE SCALE LICENSES. The repeal and recreation of section 98.16 (2) (b)
18 of the statutes takes effect on July 1, 1999.

19 (4x) LIQUEFIED PETROLEUM GAS METERS. The treatment of section 98.245 (7) of
20 the statutes takes effect on January 1, 1998.

21 **SECTION 9407. Effective dates; building commission.**

22 (1m) BONDING FOR DEPARTMENT OF HEALTH AND FAMILY SERVICES. The treatment
23 of section 20.866 (2) (v) of the statutes takes effect on July 1, 1999.

24 (1n) BONDING FOR UNIVERSITY OF WISCONSIN ACADEMIC FACILITIES. The treatment
25 of section 20.866 (2) (s) (by SECTION 727m) of the statutes takes effect on July 1, 1999.

1 (1pz) APPROVAL OF STATE BUILDING PROJECTS. The treatment of section 20.924 (1)
2 (b) (by SECTION 759) of the statutes takes effect on July 1, 2002, or upon completion
3 of acquisition of property sufficient for the construction of a facility to meet the space
4 needs of the state law library, the legislative reference bureau library and legislative
5 and judicial branch agencies and support staffs.

6 **SECTION 9409. Effective dates; circuit courts.**

7 (1) JUSTICE INFORMATION SYSTEM FEE. The treatment of sections 20.505 (1) (ja)
8 and 814.635 (1) of the statutes and the repeal and recreation of section 20.680 (2) (j)
9 of the statutes take effect on October 1, 1997, or on the day after publication,
10 whichever is later.

11 **SECTION 9410. Effective dates; commerce.**

12 (1) COVERAGE OF ABOVEGROUND PETROLEUM STORAGE TANKS. The treatment of
13 section 101.143 (2) (e) (by SECTION 2005) and (3) (a) (intro.) (by SECTION 2008) , (ah)
14 and (ap) of the statutes and SECTION 9310 (5) of this act take effect on the first day
15 of the 4th month beginning after publication.

16 (1m) REDUCTION OF PETROLEUM PRODUCT CLEANUP AWARDS. The treatment of
17 section 101.143 (4) (h) 1. and 1m. of the statutes and SECTION 9310 (4) of this act take
18 effect on the first day of the 7th month beginning after publication.

19 (5g) ELIMINATION OF RECYCLING MARKET DEVELOPMENT BOARD. The treatment of
20 sections 15.07 (1) (b) 19., 15.155 (2), 16.72 (7) (by SECTION 119d), 20.143 (1) (L) (by
21 SECTION 200d), (st) (by SECTION 204d) and (tm) (by SECTION 205d), 20.923 (4) (a) 4q.,
22 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3) and (4), 560.09 (5) and 560.65 (4) (a)
23 and subchapter III of chapter 287 (by SECTION 3632d) of the statutes takes effect on
24 June 30, 2001.

1 (5m) IDENTIFICATION OF OXYGENATES. The treatment of section 168.11 (1) (b) 2.
2 of the statutes takes effect on the first day of the 13th month beginning after
3 publication.

4 **SECTION 9411. Effective dates; corrections.**

5 (1t) ELIMINATION OF SECURE WORK PROGRAM. The treatment of sections 303.063
6 and 303.21 (1) (b) of the statutes takes effect on July 1, 1998.

7 (4g) PRIVATE BUSINESS EMPLOYMENT OF INMATES AND RESIDENTS. The treatment of
8 section 20.410 (1) (hm) and (km) of the statutes takes effect on January 1, 1998.

9 **SECTION 9414. Effective dates; elections board.**

10 (1) CAMPAIGN FINANCE FILING FEES. The treatment of sections 11.055, 11.20 (4),
11 11.60 (3m) and 20.510 (1) (i) of the statutes takes effect on January 1, 1998.

12 **SECTION 9415. Effective dates; employe trust funds.**

13 (1z) PAYMENT OF JUDGMENT AGAINST THE STATE. The repeal of section 20.515 (1)
14 (am) of the statutes takes effect on June 30, 1998.

15 **SECTION 9421. Effective dates; governor.**

16 (1) NATIONAL GOVERNORS ASSOCIATION CONFERENCE FUNDING. The repeal of
17 section 20.525 (1) (cm) of the statutes takes effect on July 1, 1999.

18 **SECTION 9422. Effective dates; Health and Educational Facilities**
19 **Authority.**

20 (1m) CONFLICT OF INTEREST. The treatment of section 231.02 (6) (b) of the
21 statutes takes effect on January 1, 1998.

22 **SECTION 9423. Effective dates; health and family services.**

23 (1) LICENSE FEES FOR CHILDREN'S PROGRAMS. The repeal and recreation of
24 sections 48.615 (1) (a) and (b), 48.625 (2) (a), 48.65 (3) (a) and 938.22 (7) (b) of the
25 statutes takes effect on July 1, 1998.

1 (2) MILWAUKEE CHILD WELFARE SERVICES TRANSFER. The treatment of sections
2 20.435 (3) (cw), (cx), (gx), (kw), (kx), (ky), (kz), (mw) and (mx), 46.03 (7) (e), 46.036
3 (5m) (e), 46.037 (1m), 46.10 (14) (e) 1m., 46.21 (1) (d) and (2) (a), 46.215 (1) (intro.),
4 (h) and (i) and (2) (c) 1., 46.238, 46.261 (2) (a) 2. and 3., 46.48 (15) (title), (a) (intro.)
5 and (b) and (16) (title) and (b), 48.02 (2g), 48.06 (1) (a) 1., 2. and 3., (am) 1., 2. and 3.
6 and (b), (2) (b) 1. and 2. and (c) and (3), 48.069 (1) (intro.), (2) and (3), 48.07 (3), 48.207
7 (2), 48.295 (1), 48.345 (4) (b) and (bm), (11), (12) (b) and (c) and (13) (a) and (b), 48.355
8 (2) (b) 6. and (c) and (2c) (a) (intro.), 48.36 (1) (a), (2) and (3), 48.38 (5) (am), 48.428
9 (2) (a) and (b), 48.48 (17), 48.551 (2) (a), 48.56 (title) and (1), 48.57 (title), (1) (intro.)
10 and (e), (3m) (am) 1., 2., 4. and 5., (b) 1., (c) and (d) and (3p) (b) 1. and 2., (c) 1., 2. and
11 3., (d), (e) (intro.), (fm) 1. and 2., (g) (intro.), 2. and 3., (i) and (j), 48.58 (1) (b), 48.59
12 (1), 48.75 (title), (1), (1b), (1g) (a) (intro.), 2., 3. and 4., (c) (intro.), 1. and 2. and (d),
13 (1r) and (2), 48.831 (4) (c), 48.832, 48.837 (4) (d), 48.839 (4) (b), 48.88 (2) (c), 48.93 (1d),
14 48.977 (4) (a) 6., 48.981 (1) (ag), (3) (a), (c) 1., 2. a., 3., 4., 5., 6., 6m., 7., 8. and 9., (cm)
15 and (d), (5), (7) (a) (intro.), 1m., 2., 5., 6., 6m., 8., 11., 11r., 13. and 15., (cm) and (d),
16 (8) (a), (c) and (d) 1. and 2. and (10), 49.45 (25) (b), 115.85 (2m), 146.0255 (3) (b), 301.46
17 (4) (a) 8., 767.001 (2) (b) and 938.06 (1) (a) 1. and 2. and (am) 1. and 2. and (2) (a), (am)
18 1. and 2. and (b) 1. and 2. and subchapter XII (title) of chapter 48 of the statutes, the
19 repeal of section 46.48 (15) (a) 1., 2. and 3. and (16) (a) of the statutes, the
20 renumbering and amendment of section 48.275 (2) (d) of the statutes, the repeal and
21 recreation of sections 46.10 (14) (e) 1., 46.261 (2) (a) 1., 46.49 (1) and 48.57 (3m) (am)
22 (intro.) of the statutes, the creation of section 48.275 (2) (d) 2. of the statutes and
23 SECTION 9123 (1) (a), (b) and (c) of this act take effect on January 1, 1998.

1 (2g) PROGRAM REVENUE FOR COMMUNITY AIDS. The treatment of section 20.435 (6)
2 (gb) (by SECTION 595n) and (7) (kw) (by SECTION 606b) of the statutes takes effect on
3 July 1, 1998.

4 (3) MILWAUKEE CHILD WELFARE SERVICES COUNTY CONTRIBUTION. The amendment
5 of section 48.561 (1), (2) and (3) of the statutes takes effect on July 1, 1998.

6 (9g) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes
7 effect on January 1, 1998, or on the day after publication, whichever is later.

8 (9n) MEDICAL ASSISTANCE EXPANSION. The treatment of section 49.46 (1) (a) 10.
9 and 11. (by SECTION 1955b), (am) 1. b. and (k) 1. and 2. of the statutes takes effect on
10 January 1, 1998.

11 (9p) RESPIRATORY CARE SERVICES. The treatment of section 49.45 (8m) (a) (by
12 SECTION 1941c) and (b) (by SECTION 1941e) of the statutes takes effect on July 1, 1998.

13 **SECTION 9426. Effective dates; workforce development.**

14 (1h) STATE DIRECTORY OF NEW HIRES. The treatment of sections 20.445 (1) (gd)
15 (by SECTION 612m) and 103.05 of the statutes takes effect as follows:

16 (a) On January 1, 1998, if the department of workforce development publishes
17 the notice specified in section 103.05 (6) of the statutes, as created by this act, before
18 that date.

19 (b) On April 1, 1998, if the department of workforce development does not
20 publish the notice specified in section 103.05 (6) of the statutes, as created by this act,
21 before January 1, 1998.

22 (5) LOW-INCOME CHILD CARE. The treatment of sections 49.131 (1), (2) (intro.)
23 and (4), 49.134 (2) (a), (by SECTION 1412), 49.136 (2) (a) (by SECTION 1414) and 49.137
24 (2) (a) (by SECTION 1416), (3) (a) (by SECTION 1418) and (4) (intro.) (by SECTION 1420)
25 of the statutes, the renumbering of section 49.131 (2) (b) 1m. and 2. of the statutes

1 and the creation of section 49.155 (1g) (title) of the statutes take effect on September
2 30, 1997, or on the day after publication, whichever is later.

3 (5t) CHILD CARE FOR EDUCATION AND TRAINING. The repeal and recreation of
4 section 49.155 (1m) (a) 4. (intro.) of the statutes takes effect on October 1, 1997, or
5 on the day after publication, whichever is later.

6 (8) CENTRALIZED RECEIPT AND DISBURSEMENT OF SUPPORT AND MAINTENANCE. The
7 treatment of sections 20.445 (3) (a), (ja), (k), (q) and (r), 20.855 (7) (j), 25.17 (1) (tm),
8 25.68, 49.855 (1), (2), (3) (by SECTION 1992m), (4), (4m) (b) (by SECTION 1995m) and
9 (c) and (5), 565.30 (5), 767.001 (7), 767.025 (3) and (4), 767.25 (4m) (c) 1. and (6)
10 (intro.) and (a), 767.261 (intro.) and (1), 767.262 (4) (b), 767.263, 767.265 (1), (2r),
11 (3h), (6) (a) and (b) and (7), 767.267 (1), (2) and (5), 767.29 (1m) (intro.) and (d) and
12 (2), 767.32 (1r), 767.51 (3m) (c) 1. and (5p) (intro.) and (a), 769.319 and 814.61 (12)
13 (cm) of the statutes, the repeal of sections 20.445 (3) (g), 59.40 (2) (h), 59.53 (5m),
14 814.61 (12) (b) and 814.612 of the statutes, the renumbering and amendment of
15 sections 59.53 (5) and 767.29 (1) of the statutes, the amendment of section 49.175 (1)
16 (intro.) of the statutes, the creation of sections 59.53 (5) (b) and 767.29 (1) (b), (d) and
17 (f) of the statutes and SECTION 9226 (1) of this act take effect on the date stated in the
18 notice published by the department of workforce development in the Wisconsin
19 Administrative Register under section 767.29 (1) (f) of the statutes, as created by this
20 act, or on October 1, 1999, whichever is earlier.

21 (12) CAREER COUNSELING CENTERS. The repeal and recreation of sections 20.445
22 (1) (gd), 106.14 (1) and 108.20 (2m) of the statutes takes effect on July 1, 1999.

23 (12m) PREVAILING WAGE ENFORCEMENT. The treatment of sections 103.50 (8) and
24 109.09 (1) of the statutes takes effect on January 1, 1998, or on the day after
25 publication, whichever is later.

1 (12w) COMMUNITY SERVICE JOBS WAGES. The treatment of sections 20.445 (3) (dz)
2 (by SECTION 627b), 20.835 (2) (k), 49.124 (1m) (cm) (by SECTION 1751g), 49.147 (4),
3 49.148 (1m) (a) (by SECTION 1817b) and (b), 49.153 (4) (d) 3. b., 49.155 (1m) (a) 3. (by
4 SECTION 1845b), 49.161 (1) and (2) and 49.96 of the statutes, the renumbering and
5 amendment of sections 49.148 (1) (b) and 49.175 (1) (b) of the statutes and the
6 creation of sections 49.148 (1) (b) 2. and 49.175 (1) (b) 2. of the statutes take effect
7 on October 1, 1998.

8 (13) FINANCIAL INCENTIVE FOR FILING PATERNITY ACKNOWLEDGMENT FORM. The
9 treatment of section 69.14 (1) (cm) of the statutes and SECTION 9326 (8h) of this act
10 take effect on January 1, 1998.

11 **SECTION 9427. Effective dates; insurance.**

12 (1m) TRANSFER OF MANDATORY HEALTH INSURANCE PLAN. The treatment of
13 sections 20.145 (7) (title), (a), (b), (g) and (u), 20.435 (5) (af), 71.65 (4), 149.10 (2f),
14 (2m), (4c), (4p), (5m), (8c), (8j), (8m), (8p), (10) and (11), 149.12 (2) (f), 149.14 (4m),
15 149.143, 149.15 (2m), 149.16 (title) and (1), 185.981 (4t), 185.983 (1) (intro.), 601.41
16 (1) (by SECTION 4796), 601.415 (12), 601.64 (1), (3) (a) and (c) and (4), 613.03 (3) and
17 (4), 614.05 (1), 619.10 (intro.), (1) (1m), (2), (2c) (by SECTION 4817bm), (2j) (by SECTION
18 4817cm), (2t) (by SECTION 4817mm), (3), (3c) (by SECTION 4818cm), (3d) (by SECTION
19 4818dm), (3g) (by SECTION 4818gm), (3j) (by SECTION 4818jm), (3m), (4), (4m), (5), (6),
20 (7), (8) and (9), 619.11, 619.115 (by SECTION 4825f), 619.12 (title), (1), (1m) (intro.), (a)
21 and (b) and (2) (b), (c), (d) and (e) 1., 2. and 3., 619.123, 619.125, 619.13 (title), (1) (a),
22 (b), (c) and (d) and (2), 619.135 (title), (1), (2) and (3), 619.14 (title), (1), (2), (3), (4),
23 (5) (title), (a), (b), (c), (d) and (e) (by SECTION 4857c), (6) (by SECTION 4858c) and (7),
24 619.145, 619.146 (by SECTION 4860d), 619.15 (title), (1), (2), (3) (intro.), (a), (b), (c), (d),
25 (e) and (f) (by SECTION 4869f), (4) (intro.), (a), (b), (c), (d), (e), (5), (6) and (7), 619.16

1 (title), (1), (2) and (3) (a), (b), (c), (d), (e), (em) and (f), 619.165 (title), (1) (a), (b) and
2 (d), (2) and (3), 619.167, 619.17 (intro.), (1), (2), (3) and (4) (a), 619.175, 619.18, 631.36
3 (7) (a) 2., 632.745 (1) (d), 632.785 (1) (intro.) and 635.254 (3), chapter 149 (title) and
4 subchapter II (title) of chapter 619 of the statutes, the repeal of subchapter I (title)
5 of chapter 619 of the statutes, the renumbering of subchapter I of chapter 619 of the
6 statutes, the renumbering and amendment of section 619.12 (3) of the statutes and
7 SECTIONS 9127 (2) and 9327 (3m) of this act take effect on January 1, 1998.

8 (4g) COVERAGE FOR ALCOHOLISM, OTHER DRUG ABUSE PROBLEMS AND NERVOUS AND
9 MENTAL DISORDERS. The treatment of section 632.89 (2) (a) 2. and (c) 2. a. and b., (d)
10 2. and (dm) 2. of the statutes and SECTION 9327 (3g) of this act take effect on first day
11 of the 5th month beginning after publication.

12 (4m) PROCEDURES INVOLVING A BONE AND HOSPITAL SERVICES AND ANESTHETICS FOR
13 DENTAL CARE. The treatment of sections 40.51 (8) and (8m), 60.23 (25), 66.184, 111.91
14 (2) (n), 120.13 (2) (g), 609.78, 609.79 and 632.895 (11) and (12) of the statutes and
15 SECTION 9327 (3n) and (3p) of this act take effect on January 1, 1998.

16 **SECTION 9431. Effective dates; justice.**

17 (1) DRUG ENFORCEMENT FUNDING. The treatment of section 20.455 (2) (e) of the
18 statutes takes effect on July 1, 1998.

19 (1x) DELINQUENCY VICTIM AND WITNESS ASSISTANCE SURCHARGE. The treatment of
20 sections 46.07, 301.32 (1), 303.01 (8), 895.035 (2m) (b), (bm) 1. and (c), 938.34 (8d) and
21 938.345 (1) (c) of the statutes, the repeal and recreation of sections 20.455 (5) (g),
22 59.25 (3) (f) 2. and 59.40 (2) (m) of the statutes and SECTION 9331 (1x) of this act take
23 effect on October 1, 1997.

24 **SECTION 9432. Effective dates; legislature.**

1 (1g) TOURING EXHIBIT OF WISCONSIN STATE CAPITOL. The treatment of section
2 20.765 (1) (d) (by SECTION 716e) of the statutes takes effect on July 1, 1998.

3 **SECTION 9437. Effective dates; natural resources.**

4 (1) ISSUING SYSTEM. The treatment of sections 27.01 (7) (title), (b), (c) (intro.) and
5 8., (d), (e) (title) and 2., (f) (title), 1., 2., 3. and 4., (g) (title), 1., 2., 3. and 4., (gm) (title),
6 1., 2., 3. and 4., (gr) and (h), (7m), (8m) (title) and (c) and (11) (a) and (b), 27.014 (1),
7 29.09 (1m), (3m), (3r), (5), (6), (7), (7m), (8), (10) (a) and (c), (11) and (13), 29.095 (2),
8 29.102 (1) (a) and (b), 29.1025 (1) (a) and (2), 29.103 (2) (b) 1. and 2. and (5) (a), 29.104
9 (3), 29.105 (3), 29.113 (3), 29.117 (3), 29.1475 (3) and (6), 29.148 (2), 29.149 (2) and
10 (3), 29.15 (2) and (3), 29.34 (4) (c), 29.343 (5), 29.36 (2) and 29.37 (3) (b) of the statutes,
11 the amendment of sections 29.09 (4) and (12) (a), (b) and (c), 29.10, 29.104 (1), 29.105
12 (1), 29.1085 (3) (c) 2., 29.11, 29.112, 29.113 (1), 29.114 (1), 29.116, 29.117 (1), 29.13
13 (1) (a), 29.14 (1) (a), (2), (3), (4), (5), (6) and (7) (a), 29.145 (1) (a), (2) (a) and (3) (a),
14 29.146, 29.147 (1), 29.148 (1m) (intro.) (by SECTION 1075), 29.343 (1), 29.36 (1) and
15 29.37 (1) of the statutes and the renumbering and amendment of section 27.01 (7) (e)
16 of the statutes take effect on January 1, 1998.

17 (2) CAMPGROUND RESERVATION SYSTEM. The treatment of section 27.01 (11) (d),
18 (e), (f), (g) and (h) of the statutes takes effect on April 1, 1998.

19 (2m) CERTIFIED REMEDIATION PROFESSIONALS. The treatment of section 292.85 (3)
20 of the statutes takes effect on April 1, 1998.

21 (3) NONPOINT SOURCE WATER POLLUTION ABATEMENT. The treatment of section
22 281.65 (4) (L) and (8) (f), (g), (gm), (h), (hm), (i), (j) and (jm) of the statutes takes effect
23 on July 1, 1998.

1 (5m) ELIMINATION OF PUBLIC INTERVENOR BOARD. The treatment of sections 15.07
2 (1) (cm) (by SECTION 45m), 15.345 (4), 18.13 (4), 23.39 and 227.485 (2) (e) of the
3 statutes takes effect on October 1, 1997.

4 (5t) EFFECTIVE RECYCLING PROGRAMS AND GRANTS. The treatment of sections
5 287.07 (7) (a) and 287.42 (1) (intro.), (a), (b) and (c) of the statutes takes effect on
6 January 1, 2000.

7 (6g) REGULATION OF FISH FARMING. The treatment of sections 20.115 (2) (ha),
8 23.09 (2) (f), 29.01 (2s), (2w), (3), (3b) and (3m), 29.02 (3m), 29.092 (8) (title), (c), (d),
9 (e) and (f), 29.093 (8) (title), (a) and (b), 29.135 (8), 29.136 (7m) (b), 29.137 (8), 29.145
10 (1) (c), 29.286 (3), 29.29 (5), 29.30 (3), 29.42 (4), 29.43 (5) (b), 29.44 (3), 29.47 (7), 29.48
11 (1m) and (3), 29.49 (1) (a) (intro.) and (3), 29.50, 29.51 (title), (1), (1b), (2), (3), (4) and
12 (5), 29.513 (5), 29.52, 29.521, 29.53, 29.535 (title), (1) (a) 1. and 2., (c), (d), (e) and (f),
13 (2) (a) and (b) and (3), 29.536 (5), 29.55 (2m), 29.572 (1), 29.585 (2) (a), 29.59 (1) (f),
14 29.60 (2g), 29.62 (4), 29.623, 29.645, 29.65 (1) (intro.), 29.99 (15), 95.60, 895.57 (3) and
15 943.75 (3) of the statutes and the amendment of section 29.087 (1) of the statutes take
16 effect on January 1, 1998.

17 (7) STEWARDSHIP FINANCING. The repeal and recreation of sections 20.370 (7)
18 (aa) and 20.866 (1) (u) of the statutes and the repeal of section 20.370 (7) (au) of the
19 statutes take effect on July 1, 1999.

20 (9g) SNOWMOBILE TRAIL USE STICKERS. The treatment of sections 350.11 (1) (a)
21 and (b) and (2g) and 350.12 (title), (3j), (3m) (title) and (5) (title) and (a) of the statutes
22 takes effect on July 1, 1998.

23 (9w) CUMULATIVE PREFERENCE SYSTEM.

24 (a) The treatment of sections 29.103 (4) (a), (b) (title), 1., 2. and 3., (c) (intro.),
25 1. (intro.), a. and b., 2. and 3. and (cr), 29.107 (4) and (5) (b) and (d) and 29.174 (2)

1 (c) 1. (intro.), a., b. and c. and 2., (cm) 1. (intro.), a. and b. and 2. and (er) of the statutes
2 takes effect on January 1, 1998.

3 (b) The treatment of section 29.1085 (3) (b) of the statutes takes effect on
4 October 15, 1997.

5 (9xo) WILDLIFE DAMAGE PROGRAM. The treatment of sections 20.370 (1) (Ls) and
6 (5) (fa) and (fq), 29.174 (title) and (4m), 29.59 (5) (a) and (b) and 29.598 of the statutes
7 and SECTION 9337 (7xo) of this act take effect on January 1, 1998.

8 **SECTION 9440. Effective dates; public instruction.**

9 (2) CHARTER SCHOOLS.

10 (a) The treatment of sections 20.255 (2) (fm), 115.001 (1), 118.30 (1m) (intro.),
11 118.40 (1), (2r), (3) (d), (5) (intro.) and (a) and (7) (am) 2. and 121.02 (1) (intro.) and
12 (a) 2. of the statutes takes effect on July 1, 1998.

13 (b) The treatment of section 118.40 (3) (b) (by SECTION 2150) of the statutes
14 takes effect on July 1, 1998.

15 (6m) SCHOOL LIBRARY AIDS. The repeal and recreation of section 20.255 (2) (s)
16 of the statutes takes effect on July 1, 1999.

17 **SECTION 9442. Effective dates; regulation and licensing.**

18 (1) INITIAL AND RENEWAL CREDENTIAL FEES. The treatment of sections 440.05 (1)
19 (a), 440.08 (2) (a) 4., 5., 6., 7., 8., 11., 11m., 12., 13., 14r., 15., 17., 18., 19., 20., 21., 22.,
20 23., 24., 26., 27., 30., 32., 33., 36., 37m., 38., 39., 43., 44., 46., 46m., 48., 51., 53., 54.,
21 55., 57., 58., 59., 60., 61., 63., 63m., 63t., 64., 65., 66., 66m., 67., 68d., 68h., 68p., 68t.,
22 68v., 69. and 70. and 452.12 (2) (title) of the statutes takes effect on September 1,
23 1997, or on the first day of the 2nd month beginning after publication, whichever is
24 later.

1 (1j) CREDENTIAL APPLICATIONS AND INFORMATION. The treatment of sections
2 440.03 (7) and (7m), 440.035 (4), 440.08 (2g) (a) and (b) (intro.), 440.11 (1), 443.06 (1)
3 (a), 443.10 (2) (a), 445.08 (4) (a), 448.05 (7) and 454.08 (4) of the statutes takes effect
4 on September 1, 1997, or on the first day of the 2nd month beginning after
5 publication, whichever is later.

6 **SECTION 9443. Effective dates; revenue.**

7 (1) LOTTERY RETAILER COMPENSATION. The treatment of section 565.02 (4) (f) of
8 the statutes and the repeal and recreation of section 565.10 (14) (b) of the statutes
9 take effect on January 1, 1998.

10 (2) SALES TAX AND USE TAX EXEMPTION FOR CERTAIN KINDS OF PLASTIC. The
11 treatment of section 77.54 (3m) of the statutes takes effect on the first day of the 2nd
12 month beginning after publication.

13 (3) EXEMPTING CERTAIN RETAILERS FROM CERTAIN LOCAL EXPOSITION DISTRICT TAXES.
14 The treatment of section 77.9815 of the statutes takes effect on January 1, 1998.

15 (4) THE USE TAX ON CERTAIN MOTOR VEHICLES. The treatment of section 77.53 (1m)
16 (a) of the statutes takes effect on the first day of the 2nd month beginning after
17 publication.

18 (5) TAX APPEALS COMMISSION FILING FEES.

19 (a) The amendment of section 73.01 (5) (a) of the statutes takes effect on the
20 first day of the 2nd month beginning after publication.

21 (b) The repeal and recreation of section 73.01 (5) (a) of the statutes takes effect
22 on May 15, 1998.

23 (6) ADMINISTRATIVE APPROPRIATION LAPSE. The treatment of section 20.566 (1) (g)
24 of the statutes takes effect on June 30, 1998.

1 (7) ELECTRONIC TAX FILING. The treatment of sections 71.01 (1m), (5g), (8r) and
2 (9c), 71.09 (6), 71.22 (1m), (2m), (8) and (9m), 71.24 (8), 71.29 (2), 71.42 (1m) and (3m),
3 71.44 (4) (a), 71.63 (1m), (3m), (3r) and (5m), 71.65 (2) (title), (a) and (b) and (3) (a),
4 (d) and (e), 71.66 (1) (a), (b), (c), (d) and (f), 71.68, 71.69, 71.70, 71.71 (2), 71.72, 71.738,
5 71.74 (1), (3), (6), (8) (a) and (d), (9) and (14), 71.75 (6) and (7), 71.76, 71.77 (3) and
6 (5), 71.78 (1), (8) (d) (intro.), (9) and (10), 71.80 (1) (a) and (c) to (e), (2), (3), (3m)
7 (intro.), (c) and (d), (7), (8), (16) (a), (17) and (18), 71.90 (1), 71.91 (1) (b), (6) (c) 3. and
8 (g) 1. and (7) (d), 72.01 (12m) and (14m), 71.045, 72.22 (1) and (3), 72.30 (1) and (4),
9 72.33 (2) (intro.), 72.34, 77.51 (3r) and (17r), 77.52 (17m) (a), 77.58 (1m), 77.61 (14),
10 77.75, 77.92 (1m), 77.96 (5) and (5m), 78.005 (6m) and (13r), 78.09 (2) and (5), 78.12
11 (2) (intro.) and (a) to (c) and (5) (a) and (b), 78.20 (1m) and (4), 78.22 (1), (3) (a) and
12 (b) and (4), 78.39 (4m), 78.49 (1) (a), 78.55 (2g), (2r) and (6), 78.58 (1) (a), 78.585, 78.59
13 (2), 78.66 (4), 78.75 (1m) (a) 1., (c) and (e), 78.78 (3), 139.01 (2g), (2r), (5m) and (9m),
14 139.03 (2x) (a), 139.05 (1), (2a), (4) and (7) (b), 139.06 (1) (c), (2) (a) and (b) and (3),
15 139.096, 139.11 (2), 139.30 (4m), (8m) and (12m), 139.315 (1) and (4), 139.32 (1),
16 139.33 (3), 139.34 (1) (a), 139.38 (2) (a) and (5), 139.44 (2), 139.75 (4m) and (5m),
17 139.77 (1), 139.78 (2), 139.79 (1), 139.81 (1) and 139.82 (2) (a) and (5) of the statutes
18 and the repeal and recreation of sections 78.58 (3), 78.75 (1m) (a) 3. and 139.32 (5)
19 of the statutes take effect on January 1, 1998.

20 (7z) CIGARETTE STAMP DISCOUNT. The amendment of section 139.32 (5) of the
21 statutes takes effect on September 1, 1997.

22 (8) SALES TAX ON MANUFACTURED BUILDINGS. The treatment of section 77.51 (2),
23 (4) (b) 3. and 7. and (15) (b) 4. and 6. of the statutes takes effect on the first day of the
24 2nd month beginning after publication.

1 (12) ANSWERING SERVICES. The treatment of section 77.52 (2) (a) 5m. of the
2 statutes takes effect on the first day of the 2nd month beginning after publication.

3 (13) INTERSTATE TELECOMMUNICATIONS. The treatment of section 77.52 (2) (a) 5.
4 of the statutes takes effect on the first day of the 2nd month beginning after
5 publication.

6 (14) CIGARETTE TAX RATE. The treatment of section 139.31 (1) (a) and (b) of the
7 statutes takes effect on the first day of the 2nd month beginning after publication or
8 on September 1, 1997, whichever is earlier.

9 (15g) PROPERTY TAX EXEMPTION FOR RETIREMENT HOMES. The treatment of section
10 70.11 (4) and (4g) of the statutes takes effect on January 1, 1998.

11 (15h) PROPERTY TAX EXEMPTION FOR CERTAIN CHARITABLE ORGANIZATIONS. The
12 treatment of section 70.11 (12) of the statutes takes effect on January 1, 1998.

13 (15i) AVIATION FUEL TAX RATE. The treatment of section 78.555 of the statutes
14 and the amendment of section 78.58 (3) of the statutes take effect on September 1,
15 1997.

16 (15j) DYED FUEL. The treatment of sections 78.01 (2) (e) and 78.73 (1) (dm) of
17 the statutes and the repeal and recreation of section 78.01 (2m) (f) of the statutes take
18 effect on September 1, 1997.

19 (15k) STATE RENTAL CAR FEE. The treatment of section 25.40 (1) (bm), chapter
20 77 (title) and subchapter XI of chapter 77 of the statutes takes effect on January 1,
21 1998.

22 (15L) ADULT ENTERTAINMENT TAX. The treatment of subchapter XIII of chapter
23 77 of the statutes takes effect on January 1, 1998.

24 (16n) COUNTY SALES TAX ADMINISTRATION. The treatment of sections 20.835 (4)
25 (g) and 77.76 (3) and (4) of the statutes takes effect on July 1, 1999.

1 (16p) GARBAGE AND TRASH DISPOSAL AND COLLECTION. The treatment of section
2 70.119 (3) (d) of the statutes and SECTION 9343 (9m) of this act take effect on January
3 1, 1998.

4 (17t) MEDICINES. The treatment of section 77.54 (14) (f) of the statutes takes
5 effect on the first day of the 2nd month beginning after publication.

6 (17x) RAW MATERIALS FOR PRINTING. The treatment of sections 77.51 (18) (intro.),
7 (a) and (b) and (22) (a) and 77.54 (43) of the statutes takes effect on the first day of
8 the 2nd month beginning after publication.

9 **SECTION 9449. Effective dates; transportation.**

10 (1t) CHILDREN FIRST LICENSE PLATES. The treatment of sections 25.40 (1) (a) 16.,
11 48.982 (2) (d) and (2m) (intro.), 341.14 (6r) (b) 6., (c), (e) and (f) 53. and 341.16 (1) (b)
12 of the statutes, the renumbering and amendment of section 25.67 (2) of the statutes
13 and the creation of section 25.67 (2) (a) 2. of the statutes take effect on January 1,
14 1999.

15 (2) CERTIFICATES OF TITLE. The treatment of sections 218.01 (7a) (a), 218.33 (2)
16 (b), 218.52 (3), 341.10 (3), 341.14 (6m) (b) (intro.), 1., 2. and 3. and (6r) (g) (intro.), 1.,
17 2. and 3., 341.145 (5) (intro.), (a), (b) and (c), 342.01 (2) (a) and (ag), 342.06 (1) (intro.)
18 and (i) and (1m), 342.10 (6), 342.155 (1) (b) and 342.20 (1) of the statutes, the repeal
19 and recreation of section 341.14 (6r) (g) (intro.) of the statutes and SECTION 9349 (4)
20 of this act take effect on January 1, 1999.

21 (4) DRIVER SCHOOL AND INSTRUCTOR LICENSES. The treatment of sections 343.61
22 (3) and 343.62 (3) of the statutes takes effect on September 1, 1997.

23 (4m) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)
24 (dq), (dr), (ds), (dt) and (du) and 85.20 (4m) (a) (by SECTION 2481pae) and (em) (intro.)
25 (by SECTION 2481pk), 1. (by SECTION 2481pn) and 1m. (by SECTION 2481pr), (4s) (by

1 SECTION 2481pt) and (7) (a) (intro.) (by SECTION 2481pw) and 2. (by SECTION 2481py)
2 of the statutes takes effect on July 1, 1999.

3 (5m) ANTIQUE MOTORCYCLES. The treatment of sections 341.14 (4) and 341.265
4 (1) and (1m) of the statutes takes effect on January 1, 1998.

5 (5n) TRANSPORTATION AIDS TO PROFESSIONAL BASEBALL PARK DISTRICTS. The repeal
6 of sections 20.395 (1) (gr) and 85.60 of the statutes takes effect on July 1, 1999.

7 (6m) TRANSACTIONS BY FINANCIAL INSTITUTIONS. The treatment of section
8 341.255 (title) and (4) of the statutes and SECTION 9349 (10m) of this act take effect
9 on January 1, 1998.

10 (7) FILING OF CERTIFICATIONS AND RECERTIFICATIONS BY INSURERS. The treatment
11 of section 344.42 of the statutes and SECTION 9349 (7) of this act take effect on
12 January 1, 1998.

13 (8) DRIVER'S LICENSE AND IDENTIFICATION CARD ISSUANCE AND RENEWALS. The
14 treatment of sections 343.14 (3) (a) and (4), 343.16 (3) (a), 343.20 (1) (a) and (f), 343.21
15 (1) (a), (am), (b), (bg), (d), (i) and (im) and 343.50 (4), (5), (6) (b) and (7) of the statutes
16 and the renumbering and amendment of section 343.50 (6) of the statutes take effect
17 on January 1, 1998.

18 (8m) VEHICLE REGISTRATION FEES. The treatment of sections 341.25 (1) (a) and
19 (j) 1. to 7. and (2) (a) to (q) and 341.26 (3) (a) 1. and (g) 1. to 17. of the statutes takes
20 effect on September 1, 1997.

21 (8n) TEMPORARY OPERATION PLATES. The treatment of sections 341.04 (1) (intro.)
22 and (a), 341.09 (2) (c), (d) and (f), (2m) (b) and (c), (4), (5) and (9) and 885.237 (title)
23 of the statutes, the renumbering of section 885.237 of the statutes, the renumbering
24 and amendment of section 341.09 (1) (by SECTION 3971g) and (2m) (a) (by SECTION

1 3972d) of the statutes, the creation of sections 341.09 (1) (b) and (2m) (a) 2. and
2 885.237 (2) of the statutes and SECTION 9349 (9s) of this act take effect on July 1, 1998.

3 (9) MOTORCYCLE REGISTRATION FEE. The treatment of section 341.25 (1) (b) of the
4 statutes takes effect on May 1, 1998.

5 **SECTION 9453. Effective dates; University of Wisconsin System.**

6 (1) UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETIC FACILITIES.
7 The treatment of section 20.285 (1) (db) and (kd) of the statutes takes effect on July
8 1, 1998.

9 **SECTION 9456. Effective dates; other.**

10 (1v) PENALTIES FOR FORGERY. The treatment of section 943.38 (1) (intro.), (a), (b)
11 and (c), (1m) and (2) of the statutes and SECTION 9356 (1v) of this act take effect on
12 August 1, 1997, or on the day after publication, whichever is later.

13 (2m) HISTORICAL LEGACY PROGRAM; WISCONSIN SESQUICENTENNIAL COMMISSION.
14 The repeal of sections 13.01 (3m), 14.26 (5g) (f), 16.25, 20.505 (1) (gm), 20.525 (1) (e),
15 (em), (g), (gm), (h) and (k), 20.865 (4) (c), 25.40 (2) (b) 20p. and 44.015 (4m) of the
16 statutes and SECTION 9256 (1m) of this act take effect on June 1, 1999, or on the date
17 on which the governor notifies the director of the historical society of acceptance of
18 the report under section 14.26 (6) of the statutes, as affected by this act, whichever
19 is later.

20 (3m) ELIMINATION OF LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL.
21 The treatment of sections 15.07 (1) (b) 16., 15.105 (16), 16.968 (by SECTION 142am),
22 20.505 (1) (title) (by SECTION 666h), 20.505 (1) (ka) (by SECTION 669am), 23.27 (3) (a)
23 (by SECTION 769ad), 23.325 (1) (a), 36.09 (1) (e), 36.25 (12m) (intro.), 59.43 (2) (ag) 1.
24 and (e), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and (5) and 92.10 (4) (a) of the
25 statutes and the repeal of sections 16.966 (1), (2) and (4), 16.967, 20.505 (1) (ie), (ig),

1 (ij) and (ks), 23.32 (2) (d), 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of the statutes
2 take effect on September 1, 2003.

3 (END)