



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBb2334/1
ALL:all:all

**ASSEMBLY AMENDMENT 8,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 100**

September 15, 1997 - Offered by Representatives BRANCEL and KUNICKI.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 1: before that line insert:

3 **"SECTION 1am.** 5.01 (4) (a) of the statutes is amended to read:

4 5.01 (4) (a) If 2 or more candidates for the same office receive the greatest, but
5 an equal number of votes, the winner shall be chosen by lot in the presence of the
6 board of canvassers charged with the responsibility to determine the election, except
7 as provided in s. 8.17 (4) (b), or in the case of an election for state or national office
8 or municipal judge, if the judge is elected under s. 755.01 (4), or metropolitan
9 sewerage commissioner, if the commissioner is elected under s. 66.23 (11) (am), in the
10 presence of the chairperson of the board.

11 **SECTION 1amt.** 6.95 of the statutes is amended to read:

1 **6.95 Voting procedure for challenged electors.** Whenever the inspectors
2 under ss. 6.92 to 6.94 receive the vote of a person offering to vote who has been
3 challenged, they shall give the elector a ballot. Before depositing the ballot, the
4 inspectors shall write on the back of the ballot the serial number of the challenged
5 person corresponding to the number kept at the election on the registration or poll
6 list, or other list maintained under s. 6.79. If voting machines are used in the
7 municipality where the person is voting, the person's vote may be received only upon
8 an absentee ballot furnished by the municipal clerk which shall have the
9 corresponding serial number from the registration or poll list or other list
10 maintained under s. 6.79 written on the back of the ballot before the ballot is
11 deposited. The inspectors shall indicate on the list the reason for the challenge. The
12 challenged ballots shall be counted under s. 5.85 or 7.51. The municipal board of
13 canvassers may decide any challenge when making its canvass under s. 7.53. If the
14 returns are reported under s. 7.60, a challenge may be reviewed by the county board
15 of canvassers. If the returns are reported under s. 7.70, a challenge may be reviewed
16 by the chairperson of the board of state canvassers. The decision of the any board
17 of canvassers or of the chairperson may be appealed under s. 9.01. The standard for
18 disqualification specified in s. 6.325 shall be used to determine the validity of
19 challenged ballots.

20 **SECTION 1n.** 7.70 (3) (a) of the statutes is amended to read:

21 7.70 (3) (a) The chairperson of the board of state canvassers shall meet publicly
22 canvass the returns and make his or her certifications and determinations at the
23 state capitol or at the office of the elections board on or before the 2nd Tuesday
24 following a spring primary, the 15th day of May following a spring election, the 4th
25 Tuesday in September following a September primary, the first day of December

1 following a general election, the 2nd Thursday following a special primary, or within
2 18 days after any special election to canvass the returns and determine the election
3 results.

4 **SECTION 1na.** 7.70 (3) (b) of the statutes is amended to read:

5 7.70 (3) (b) The chairperson of the board of state canvassers shall examine the
6 certified statements of the county boards of canvassers. If it appears that any
7 material mistake has been made in the computation of votes, or any county board of
8 canvassers failed to canvass the votes or omitted votes from any ward or election
9 district in the county, the chairperson of the board of state canvassers may dispatch
10 a messenger to the county clerk with written instructions to certify the facts
11 concerning the mistake or the reason why the votes were not canvassed. A clerk to
12 whom such instructions are delivered shall immediately make a true and full
13 answer, sign it, affix the county seal and deliver it to the messenger. The messenger
14 shall deliver it with all possible dispatch to the elections board.

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

16 7.70 (3) (c) The chairperson of the board of state canvassers may adjourn as
17 necessary but not more than shall conclude the state canvass within 10 days in all
18 after its commencement.

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

20 7.70 (3) (d) When the certified statements and returns are received, the
21 chairperson of the board of state canvassers shall proceed to examine and make a
22 statement of the total number of votes cast at any election for the offices involved in
23 the election for president and vice president; a statement for each of the offices of
24 governor, lieutenant governor, if a primary, and a joint statement for the offices of
25 governor and lieutenant governor, if a general election; a statement for each of the

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

7 **SECTION 1r.** 7.70 (3) (e) (intro.) of the statutes is amended to read:

8 7.70 (3) (e) (intro.) The chairperson of the board of state canvassers shall make
9 a special statement to the elections board as soon as possible after the canvass
10 certifying:

11 **SECTION 1s.** 7.70 (3) (g) of the statutes is amended to read:

12 7.70 (3) (g) Following each primary election, the chairperson of the board of
13 state canvassers shall prepare a statement certifying the results of the primary,
14 which shall indicate the names of the persons who have won nomination to any state
15 or national office. Following each other election, the chairperson of the board of state
16 canvassers shall prepare a statement certifying the results of the election and shall
17 attach to the statement a certificate of determination which shall indicate the names
18 of persons who have been elected to any state or national office. The chairperson of
19 the board of state canvassers shall likewise prepare a statement and certificate for
20 any statewide referendum. The chairperson of the board of state canvassers shall
21 deliver each statement and determination to the elections board.

22 **SECTION 1t.** 7.70 (3) (h) of the statutes is amended to read:

23 7.70 (3) (h) Whenever a referendum question submitted to a vote of the people
24 is approved, the elections board shall record it and the secretary of state shall have
25 the record bound in the volume containing the original enrolled laws passed at the

1 next succeeding session of the legislature and have the record published with the
2 laws thereof. Whenever a constitutional amendment or other statewide validating
3 or ratifying referendum question which is approved by the people does not expressly
4 state the date of effectiveness, it shall become effective at the time the chairperson
5 of the board of state canvassers certifies that the amendment or referendum question
6 is approved.

7 **SECTION 1u.** 7.70 (3) (i) of the statutes is amended to read:

8 7.70 (3) (i) The chairperson of the board of state canvassers shall canvass only
9 regular returns made by the county board of canvassers and shall not count or
10 canvass any additional or supplemental returns or statements made by the county
11 board or any other board or person. The chairperson of the board of state canvassers
12 shall not count or canvass any statement or return which has been made by the
13 county board of canvassers at any other time than that provided in s. 7.60. This
14 provision does not apply to any return made subsequent to a recount under s. 9.01,
15 when the return is accepted in lieu of any prior return from the same county for the
16 same office; or to a statement given to the chairperson of the board of state canvassers
17 or a messenger sent by it the chairperson to obtain a correction.

18 **SECTION 1v.** 7.70 (5) (a) of the statutes is amended to read:

19 7.70 (5) (a) The ~~elections~~ board shall record in its office each certified statement
20 and determination made by the chairperson of the board of state canvassers.
21 Immediately after the expiration of the time allowed to file a petition for recount, it
22 the board shall make and transmit to each person declared elected a certificate of
23 election under the seal of the elections board. It shall also prepare similar
24 certificates, attested by the executive director of the elections board, addressed to the
25 U.S. house of representatives, stating the names of those persons elected as

1 representatives to the congress from this state. In the case of U.S. senators, the
2 board shall prepare a certificate of election for the governor's signature, and the
3 governor shall sign and affix the great seal of the state and transmit the certificate
4 to the president of the U.S. senate. The certificate shall be countersigned by the
5 secretary of state. If a person elected was elected to fill a vacancy, the certificate shall
6 so state. When a valid petition for recount is filed, the elections chairperson of the
7 board may not certify a nomination, and the governor or elections board may not
8 issue a certificate of election until the recount has been completed and the time
9 allowed for filing an appeal has passed, or if appealed until the appeal is decided.

10 **SECTION 1w.** 9.01 (1) (a) of the statutes is amended to read:

11 9.01 (1) (a) Any candidate voted for at any election or any elector who voted
12 upon any referendum question at any election may request a recount. The petitioner
13 shall file a verified petition or petitions accompanied by the fee prescribed in par.
14 (ag), if any, with the proper clerk or body under par. (ar) not earlier than the time of
15 completion of the canvass and not later than 5 p.m. on the 3rd business day following
16 the last meeting day of the municipal or county board of canvassers determining the
17 election for that office or on that referendum question or, if more than one board of
18 canvassers makes the determination not later than 5 p.m. on the 3rd business day
19 following the last meeting day of the last board of canvassers which makes a
20 determination. If the chairperson of the board of ~~state~~ canvassers makes the
21 determination for the office or the referendum question, the petitioner shall file the
22 petition not earlier than the last meeting day of the last county board of canvassers
23 to make a statement in the election or referendum and not later than 5 p.m. on the
24 3rd business day following the day on which the elections board receives the last
25 statement from a county board of canvassers for the election or referendum. Each

1 verified petition shall state that at the election the petitioner was a candidate for the
2 office in question or that he or she voted on the referendum question in issue; that
3 the petitioner is informed and believes that a mistake or fraud has been committed
4 in a specified ward or municipality in the counting and return of the votes cast for
5 the office or upon the question; or shall specify any other defect, irregularity or
6 illegality in the conduct of the election. The petition shall specify each ward, or each
7 municipality where no wards exist, in which a recount is desired. If a recount is
8 requested for all wards within a jurisdiction, each ward need not be specified. The
9 petition may be amended to include information discovered as a result of the
10 investigation of the board of canvassers or chairperson of the board after the filing
11 of the petition, if the petitioner moves to amend the petition as soon as possible after
12 the petitioner discovered or reasonably should have discovered the information
13 which is the subject of the amendment and the petitioner was unable to include
14 information in the original petition.

15 **SECTION 1x.** 9.01 (1) (ar) 3. of the statutes is amended to read:

16 9.01 (1) (ar) 3. Upon receipt of a valid petition, the clerk shall thereupon notify
17 the proper board of canvassers. Upon receipt of a valid petition by the elections
18 board, the board shall promptly by certified mail or other expeditious means order
19 the proper county boards of canvassers to commence the recount. County boards of
20 canvassers shall convene no later than 9 a.m. on the day following receipt of an order
21 and may adjourn for not more than one day at a time until the recount is completed
22 in the county, except that the ~~elections~~ board may permit extension of the time for
23 adjournment. Returns from a recount ordered by the ~~elections~~ board shall be
24 transmitted to the office of the board as soon as possible, but in no case later than
25 13 days from the date of the order of the board directing the recount. The chairperson

1 ~~of the board of state canvassers~~ may not make a determination in any election if a
2 recount is pending before any county board of canvassers in that election. The
3 chairperson of the board of state canvassers need not recount actual ballots, but shall
4 verify the returns of the county boards of canvassers in making ~~its~~ his or her
5 determinations.

6 **SECTION 1y.** 9.01 (5) (a) of the statutes is amended to read:

7 9.01 (5) (a) The board of canvassers or the chairperson of the board shall keep
8 complete minutes of all ~~its~~ proceedings before the board of canvassers or chairperson.
9 The minutes shall include a record of objections and offers of evidence. If the board
10 of canvassers or chairperson receives exhibits from any party, ~~it~~ the board of
11 canvassers or chairperson shall number and preserve the exhibits. The board of
12 canvassers or chairperson shall make specific findings of fact with respect to any
13 irregularity raised in the petition or discovered during the recount. Any member of
14 the board of canvassers or the chairperson may administer oaths, certify official acts
15 and issue subpoenas for purposes of this section. Witness fees shall be paid by the
16 county. In the case of proceedings before the chairperson of the board of state
17 ~~canvassers~~, witness fees shall be paid by the elections board.

18 **SECTION 1z.** 9.01 (5) (c) of the statutes is amended to read:

19 9.01 (5) (c) If the recount is made by a municipal or county board of canvassers
20 and the result is required to be reported to a county board of canvassers or to the
21 chairperson of the board of state canvassers, the board of canvassers making the
22 initial recount shall immediately certify the results to the county board of canvassers
23 or to the chairperson of the board of state canvassers. If a county board of canvassers
24 receives such results, it shall then convene not later than 9 a.m. on the next business
25 day following receipt to examine the returns and determine the results. If the

1 ~~chairperson of the board of state canvassers~~ receives such results, ~~it the chairperson~~
2 shall convene publicly examine the returns and determine the results not later than
3 9 a.m. on the 3rd business day following receipt ~~to examine the returns and~~
4 ~~determine the results~~, but if that day is earlier than the latest meeting day permitted
5 for that election under s. 7.70 (3) (a), ~~the chairperson of the board of state canvassers~~
6 ~~may convene~~ may examine the returns and determine the results not later than the
7 day specified in s. 7.70 (3) (a).

8 **SECTION 1za.** 9.01 (6) (a) of the statutes is amended to read:

9 9.01 **(6)** (a) Within 5 business days after completion of the recount
10 determination by the board of canvassers in all counties concerned, or within 5
11 business days after completion of the recount determination by the chairperson of
12 the board of state canvassers whenever a determination is made by ~~that body the~~
13 chairperson, any candidate, or any elector when for a referendum, aggrieved by the
14 recount may appeal to circuit court. The appeal shall commence by serving a written
15 notice of appeal on the other candidates and persons who filed a written notice of
16 appearance before each board of canvassers whose decision is appealed, or in the case
17 of a statewide recount, before the chairperson of the board of state canvassers. The
18 appellant shall also serve notice on the ~~elections~~ board if the chairperson of the board
19 ~~of state canvassers~~ is responsible for determining the election. The appellant shall
20 serve the notice by certified mail or in person. The appellant shall file the notice with
21 the clerk of circuit court together with an undertaking and surety in the amount
22 approved by the court, conditioned upon the payment of all costs taxed against the
23 appellant.

24 **SECTION 1zc.** 9.01 (8) of the statutes is amended to read:

1 9.01 (8) SCOPE OF REVIEW. Unless the court finds a ground for setting aside or
2 modifying the determination of the board of canvassers or chairperson of the board,
3 it shall affirm the determination. The court shall separately treat disputed issues
4 of procedure, interpretations of law and findings of fact. The court may not receive
5 evidence not offered to the board of canvassers or chairperson except for evidence
6 that was unavailable to a party exercising due diligence at the time of the recount
7 or newly discovered evidence that could not with due diligence have been obtained
8 during the recount, and except that the court may receive evidence not offered at an
9 earlier time because a party was not represented by counsel in all or part of a recount
10 proceeding. A party who fails to object or fails to offer evidence of a defect or
11 irregularity during the recount waives the right to object or offer evidence before the
12 court except in the case of evidence that was unavailable to a party exercising due
13 diligence at the time of the recount or newly discovered evidence that could not with
14 due diligence have been obtained during the recount or evidence received by the
15 court due to unavailability of counsel during the recount. The court shall set aside
16 or modify the determination if it finds that the board of canvassers or chairperson
17 has erroneously interpreted a provision of law and a correct interpretation compels
18 a particular action. If the determination depends on any fact found by the board of
19 canvassers or chairperson, the court may not substitute its judgment for that of the
20 board of canvassers or chairperson as to the weight of the evidence on any disputed
21 finding of fact. The court shall set aside the determination if it finds that the
22 determination depends on any finding of fact that is not supported by substantial
23 evidence.”.

24 **2.** Page 3, line 1: before that line insert:

1 **“SECTION 1ami.** 5.085 of the statutes is repealed.

2 **SECTION 1m.** 7.08 (3) (a) of the statutes is amended to read:

3 7.08 (3) (a) Be compiled by the board, ~~with the advice of the elections advisory~~
4 ~~council.~~”.

5 **3.** Page 3, line 1: before that line insert:

6 **“SECTION 1an.** 7.03 (1) (bm) of the statutes is amended to read:

7 7.03 (1) (bm) Whenever a special election is called by a county or by a school
8 district, a technical college district, a sewerage district, a sanitary district or a public
9 inland lake protection and rehabilitation district for a date that is not concurrent
10 with an election specified in s. 5.02 (5), (18), (21) or (22), the county or district shall
11 pay the compensation of all election officials, as determined under sub. (2).

12 **SECTION 1mm.** 7.15 (2) (d) of the statutes is amended to read:

13 7.15 (2) (d) Whenever the governing body of any municipality submits any
14 question to a vote of the electors or whenever a proper recall petition and certificate
15 are filed under s. 9.10, the municipal clerk shall issue a call for the election and
16 prepare and distribute ballots as required in the authorization of submission or as
17 provided in s. 9.10. The date of the referendum shall be established in accordance
18 with s. 8.065, and shall be fixed by the municipal clerk or board of election
19 commissioners unless otherwise provided by law or unless the governing body fixes
20 a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already
21 an official municipal referendum ballot for the election, the question may appear on
22 the same ballot.

23 **SECTION 1vc.** 8.05 (3) (d) and (e) of the statutes are amended to read:

1 8.05 (3) (d) The question of adoption of the nonpartisan primary under this
2 subsection may be submitted to the electors at any regular election authorized under
3 s. 8.065 held in the town ~~or at a special election called for the purpose~~. When a
4 petition conforming to the requirements of s. 8.40 signed by at least 20 electors of the
5 town is filed with the town clerk so requesting, the question shall be submitted to a
6 vote.

7 (e) Petitions requesting a vote on the question at a regular town election shall
8 be filed no later than 5 p.m. the last Tuesday in February. When the petition is filed,
9 the clerk shall check its sufficiency. ~~Whether at a regular or special election, the~~ The
10 clerk shall give separate notice by one publication in a newspaper at least 5 days
11 before the election.

12 **SECTION 1ve.** 8.06 of the statutes is amended to read:

13 **8.06 Special elections may be called.** Towns, cities, villages and school
14 districts may call special elections for any purpose whenever such action is
15 authorized or required by law. If an election is called for a special referendum, the
16 election shall be called and noticed under as provided in s. 8.55.

17 **SECTION 1vf.** 8.065 of the statutes is created to read:

18 **8.065 Scheduling of referenda. (1)** In this section, “local governmental
19 unit” has the meaning given in s. 16.97 (7).

20 **(2)** Unless otherwise required by law or unless authorized under sub. (3), a
21 referendum held by any local governmental unit that is authorized or required by
22 law to hold a referendum may only be held concurrently with the spring primary,
23 spring election, September primary or general election or on the Tuesday after the
24 first Monday in November of any odd-numbered year. Unless otherwise required by
25 law or unless authorized under sub. (3), no referendum submitted by the same local

1 governmental unit relating to substantially similar subject matter or relating to
2 authorization for the borrowing of money may be held more than once in any
3 12-month period.

4 (3) If a local governmental unit wishes to hold a special referendum on a date
5 other than the Tuesday after the first Monday in November of an odd-numbered year
6 that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or (22), the
7 local governmental unit may petition the referendum appeal board for a
8 determination that an emergency exists with respect to a particular question. The
9 referendum appeal board shall make a determination within 10 days after receipt
10 of a petition under this subsection. If the referendum appeal board finds, with the
11 concurrence of at least 4 members, that an emergency exists which requires a special
12 referendum to be held by a local governmental unit on a date other than the Tuesday
13 after the first Monday in November of an odd-numbered year that is not concurrent
14 with an election specified in s. 5.02 (5), (18), (21) or (22), the board may permit a
15 referendum relating to the question specified in the petition to be held on a date
16 determined by the local governmental unit.

17 **SECTION 1zL.** 9.20 (4) of the statutes is amended to read:

18 9.20 (4) The common council or village board shall, without alteration, either
19 pass the ordinance or resolution within 30 days following the date of the clerk's final
20 certificate, or submit it to the electors at the next ~~spring or general~~ election
21 authorized under s. 8.065, if the election is more than 6 weeks after the date of the
22 council's or board's action on the petition or the expiration of the 30-day period,
23 whichever first occurs. If there are 6 weeks or less before the election, the ordinance
24 or resolution shall be voted on at the next election authorized under s. 8.065 (2) or
25 an election authorized under s. 8.065 (3) thereafter. ~~The council or board by a~~

1 ~~three-fourths~~ vote of the members-elect may order a special election for the purpose
2 of voting on the ordinance or resolution at any time prior to the next election, but not
3 more than one special election for direct legislation may be ordered in any 6-month
4 period.”.

5 **4.** Page 3, line 1: delete “**SECTION 1**” and substitute “**SECTION 1zm**”.

6 **5.** Page 7, line 20: delete lines 20 and 21.

7 **6.** Page 9, line 12: after that line insert:

8 “**SECTION 8k.** 13.123 (3) (b) 2. of the statutes is amended to read:

9 13.123 **(3)** (b) 2. In making the determination under subd. 1., the chief clerk is
10 bound by the determination of the chairperson of the elections board of state
11 canvassers if such determination has been issued.”.

12 **7.** Page 9, line 12: after that line insert:

13 “**SECTION 8m.** 13.40 of the statutes is created to read:

14 **13.40 Limitation on state appropriations from general purpose**
15 **revenue. (1)** In this section:

16 (a) “Fiscal biennium” means a 2-year period beginning on July 1 of an
17 odd-numbered year.

18 (b) “General purpose revenue” has the meaning given for “general purpose
19 revenues” in s. 20.001 (2) (a).

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

21 (d) “Program revenue” has the meaning given for “program revenues” in s.
22 20.001 (2) (b) and “program revenues-service” in s. 20.001 (2) (c), but excludes federal
23 revenues as defined in s. 20.001 (2) (e).

1 (e) “Segregated revenue” has the meaning given for “segregated fund revenues”
2 in s. 20.001 (2) (d), “segregated fund revenues — service” in s. 20.001 (2) (da) and
3 “segregated fund revenues — local” in s. 20.001 (2) (dm), but excludes federal
4 revenues as defined in s. 20.001 (2) (e).

5 (2) Except as provided in subs. (3) to (5), the amount appropriated from general
6 purpose revenue for each fiscal biennium excluding any amount expended under an
7 appropriation specified in sub. (3) (a) to (d), as determined under sub. (6), may not
8 exceed the sum of:

9 (a) The amount appropriated from general purpose revenue, excluding any
10 amount expended under an appropriation specified in sub. (3) (a) to (d), for the 2nd
11 fiscal year of the prior fiscal biennium as reported under s. 16.46 (2), multiplied by
12 the sum of 1.0 and the average annual percentage change in this state’s per capita
13 personal income, expressed as a decimal, as reported for the most recent 4 calendar
14 years prior to the fiscal biennium by the federal department of commerce.

15 (b) The amount determined under par. (a) multiplied by the sum of 1.0 and the
16 average annual percentage change in this state’s per capita personal income,
17 expressed as a decimal, as reported for the most recent 3 calendar years prior to the
18 fiscal biennium by the federal department of commerce and as estimated by the
19 department of administration for the calendar year following those years no later
20 than December 5 of each even-numbered year, except as provided in sub. (8).

21 (c) Any amount by which the amount appropriated from sum certain
22 appropriations made from general purpose revenue, excluding any amount
23 expended under an appropriation specified in sub. (3) (a) to (d), for the preceding
24 fiscal biennium, exceeded actual expenditures from sum certain appropriations
25 made from general purpose revenue for the preceding fiscal biennium, excluding any

1 amount expended under an appropriation specified in sub. (3) (a) to (d), as
2 determined by the legislative fiscal bureau.

3 **(3)** The limitation under sub. (2) does not apply to any of the following:

4 (a) An appropriation for principal repayment and interest payments on public
5 debt, as defined in s. 18.01 (4), or operating notes, as defined in s. 18.71 (4).

6 (b) An appropriation to honor a moral obligation undertaken pursuant to ss.
7 18.61 (5), 85.25 (5), 229.50 (7), 229.74 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b),
8 234.626 (7), 234.93 (6) and 281.59 (13m).

9 (c) An appropriation to make a payment to the United States that the building
10 commission determines to be payable under s. 13.488 (1) (m).

11 (d) An appropriation for a period prior to the 1999-2000 fiscal year providing
12 for state aids to any local governmental unit.

13 (e) An appropriation that is enacted with the approval of at least three-fifths
14 of the members of each house of the legislature.

15 **(4)** Whenever in any fiscal biennium the federal government assumes fiscal
16 responsibility for a state program that was previously funded from general purpose
17 revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced
18 by the amount allocated to that program for the most recently completed fiscal
19 biennium in which the state assumed fiscal responsibility for the program.

20 **(4m)** Whenever in any fiscal biennium the legislature reduces the cost of
21 administering a program administered in whole or in part from general purpose
22 revenue by substituting funding from program revenue or segregated revenue, the
23 limitation under sub. (2) for the next fiscal biennium shall be reduced by the amount
24 of the reduced state cost, from general purpose revenue, of administering that
25 program for the most recently completed fiscal biennium.

1 **(5)** Whenever in any fiscal biennium the legislature terminates or reduces the
2 state general purpose revenue funding for a program administered by local
3 governmental units that is partially funded by the state from general purpose
4 revenue, the limitation under sub. (2) for the next fiscal biennium shall be reduced
5 by the amount allocated by the state to that program from general purpose revenue
6 or by the amount of the reduced state cost, from general purpose revenue, of
7 administering that program for the most recently completed fiscal biennium. If the
8 requirement that the local unit of government administer the program is terminated
9 or reduced by the same amount that state general purpose funding is reduced, then
10 no adjustment shall be made to the limitation under sub. (2).

11 **(6)** For purposes of sub. (2), the computation of the amount appropriated from
12 general purpose revenue for any fiscal biennium to which sub. (2) applies shall be
13 made by adding the applicable sum certain appropriations enacted by the legislature
14 from general purpose revenue and an estimate of amounts that will be expended
15 under applicable appropriations, other than sum certain appropriations, that are
16 made from general purpose revenue for that fiscal biennium, including any amounts
17 estimated to be expended for payment of compensation increases for state employes
18 and for litigation expenses incurred in actions against the state or state officers,
19 employes or agents, as determined by the legislative fiscal bureau no later than
20 December 5 of each even-numbered year, except as provided in sub. (8).

21 **(7)** For purposes of calculating the amount appropriated from a biennial
22 appropriation under sub. (2) (a), the amount shown in the schedule under s. 20.005
23 (3) for the 2nd year of any fiscal biennium is determinative.

24 **(8)** No later than December 5 of each even-numbered year, the department of
25 administration and legislative fiscal bureau shall report to the cochairpersons of the

1 joint committee on finance the estimates and determinations required to be made
2 under subs. (2) and (6) for the succeeding fiscal biennium. If the cochairpersons of
3 the committee do not notify the secretary of administration and the director of the
4 legislative fiscal bureau that the committee has scheduled a meeting for the purpose
5 of reviewing the estimates and determinations by December 15 following their
6 submittal, the estimates and determinations shall be effective. If, by December 15
7 following the submittal of the estimates and determinations, the cochairpersons of
8 the committee notify the secretary and director that the committee has scheduled a
9 meeting for the purpose of reviewing the estimates and determinations, the
10 estimates and determinations are not effective unless approved or approved with
11 modifications by the committee.”.

12 **8.** Page 10, line 23: after that line insert:

13 “**SECTION 9hm.** 13.48 (10) (a) of the statutes is amended to read:

14 13.48 (10) (a) No state board, agency, officer, department, commission or body
15 corporate may enter into a contract for the construction, reconstruction, remodeling
16 of or addition to any building, structure, or facility, which involves a cost in excess
17 of \$100,000, without completion of final plans and arrangement for supervision of
18 construction and prior approval by the building commission. ~~The building~~
19 ~~commission may not approve a contract for the construction, reconstruction,~~
20 ~~renovation or remodeling of or an addition to a state building as defined in s. 44.51~~
21 ~~(2) unless it determines that s. 44.57 has been complied with or does not apply.~~ This
22 section applies to the department of transportation only in respect to buildings,
23 structures and facilities to be used for administrative or operating functions,

1 including buildings, land and equipment to be used for the motor vehicle emission
2 inspection and maintenance program under s. 110.20.”.

3 **9.** Page 15, line 8: after that line insert:

4 “**SECTION 10rm.** 13.58 (5) (b) 1. of the statutes is amended to read:

5 13.58 (5) (b) 1. Direct ~~the council on information technology~~ or the subunit in
6 the department of administration with policy-making responsibility related to
7 information technology to conduct studies or prepare reports on items related to the
8 committee’s duties under par. (a).”.

9 **10.** Page 15, line 25: delete the material beginning with that line and ending
10 with page 16, line 9.

11 **11.** Page 17, line 9: after that line insert:

12 “**SECTION 14n.** 13.92 (1) (b) 1. of the statutes is renumbered 13.92 (1) (b) 1.
13 (intro.) and amended to read:

14 13.92 (1) (b) 1. (intro.) Prepare in the proper form all legislation to be
15 introduced in the legislature. Only the following persons may use the drafting
16 services of the bureau for this purpose:

17 **SECTION 14np.** 13.92 (1) (b) 1. a. to d. of the statutes are created to read:

18 13.92 (1) (b) 1. a. Any member or member-elect of the legislature and, on behalf
19 of each committee thereof, the chairperson.

20 b. Any agency, as defined in s. 16.70 (1), created under ch. 13, 14, 15 or 758.

21 c. The chief clerk of either house of the legislature for requests pertaining to
22 the operation of the legislature.

23 d. A party caucus of either house of the legislature.”.

24 **12.** Page 18, line 10: after that line insert:

1 **“SECTION 18g.** 13.94 (11) of the statutes is created to read:

2 13.94 (11) OPEN ENROLLMENT. By July 1, 2002, the legislative audit bureau shall
3 conduct a performance evaluation audit of the full-time open enrollment program
4 under s. 118.51. The audit shall evaluate the effects of the program on the quality
5 of elementary and secondary education in this state, including all of the following:

6 (a) The extent to which the program has resulted in the creation of new or
7 innovative programs by school districts.

8 (b) The satisfaction of participating and nonparticipating pupils and parents
9 with the program.

10 (c) The fiscal effect of the program on school districts.

11 (d) The socioeconomic effect of the program on school districts.

12 (e) Other issues affecting the quality of education.”.

13 **13.** Page 19, line 8: after that line insert:

14 **“SECTION 19m.** 14.015 (2) (c) of the statutes is created to read:

15 14.015 (2) (c) This subsection does not apply after June 30, 1999.”.

16 **14.** Page 19, line 25: after that line insert:

17 **“SECTION 21m.** 14.017 (3) of the statutes is created to read:

18 14.017 (3) STANDARDS DEVELOPMENT COUNCIL. (a) There is created in the office
19 of the governor a standards development council consisting of all of the following:

20 1. The lieutenant governor, who shall serve as chairperson of the council.

21 2. A representative of the department of public instruction appointed by the
22 state superintendent of public instruction.

1 3. The chairpersons of the committees in the assembly and senate whose
2 subject matter is elementary and secondary education or members of those
3 committees designated by the chairpersons.

4 4. The ranking minority member of each of the committees under subd. 3. or
5 members of those committees designated by the ranking minority members.

6 5. One member appointed by the governor to serve at the pleasure of the
7 governor.

8 (b) Section 15.09 applies to the standards development council.”.

9 **15.** Page 20, line 13: delete “the Public Enrichment”.

10 **16.** Page 20, line 14: delete “Foundation” and substitute “any organization
11 with which the department of administration contracts under s. 16.23 (1)”.

12 **17.** Page 20, line 14: after that line insert:

13 “**SECTION 23d.** 14.23 of the statutes is created to read:

14 **14.23 Standards development council.** (1) By the effective date of this
15 subsection [revisor inserts date], the governor shall submit to the standards
16 development council pupil academic standards in mathematics, science, reading and
17 writing, geography and history. The council shall review the standards and may
18 modify them. By September 15, 1997, or within 30 days after the effective date of
19 the subsection [revisor inserts date], whichever is later, the council shall transmit
20 its recommended standards to the governor.

21 (2) The governor shall approve or disapprove the recommended standards
22 within 30 days after receiving them under sub. (1). If the governor approves the
23 standards, he or she may issue the approved standards as an executive order.

1 **(3)** The council shall periodically review the standards issued under sub. (2)
2 and may recommend changes to the governor. If the governor approves the changes
3 he or she may issue them as an executive order.”.

4 **18.** Page 21, line 6: delete the material beginning with “Upon” and ending
5 with “exist.” on line 8 and substitute “~~Upon acceptance of the report by the governor,~~
6 ~~the~~ The commission shall cease to exist on July 1, 1999.”.

7 **19.** Page 21, line 23: after that line insert:

8 “**SECTION 26m.** 14.58 (19) of the statutes is amended to read:

9 14.58 **(19)** APPORTION INTEREST. Apportion at least quarterly the interest
10 earned on state moneys in all depositories among the several funds as provided in
11 s. 25.14 (3), except that earnings attributable to the investment of temporary excess
12 balances under sub. (4) (b) shall be distributed according to a formula prescribed by
13 the ~~depository selection board~~ state treasurer. To the maximum extent deemed
14 administratively feasible by the ~~depository selection board~~ state treasurer, the
15 formula shall approximate the distribution of earnings among funds which would
16 occur if earnings were allocated in proportion to each fund’s actual contribution to
17 the earnings. Interest so apportioned shall be added to and become a part of such
18 funds.”.

19 **20.** Page 23, line 19: after that line insert:

20 “**SECTION 31m.** 15.01 (4) of the statutes is amended to read:

21 15.01 **(4)** “Council” means a part-time body appointed to function on a
22 continuing basis for the study, and recommendation of solutions and policy
23 alternatives, of the problems arising in a specified functional area of state
24 government, ~~except the Milwaukee river revitalization council has the powers and~~

1 duties specified in s. 23.18, the council on physical disabilities has the powers and
2 duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug
3 abuse has the powers and duties specified in s. 14.24 and, before January 1, 2001,
4 the council on health care fraud and abuse has the powers and duties specified in s.
5 146.36.”.

6 **21.** Page 25, line 4: after that line insert:

7 “**SECTION 39m.** 15.06 (4m) of the statutes is amended to read:

8 15.06 (4m) EXECUTIVE ASSISTANT. Each commission chairperson under s. 230.08
9 (2) (m) and each commissioner of the public service commission may appoint an
10 executive assistant to serve at his or her pleasure outside the classified service. The
11 executive assistant shall perform duties as the chairperson or commissioner
12 prescribes.”.

13 **22.** Page 25, line 19: after that line insert:

14 “**SECTION 43k.** 15.07 (1) (b) 2. of the statutes is repealed.”.

15 **23.** Page 26, line 19: before “is” insert “section 45,”.

16 **24.** Page 27, line 10: after that line insert:

17 “**SECTION 45t.** 15.07 (1) (cm) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), section 45m, is repealed and recreated to read:

19 15.07 (1) (cm) The term of one member of the ethics board shall expire on each
20 May 1. The terms of 3 members of the development finance board appointed under
21 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms
22 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of
23 every odd-numbered year. The terms of the 3 members of the land and water
24 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.”.

7 **25.** Page 27, line 14: after that line insert:

8 “**SECTION 47g.** 15.07 (2) (k) of the statutes is repealed.”.

9 **26.** Page 27, line 16: after that line insert:

10 “**SECTION 48m.** 15.07 (5) (q) of the statutes is repealed.”.

11 **27.** Page 27, line 19: after that line insert:

12 “**SECTION 50m.** 15.105 (3) of the statutes is repealed.”.

13 **28.** Page 28, line 11: after that line insert:

14 “**SECTION 53r.** 15.107 (4) of the statutes is repealed.”.

15 **29.** Page 28, line 11: after that line insert:

16 “**SECTION 54s.** 15.107 (5) of the statutes is repealed.”.

17 **30.** Page 28, line 15: after that line insert:

18 “**SECTION 54mm.** 15.107 (15) of the statutes is repealed.”.

19 **31.** Page 28, line 15: after that line insert:

20 “**SECTION 54mf.** 15.107 (14) of the statutes is repealed.”.

21 **32.** Page 29, line 16: after that line insert:

22 “**SECTION 57e.** 15.135 (5) of the statutes is repealed.”.

23 **33.** Page 29, line 16: after that line insert:

1 **SECTION 57k.** 15.137 (4) of the statutes is repealed.”.

2 **34.** Page 29, line 16: after that line insert:

3 **SECTION 57c.** 15.135 (3) of the statutes is repealed.

4 **SECTION 57j.** 15.137 (2) of the statutes is repealed.”.

5 **35.** Page 29, line 16: after that line insert:

6 **SECTION 56m.** 15.13 of the statutes is amended to read:

7 **15.13 Department of agriculture, trade and consumer protection;**
8 **creation.** There is created a department of agriculture, trade and consumer
9 protection under the direction and supervision of the board of agriculture, trade and
10 consumer protection. The board shall consist of ~~6~~ 7 members with an agricultural
11 background and 2 members who are consumer representatives, appointed for
12 staggered 6-year terms. Appointments to the board shall be made without regard
13 to party affiliation, residence or interest in any special organized group.”.

14 **36.** Page 29, line 16: after that line insert:

15 **SECTION 57f.** 15.145 (2) (intro.) of the statutes is amended to read:

16 15.145 (2) PRISON INDUSTRIES BOARD. (intro.) There is created a prison
17 industries board which is attached to the department of corrections under s. 15.03.
18 The board shall consist of 9 members appointed for ~~staggered 3-year~~ 4-year terms.
19 ~~Two~~ Three members shall be appointed to represent private business and industry
20 and ~~2~~ 3 members shall be appointed to represent private labor organizations. One
21 member shall be appointed to represent each of the following:

22 **SECTION 57g.** 15.145 (2) (a) of the statutes is repealed.

23 **SECTION 57n.** 15.145 (2) (b) of the statutes is repealed.

24 **SECTION 57r.** 15.145 (2) (e) of the statutes is repealed.

1 **SECTION 57w.** 15.145 (2) (f) of the statutes is created to read:

2 15.145 (2) (f) The department of administration.”.

3 **37.** Page 29, line 17: delete lines 17 to 20 and substitute:

4 “**SECTION 58d.** 15.147 of the statutes is repealed.”.

5 **38.** Page 30, line 3: after that line insert:

6 “**SECTION 60g.** 15.195 (3) of the statutes is repealed.”.

7 **39.** Page 30, line 3: after that line insert:

8 “**SECTION 60b.** 15.187 of the statutes is repealed.”.

9 **40.** Page 30, line 3: after that line insert:

10 “**SECTION 59c.** 15.157 (5) of the statutes is repealed.”.

11 **41.** Page 30, line 3: after that line insert:

12 “**SECTION 60am.** 15.185 (2) of the statutes is repealed.”.

13 **42.** Page 30, line 3: after that line insert:

14 “**SECTION 59f.** 15.157 (15) of the statutes is repealed.”.

15 **43.** Page 30, line 3: after that line insert:

16 “**SECTION 60e.** 15.195 (1) of the statutes is repealed.”.

17 **44.** Page 30, line 3: after that line insert:

18 “**SECTION 59m.** 15.177 of the statutes is repealed.”.

19 **45.** Page 30, line 9: after that line insert:

20 “**SECTION 63p.** 15.197 (22) of the statutes is repealed.”.

21 **46.** Page 30, line 9: after that line insert:

22 “**SECTION 63m.** 15.197 (21) of the statutes is repealed.”.

23 **47.** Page 30, line 9: after that line insert:

1 **“SECTION 63j.** 15.197 (12) of the statutes is repealed.”.

2 **48.** Page 31, line 7: after that line insert:

3 **“SECTION 65q.** 15.227 (17) (b) (intro.) of the statutes is amended to read:

4 15.227 (17) (b) (intro.) The council shall have ~~19~~ 21 members, serving 5-year
5 terms, consisting of:

6 **SECTION 65r.** 15.227 (17) (b) 1. of the statutes is amended to read:

7 15.227 (17) (b) 1. ~~Seven~~ Eight representatives of the labor community in this
8 state.

9 **SECTION 65s.** 15.227 (17) (b) 2. of the statutes is amended to read:

10 15.227 (17) (b) 2. ~~Seven~~ Eight representatives of the management community
11 in this state.”.

12 **49.** Page 31, line 7: after that line insert:

13 **“SECTION 65m.** 15.227 (14) of the statutes, as affected by 1997 Wisconsin Act
14 3, is repealed.”.

15 **50.** Page 31, line 7: after that line insert:

16 **“SECTION 65k.** 15.227 (9) of the statutes, as affected by 1997 Wisconsin Act 3,
17 is repealed.”.

18 **51.** Page 31, line 7: after that line insert:

19 **“SECTION 65g.** 15.227 (5) of the statutes, as affected by 1997 Wisconsin Act 3,
20 is repealed.”.

21 **52.** Page 31, line 7: after that line insert:

22 **“SECTION 65d.** 15.227 (1) of the statutes, as affected by 1997 Wisconsin Act 3,
23 is repealed.”.

24 **53.** Page 31, line 10: after that line insert:

1 “**SECTION 66f.** 15.257 (1) of the statutes is repealed.”.

2 **54.** Page 31, line 10: after that line insert:

3 “**SECTION 66g.** 15.315 of the statutes is repealed.”.

4 **55.** Page 31, line 10: after that line insert:

5 “**SECTION 66b.** 15.227 (24) (a) 5n. of the statutes is created to read:

6 15.227 (24) (a) 5n. One representative to the assembly appointed by the
7 assembly minority leader.

8 **SECTION 66bm.** 15.227 (24) (a) 5r. of the statutes is created to read:

9 15.227 (24) (a) 5r. One senator appointed by the senate minority leader.”.

10 **56.** Page 31, line 10: after that line insert:

11 “**SECTION 66c.** 15.227 (24) (a) 12. of the statutes is created to read:

12 15.227 (24) (a) 12. One member who is an elected county official.

13 **SECTION 66e.** 15.227 (24) (bm) of the statutes is amended to read:

14 15.227 (24) (bm) The members of the council appointed under par. (a) 6. to ~~11.~~
15 12. and the chairperson of the council shall be appointed by the governor to serve at
16 the pleasure of the governor.”.

17 **57.** Page 32, line 2: after that line insert:

18 “**SECTION 67q.** 15.347 (12) of the statutes is repealed.”.

19 **58.** Page 32, line 2: after that line insert:

20 “**SECTION 68t.** 15.347 (19) of the statutes is repealed.”.

21 **59.** Page 32, line 2: after that line insert:

22 “**SECTION 67r.** 15.347 (15) of the statutes is repealed.”.

23 **60.** Page 32, line 2: after that line insert:

24 “**SECTION 67s.** 15.347 (18) of the statutes is repealed.”.

- 1 **61.** Page 32, line 2: after that line insert:
2 “**SECTION 67m.** 15.347 (8) of the statutes is repealed.”
- 3 **62.** Page 32, line 2: after that line insert:
4 “**SECTION 67p.** 15.347 (11) of the statutes is repealed.”
- 5 **63.** Page 32, line 20: delete the material beginning with that line and ending
6 with page 33, line 11, and substitute:
7 “**SECTION 73m.** 15.375 (1) of the statutes is repealed.”
- 8 **64.** Page 34, line 19: delete lines 19 to 25 and substitute:
9 “**SECTION 79m.** 15.377 (2) of the statutes is repealed.”
- 10 **65.** Page 35, line 1: delete lines 1 to 9 and substitute:
11 “**SECTION 80m.** 15.377 (3) of the statutes is repealed.”
- 12 **66.** Page 36, line 10: delete lines 10 to 21 and substitute:
13 “**SECTION 83ag.** 15.377 (7m) of the statutes is repealed.”
- 14 **67.** Page 36, line 22: delete the material beginning with that line and ending
15 with page 38, line 2.
- 16 **68.** Page 38, line 3: after that line insert:
17 “**SECTION 84g.** 15.467 (2) of the statutes is repealed.”
- 18 **69.** Page 38, line 3: after that line insert:
19 “**SECTION 84e.** 15.467 (1) of the statutes is repealed.”
- 20 **70.** Page 38, line 7: after that line insert:
21 “**SECTION 85d.** 15.57 (6) of the statutes is repealed.
22 **SECTION 85g.** 15.57 (6g) of the statutes is created to read:
23 15.57 (**6g**) The president of the Wisconsin Public Radio Association.

1 **SECTION 85j.** 15.577 (1) of the statutes is repealed.”.

2 **71.** Page 38, line 7: after that line insert:

3 “**SECTION 85h.** 15.57 (6m) of the statutes is created to read:

4 15.57 (**6m**) One member with a demonstrated interest in public television who
5 resides within the coverage area of an education television channel subject to s. 39.11
6 (3).

7 **SECTION 85k.** 15.577 (2) of the statutes is repealed.”.

8 **72.** Page 38, line 7: after that line insert:

9 “**SECTION 85L.** 15.615 (1) of the statutes is repealed.”.

10 **73.** Page 38, line 7: after that line insert:

11 “**SECTION 85n.** 15.617 of the statutes is repealed.”.

12 **74.** Page 38, line 7: after that line insert:

13 “**SECTION 85m.** 15.615 (2) of the statutes is created to read:

14 15.615 (**2**) REFERENDUM APPEAL BOARD. There is created a referendum appeal
15 board which is attached to the elections board under s. 15.03. The board shall consist
16 of the governor, the senate majority leader, the senate minority leader, the speaker
17 of the assembly and the assembly minority leader or the designees of these persons.”.

18 **75.** Page 38, line 11: delete lines 11 to 17 and substitute:

19 “**SECTION 89m.** 15.647 of the statutes is repealed.”.

20 **76.** Page 40, line 4: delete lines 4 to 13 and substitute:

21 “**SECTION 92c.** 15.707 (1) of the statutes is repealed.”.

22 **77.** Page 40, line 13: after that line insert:

23 “**SECTION 92e.** 15.707 (2) of the statutes is repealed.”.

1 **78.** Page 40, line 23: after that line insert:

2 “**SECTION 92v.** 15.735 (title) of the statutes is repealed.

3 **SECTION 92w.** 15.735 (1) of the statutes is repealed.”.

4 **79.** Page 41, line 6: after that line insert:

5 “**SECTION 94m.** 15.915 (3) of the statutes is repealed.”.

6 **80.** Page 41, line 6: after that line insert:

7 “**SECTION 94n.** 15.947 (1) of the statutes is repealed.”.

8 **81.** Page 41, line 12: after “consultant” insert “, to be paid from the
9 appropriation under s. 20.435 (1) (bm),”.

10 **82.** Page 41, line 18: after that line insert:

11 “**SECTION 96t.** 16.02 of the statutes is repealed.”.

12 **83.** Page 44, line 15: after that line insert:

13 “**SECTION 97m.** 16.025 of the statutes is repealed.”.

14 **84.** Page 44, line 21: delete the material beginning with that line and ending
15 with page 45, line 13.

16 **85.** Page 45, line 15: delete the material beginning with “, in” and ending with
17 “provide” on line 16 and substitute “solicit competitive sealed proposals from
18 organizations having the capability to provide free books to educational and social
19 service organizations for the purpose of promoting literacy. The department shall
20 contract with the organization submitting the most advantageous competitive
21 sealed proposal for the purpose of providing”.

22 **86.** Page 46, line 25: after that line insert:

23 “**SECTION 102apm.** 16.31 (1) (b) of the statutes is amended to read:

1 16.31 (1) (b) ~~The department shall develop the plan in consultation with the~~
2 ~~housing advisory council.~~ In preparing the plan, the department may obtain input
3 from housing authorities, community-based organizations, the private housing
4 industry and others interested in housing assistance and development.”.

5 **87.** Page 49, line 14: after that line insert:

6 “**SECTION 102rs.** 16.38 of the statutes is repealed.”.

7 **88.** Page 52, line 2: after that line insert:

8 “**SECTION 105p.** 16.46 (intro.), (1), (3) and (4) of the statutes are amended to
9 read:

10 **16.46 Biennial budget, contents.** (intro.) The biennial state budget report
11 shall be prepared by the secretary, under the direction of the governor, and a copy of
12 a budget-in-brief thereof shall be furnished to each member of the legislature on the
13 day of the delivery of the budget message. The biennial state budget report shall be
14 furnished to each member of the legislature on the same day and shall contain all of
15 the following information:

16 (1) A summary of the actual and estimated receipts of the state government
17 in all operating funds under existing laws during the current and the succeeding
18 bienniums, classified so as to show the receipts by funds, organization units and
19 sources of income;₂

20 (3) A statement showing the condition of all operating funds of the treasury at
21 the close of the preceding fiscal year and the estimated condition at the close of the
22 current year;₂

1 (4) A statement showing how the total estimated disbursements during each
2 year of the succeeding biennium compare with the estimated receipts, and the
3 additional revenues, if any, needed to defray the estimated expenses of the state;

4 **SECTION 105r.** 16.46 (5) of the statutes is renumbered 16.46 (5) (intro.) and
5 amended to read:

6 16.46 (5) (intro.) A statement of the actual and estimated receipts and
7 disbursements of each department and of all state aids and activities during the
8 current biennium, the departmental estimates and requests, and the
9 recommendations of the governor for the succeeding biennium. Estimates of
10 expenditures shall be classified to set forth such expenditures by funds, organization
11 units, appropriation, object and activities at the discretion of the secretary;
12 Regardless of the classification chosen by the secretary, the statement shall compare
13 the recommendations of the governor for disbursements for that classification
14 during the succeeding biennium with all of the following:

15 **SECTION 105t.** 16.46 (5) (a) and (b) of the statutes are created to read:

16 16.46 (5) (a) A base level of funding for that classification for the current
17 biennium. The base level of funding shall be determined by adding, with respect to
18 sum certain appropriations within that classification, the amounts appropriated for
19 the 2 years in the current biennium from those appropriations and, with respect to
20 sum sufficient appropriations within that classification, the estimated expenditures
21 from those sum sufficient appropriations for the 2 years in the current biennium, as
22 determined by the secretary.

23 (b) The secretary's estimate of the amount that will actually be expended from
24 the appropriations within that classification over the 2 years of the current
25 biennium.”.

1 **89.** Page 52, line 2: after that line insert:

2 “**SECTION 105q.** 16.46 (2) of the statutes is amended to read:

3 16.46 (2) A summary of the actual and estimated amounts appropriated and
4 the actual and estimated disbursements of the state government from all operating
5 funds ~~during~~ for each fiscal year of the current fiscal biennium and of the requests
6 of agencies and the recommendations of the governor for the succeeding fiscal
7 biennium;”.

8 **90.** Page 52, line 6: after “(h),” insert “(ip)”.

9 **91.** Page 53, line 7: after that line insert:

10 “**SECTION 117s.** 16.72 (2) (cm) of the statutes is created to read:

11 16.72 (2) (cm) The department shall verify and record the country of origin for
12 each motor vehicle purchased for any agency.”.

13 **92.** Page 53, line 24: after that line insert:

14 “**SECTION 121bg.** 16.75 (1) (a) 1. of the statutes is amended to read:

15 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
16 materials, supplies, equipment and contractual services to be provided to any
17 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
18 (6), (7), (8) and (9) and ss. 16.73 (4) (a), 16.754, 50.05 (7) (f), 110.10 (2) (b), 287.15 (7)
19 and 301.265, shall be awarded to the lowest responsible bidder, taking into
20 consideration life cycle cost estimates under sub. (1m), when appropriate, the
21 location of the agency, the quantities of the articles to be supplied, their conformity
22 with the specifications, and the purposes for which they are required and the date
23 of delivery.”.

24 **93.** Page 54, line 8: after that line insert:

1 **“SECTION 123mk.** 16.76 (4) (g) of the statutes is created to read:

2 16.76 (4) (g) No later than January 15 of each odd-numbered year, the
3 secretary shall report to the legislature under s. 13.172 (2) concerning the costs and
4 benefits to the state resulting from the use of master leases by the department or its
5 designated agents under s. 16.71 (1) during the 2-year period ending on the
6 preceding December 31.”.

7 **94.** Page 69, line 18: after that line insert:

8 “(c) Coordinate with the technology for educational achievement in Wisconsin
9 board to provide private schools with telecommunications access under s. 196.218
10 (4r) and contract with telecommunications providers to provide such access.”.

11 **95.** Page 69, line 19: before that line insert:

12 **“SECTION 148e.** 16.976 of the statutes is repealed.”.

13 **96.** Page 71, line 13: delete that line and substitute:

14 **“17.15 (3m)** SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. Any
15 commissioner of the Southeastern Wisconsin”.

16 **97.** Page 72, line 14: after that line insert:

17 **“SECTION 158m.** 19.42 (13) (d) of the statutes is repealed.”.

18 **98.** Page 72, line 25: delete the material beginning with that line and ending
19 with page 73, line 6.

20 **99.** Page 87, line 9: decrease the dollar amount for fiscal year 1997–98 by
21 \$33,900 to reflect decreased costs for new position authorizations.

22 **100.** Page 87, line 13: decrease the dollar amount for fiscal year 1997–98 by
23 \$4,400 to reflect decreased costs for new position authorizations.

1 **120.** Page 103, line 17: decrease the dollar amount for fiscal year 1997–98 by
2 \$14,300 to reflect decreased costs for new position authorizations.

3 **121.** Page 104, line 8: increase the dollar amount for fiscal year 1997–98 by
4 \$186,100 and increase the dollar amount for fiscal year 1998–99 by \$186,100 to
5 increase funding for the purposes for which the appropriation is made.

6 **122.** Page 104, line 10: increase the dollar amount for fiscal year 1997–98 by
7 \$123,000 and increase the dollar amount for fiscal year 1998–99 by \$123,000 to
8 increase funding for the purpose for which the appropriation is made.

9 **123.** Page 104, line 11: increase the dollar amount for fiscal year 1997–98 by
10 \$22,500 and increase the dollar amount for fiscal year 1998–99 by \$22,500 to
11 increase funding for the purpose for which the appropriation is made.

12 **124.** Page 105, line 2: decrease the dollar amount for fiscal year 1997–98 by
13 \$331,600 and decrease the dollar amount for fiscal year 1998–99 by \$331,600 to
14 decrease funding for the purpose for which the appropriation is made.

15 **125.** Page 105, line 6: delete lines 6 to 8.

16 **126.** Page 105, line 14: decrease the dollar amount for fiscal year 1997–98 by
17 \$331,600 and decrease the dollar amount for fiscal year 1998–99 by \$331,600 to
18 decrease funding for the purpose for which the appropriation is made.

19 **127.** Page 106, line 17: increase the dollar amount for fiscal year 1997–98 by
20 \$321,000 and increase the dollar amount for fiscal year 1998–99 by \$497,600 to
21 increase funding for the purpose for which the appropriation is made.

1 **128.** Page 107, line 8: increase the dollar amount for fiscal year 1997–98 by
2 \$597,100 and increase the dollar amount for fiscal year 1998–99 by \$754,200 to
3 increase funding for the purpose for which the appropriation is made.

4 **129.** Page 107, line 10: decrease the dollar amount for fiscal year 1997–98 by
5 \$217,300 and decrease the dollar amount for fiscal year 1998–99 by \$456,300 to
6 decrease funding for the purpose for which the appropriation is made.

7 **130.** Page 110, line 12: increase the dollar amount for fiscal year 1997–98 by
8 \$75,000 and increase the dollar amount for fiscal year 1998–99 by \$75,000 to
9 increase funding for the purpose for which the appropriation is made.

10 **131.** Page 110, line 18: increase the dollar amount for fiscal year 1997–98 by
11 \$75,000 and increase the dollar amount for fiscal year 1998–99 by \$75,000 to
12 increase funding for the purpose for which the appropriation is made.

13 **132.** Page 111, line 14: decrease the dollar amount for fiscal year 1997–98 by
14 \$39,000 and decrease the dollar amount for fiscal year 1998–99 by \$39,000 to
15 decrease the authorized FTE positions for the historical society by 1.0 GPR position
16 to reflect the elimination of the historical markers council.

17 **133.** Page 111, line 14: decrease the dollar amount for fiscal year 1998–99 by
18 \$900 to decrease funding to reflect the elimination of the submerged cultural
19 resources council.

20 **134.** Page 114, line 12: decrease the dollar amount for fiscal year 1997–98 by
21 \$45,500 to decrease funding for the purpose for which the appropriation is made.

22 **135.** Page 115, line 4: decrease the dollar amount for fiscal year 1997–98 by
23 \$62,000 and decrease the dollar amount for fiscal year 1998–99 by \$62,000 to

1 decrease the authorized FTE positions for the department of public instruction by 1.0
2 GPR positions as a result of the elimination of the American Indian language and
3 culture board.

4 **136.** Page 115, line 4: decrease the dollar amount for fiscal year 1997–98 by
5 \$1,600 and decrease the dollar amount for fiscal year 1998–99 by \$1,600 to reflect
6 the elimination of the council on instructional telecommunications.

7 **137.** Page 115, line 4: increase the dollar amount for fiscal year 1997–98 by
8 \$38,100 and increase the dollar amount for fiscal year 1998–99 by \$64,600 to
9 increase the authorized FTE positions for the department of public instruction by 1.0
10 GPR position to administer the public school open enrollment program.

11 **138.** Page 115, line 6: decrease the dollar amount for fiscal year 1997–98 by
12 \$31,700 to decrease funding for the purposes for which the appropriation is made.

13 **139.** Page 117, line 6: after that line insert:

14 “(bi) Additional aid for county handi-
15 capped children’s education
16 boards GPR A 143,100 –0–”.

17 **140.** Page 117, line 10: after “payments” insert “; full-time open enrollment
18 transfer payments”.

19 **141.** Page 117, line 23: after “education” insert “; part-time open enrollment”.

20 **142.** Page 117, line 23: after that line insert:

21 “(cy) Aid for transportation; full-time
22 open enrollment GPR A –0– 1,000,000”.

23 **143.** Page 119, line 3: after that line insert:

1 “(d) Elks and Easter Seals Center for
2 Respite and Recreation GPR A 50,000 50,000”.

3 **144.** Page 119, line 7: increase the dollar amount for fiscal year 1997-98 by
4 \$50,000 and increase the dollar amount for fiscal year 1998-99 by \$50,000 to
5 increase funding for the purpose for which the appropriation is made.

6 **145.** Page 119, line 15: decrease the dollar amount for fiscal year 1997-98 by
7 \$311,500 and decrease the dollar amount for fiscal year 1998-99 by \$311,500 to
8 decrease funding for the purposes for which the appropriation is made.

9 **146.** Page 120, line 3: decrease the dollar amount for fiscal year 1997-98 by
10 \$137,200 to decrease funding for the purposes for which the appropriation is made.

11 **147.** Page 120, line 12: delete “A” and substitute “B”.

12 **148.** Page 121, line 12: after that line insert:

13 “(tm) Educational telecommunications
14 access support; private schools SEG B 265,000 355,000”.

15 **149.** Page 121, line 16: decrease the dollar amount for fiscal year 1997-98 by
16 \$389,300 and decrease the dollar amount for fiscal year 1998-99 by \$484,000 to
17 decrease funding for the purposes for which the appropriation is made.

18 **150.** Page 121, line 16: increase the dollar amount for fiscal year 1997-98 by
19 \$500,000 and increase the dollar amount for fiscal year 1998-99 by \$1,500,000 to
20 increase funding for the University of Wisconsin-Extension.

21 **151.** Page 121, line 16: decrease the dollar amount for fiscal year 1997-98 by
22 \$74,100 and decrease the dollar amount for fiscal year 1998-99 by \$74,100 to
23 decrease the authorized FTE positions for the University of Wisconsin System by 2.0

1 decrease the authorized FTE positions for the department of natural resources by 1.0
2 PR position.

3 **160.** Page 136, line 2: increase the dollar amount for fiscal year 1997-98 by
4 \$56,400 and increase the dollar amount for fiscal year 1998-99 by \$56,400 to
5 increase the authorized FTE positions for the department of natural resources by 1.0
6 PR position.

7 **161.** Page 136, line 9: after that line insert:

8 “(da) Solid waste management — tire
9 manufacturing waste GPR A 500,000 -0-”.

10 **162.** Page 137, line 13: decrease the dollar amount for fiscal year 1997-98 by
11 \$12,300 to reflect decreased costs for new position authorizations.

12 **163.** Page 137, line 14: delete lines 14 and 15.

13 **164.** Page 137, line 22: decrease the dollar amount for fiscal year 1997-98 by
14 \$10,800 to reflect decreased costs for new position authorizations.

15 **165.** Page 137, line 24: decrease the dollar amount for fiscal year 1997-98 by
16 \$500,000 to decrease funding for the purposes for which the appropriation is made.

17 **166.** Page 138, line 8: decrease the dollar amount for fiscal year 1997-98 by
18 \$171,300 to reflect decreased costs for new positions authorizations.

19 **167.** Page 139, line 4: decrease the dollar amount for fiscal year 1997-98 by
20 \$16,200 to reflect decreased costs for a position authorization related to the
21 enforcement of all-terrain vehicle laws.

1 **168.** Page 141, line 4: decrease the dollar amount for fiscal year 1997–98 by
2 \$10,600 and decrease the dollar amount for fiscal year 1998–99 by \$10,600 to reflect
3 the elimination of the Milwaukee River revitalization council.

4 **169.** Page 142, line 4: decrease the dollar amount for fiscal year 1997–98 by
5 \$3,200 and decrease the dollar amount for fiscal year 1998–99 by \$3,200, and adjust
6 the NET APPROPRIATION totals accordingly, to reflect the elimination of the
7 Milwaukee River revitalization council.

8 **170.** Page 142, line 4: decrease the dollar amount for fiscal year 1998–99 by
9 \$175,000, and adjust the NET APPROPRIATION total accordingly, to decrease
10 funding for the purposes for which the appropriation is made.

11 **171.** Page 142, line 6: decrease the dollar amount for fiscal year 1997–98 by
12 \$300 and decrease the dollar amount for fiscal year 1998–99 by \$300 to reflect the
13 elimination of the aquatic nuisance control council.

14 **172.** Page 145, line 20: after “study” insert “Black Point Estate; Southeastern
15 Wisconsin Fox River commission”.

16 **173.** Page 147, line 9: decrease the dollar amount for fiscal year 1998–99 by
17 \$500,000 to decrease funding for the purposes for which the appropriation is made.

18 **174.** Page 148, line 10: delete lines 10 and 11.

19 **175.** Page 149, line 17: before that line insert:

20 “(av) Recreational boating properties
21 acquisition and development —
22 principal repayment and interest SEG A 225,000 225,000”.

23 **176.** Page 151, line 9: substitute “(gq)” for “(gh)”.

1 **177.** Page 154, line 3: decrease the dollar amount for fiscal year 1997-98 by
2 \$7,000 and decrease the dollar amount for fiscal year 1998-99 by \$7,000 to reflect
3 the elimination of the Milwaukee River revitalization council.

4 **178.** Page 154, line 9: decrease the dollar amount for fiscal year 1997-98 by
5 \$14,200 and decrease the dollar amount for fiscal year 1998-99 by \$14,200 to reflect
6 appropriation restructuring.

7 **179.** Page 154, line 21: decrease the dollar amount for fiscal year 1997-98 by
8 \$12,900 to reflect decreased costs for new position authorizations.

9 **180.** Page 154, line 23: decrease the dollar amount for fiscal year 1997-98 by
10 \$1,500 and decrease the dollar amount for fiscal year 1998-99 by \$1,500 to reflect
11 the elimination of the off-the-road vehicle council.

12 **181.** Page 155, line 9: decrease the dollar amount for fiscal year 1997-98 by
13 \$11,800 to reflect decreased costs for new position authorizations.

14 **182.** Page 157, line 13: increase the dollar amount for fiscal year 1997-98 by
15 \$20,000 to increase funding for the purposes for which the appropriation is made.

16 **183.** Page 158, line 6: decrease the dollar amount for fiscal year 1997-98 by
17 \$188,600 and decrease the dollar amount for fiscal year 1998-99 by \$377,200 for the
18 purpose of reducing general transportation aids payable to counties.

19 **184.** Page 158, line 8: decrease the dollar amount for fiscal year 1997-98 by
20 \$593,400 and decrease the dollar amount for fiscal year 1998-99 by \$1,186,800 for
21 the purpose of reducing general transportation aids payable to municipalities.

22 **185.** Page 159, line 19: delete that line.

1 **186.** Page 160, line 4: decrease the dollar amount for fiscal year 1997–98 by
2 \$258,000 and decrease the dollar amount for fiscal year 1998–99 by \$1,112,300 to
3 decrease funding for the purpose for which the appropriation is made.

4 **187.** Page 160, line 4: increase the dollar amount for fiscal year 1997–98 by
5 \$896,500 and increase the dollar amount for fiscal year 1998–99 by \$3,838,100 for
6 the purpose for which the appropriation is made.

7 **188.** Page 160, line 6: increase the dollar amount for fiscal year 1997–98 by
8 \$325,200 and increase the dollar amount for fiscal year 1998–99 by \$1,183,800 for
9 the purpose for which the appropriation is made.

10 **189.** Page 160, line 6: decrease the dollar amount for fiscal year 1997–98 by
11 \$641,800 and decrease the dollar amount for fiscal year 1998–99 by \$2,610,700 to
12 decrease funding for the purpose for which the appropriation is made.

13 **190.** Page 160, line 8: decrease the dollar amount for fiscal year 1997–98 by
14 \$396,500 and decrease the dollar amount for fiscal year 1998–99 by \$1,605,400 to
15 decrease funding for the purpose for which the appropriation is made.

16 **191.** Page 160, line 8: increase the dollar amount for fiscal year 1997–98 by
17 \$74,600 and increase the dollar amount for fiscal year 1998–99 by \$306,500 for the
18 purpose for which the appropriation is made.

19 **192.** Page 161, line 17: increase the dollar amount for fiscal year 1997–98 by
20 \$250,000 and increase the dollar amount for fiscal year 1998–99 by \$250,000 for the
21 purpose for which the appropriation is made.

22 **193.** Page 162, line 8: increase the dollar amount for fiscal year 1997–98 by
23 \$500,000 for the purpose of railroad crossing protection device maintenance.

1 **194.** Page 162, line 10: decrease the dollar amount for fiscal year 1997–98 by
2 \$500,000 to decrease funding for railroad crossing protection device installation.

3 **195.** Page 164, line 11: increase the dollar amount for fiscal year 1997–98 by
4 \$13,400,000 and increase the dollar amount for fiscal year 1998–99 by \$17,400,000
5 to increase funding for the purpose of major highway development.

6 **196.** Page 164, line 11: decrease the dollar amount for fiscal year 1997–98 by
7 \$17,720,000 to reflect a shift in funding from segregated fund revenues to segregated
8 fund revenues — service.

9 **197.** Page 164, line 11: increase the dollar amount for fiscal year 1997–98 by
10 \$3,862,300 and increase the dollar amount for fiscal year 1998–99 by \$658,300 to
11 increase funding for the purpose of major highway development.

12 **198.** Page 164, line 19: increase the dollar amount for fiscal year 1997–98 by
13 \$132,300 and increase the dollar amount for fiscal year 1998–99 by \$132,300 to
14 increase funding for the purposes for which the appropriation is made.

15 **199.** Page 164, line 19: decrease the dollar amount for fiscal year 1997–98 by
16 \$10,000,000 to decrease funding for the purpose for which the appropriation is made.

17 **200.** Page 164, line 19: decrease the dollar amount for fiscal year 1997–98 by
18 \$200,000 and decrease the dollar amount for fiscal year 1998–99 by \$100,000 to
19 decrease funding for preliminary engineering costs for a light rail transit system
20 associated with a Milwaukee east–west transportation corridor.

21 **201.** Page 165, line 6: decrease the dollar amount for fiscal year 1997–98 by
22 \$832,100 and decrease the dollar amount for fiscal year 1998–99 by \$857,000 to
23 decrease funding for the state trunk highway maintenance program.

1 **202.** Page 165, line 12: increase the dollar amount for fiscal year 1997-98 by
2 \$73,600 and increase the dollar amount for fiscal year 1998-99 by \$73,600 to
3 increase funding for the purposes for which the appropriation is made.

4 **203.** Page 166, line 3: increase the dollar amount for fiscal year 1997-98 by
5 \$91,000 and increase the dollar amount for fiscal year 1998-99 by \$91,000 to
6 increase funding for the purposes for which the appropriation is made.

7 **204.** Page 167, line 12: increase the dollar amount for fiscal year 1997-98 by
8 \$15,000 and increase the dollar amount for fiscal year 1998-99 by \$34,400 to
9 increase the authorized FTE positions for the department of transportation by 0.4
10 SEG position, and by an additional 0.4 SEG position on July 1, 1998, for the
11 performance of duties relating to identification card renewals.

12 **205.** Page 167, line 12: increase the dollar amount for fiscal year 1997-98 by
13 \$88,400 and increase the dollar amount for fiscal year 1998-99 by \$88,400 to
14 increase funding for the purposes for which the appropriation is made.

15 **206.** Page 167, line 12: decrease the dollar amount for fiscal year 1998-99 by
16 \$115,500 to decrease funding for the issuance of temporary operation plates and to
17 decrease the authorized FTE positions for the department of transportation by 3.3
18 SEG positions for the performance of duties relating to the issuance of temporary
19 operation plates.

20 **207.** Page 167, line 12: increase the dollar amount for fiscal year 1997-98 by
21 \$62,800 and increase the dollar amount for fiscal year 1998-99 by \$469,000 to
22 increase the authorized FTE positions for the department of transportation by 4.5
23 SEG positions, and by an additional 9.5 SEG positions on July 1, 1998, for the
24 performance of duties relating to the administration of late fees.

1 decrease the authorized FTE positions for the department of corrections by 32.2 GPR
2 positions for the performance of services for community corrections.

3 **215.** Page 171, line 1: decrease the dollar amount for fiscal year 1997–98 by
4 \$900,000 and decrease the dollar amount for fiscal year 1998–99 by \$900,000 to
5 decrease funding for the purpose for which the appropriation is made.

6 **216.** Page 171, line 14: increase the dollar amount for fiscal year 1997–98 by
7 \$52,900 to increase funding for the purpose for which the appropriation is made.

8 **217.** Page 172, line 2: increase the dollar amount for fiscal year 1997–98 by
9 \$3,425,600 and increase the dollar amount for fiscal year 1998–99 by \$3,425,600 for
10 the purpose for which the appropriation is made.

11 **218.** Page 172, line 5: decrease the dollar amount for fiscal year 1997–98 by
12 \$7,600 to reflect decreased costs for new position authorizations.

13 **219.** Page 172, line 11: decrease the dollar amount for fiscal year 1997–98 by
14 \$53,400 to reflect decreased costs for new position authorizations.

15 **220.** Page 173, line 2: decrease the dollar amount for fiscal year 1997–98 by
16 \$8,200 to reflect decreased costs for new position authorizations.

17 **221.** Page 173, line 6: decrease the dollar amount for fiscal year 1997–98 by
18 \$60,100 and decrease the dollar amount for fiscal year 1998–99 by \$60,100 to
19 decrease funding to reflect the elimination of the gang violence prevention council.

20 **222.** Page 173, line 6: decrease the dollar amount for fiscal year 1997–98 by
21 \$25,300 to reflect decreased costs for new position authorizations.

22 **223.** Page 173, line 10: increase the dollar amount for fiscal year 1997–98 by
23 \$4,833,700 and increase the dollar amount for fiscal year 1998–99 by \$3,717,800 to

1 reflect the estimated change in the cost to counties for state-provided secured
2 correctional facility care, aftercare, alternate care and corrective sanctions
3 programming.

4 **224.** Page 173, line 10: delete “A” and substitute “S”.

5 **225.** Page 173, line 14: decrease the dollar amount for fiscal year 1997-98 by
6 \$104,200 to reflect decreased costs for new position authorizations.

7 **226.** Page 175, line 11: increase the dollar amount for fiscal year 1997-98 by
8 \$34,300 and increase the dollar amount for fiscal year 1998-99 by \$91,500 for the
9 purpose of increasing the authorized FTE ombudsman positions for the board on
10 aging and long-term care by 1.0 GPR ombudsman position in fiscal year 1997-98 and
11 by 1.0 additional GPR ombudsman position in fiscal year 1998-99.

12 **227.** Page 175, line 11: decrease the dollar amount for fiscal year 1997-98 by
13 \$61,900 to reflect a 3-month delay in the starting dates for the ombudsman
14 positions.

15 **228.** Page 176, line 5: delete that line.

16 **229.** Page 177, line 12: decrease the dollar amount for fiscal year 1997-98 by
17 \$125,500 to reflect a 3-month delay in the starting date for 9.0 FTE GPR medical
18 assistance audit staff positions, 3.0 FTE GPR medical assistance managed care staff
19 positions, 3.0 FTE GPR behavioral health pilot project staff positions, 1.0 FTE GPR
20 women’s health officer position and 1.0 FTE GPR HIV/AIDS insurance program staff
21 position.

22 **230.** Page 177, line 13: decrease the dollar amount for fiscal year 1997-98 by
23 \$3,700 for the purpose for which the appropriation is made.

1 **238.** Page 183, line 10: increase the dollar amount for fiscal year 1997-98 by
2 \$57,700 for the purpose for which the appropriation is made.

3 **239.** Page 183, line 10: decrease the dollar amount for fiscal year 1997-98 by
4 \$44,500 to reflect reduced costs to the Wisconsin Veterans Home at King.

5 **240.** Page 183, line 10: increase the dollar amount for fiscal year 1997-98 by
6 \$774,000 and increase the dollar amount for fiscal year 1998-99 by \$3,324,300 to
7 restore funding for medical assistance benefits for disabled children whose eligibility
8 for medical assistance was restored.

9 **241.** Page 183, line 10: after that line insert:

10 “(bc) Badger care GPR C -0- \$15,200,000
11 ”.

12 **242.** Page 184, line 17: after that line insert:

13 “(gh) Health insurance risk-sharing
14 plan; premium reduction PR C -0- -0-”.

15 **243.** Page 184, line 24: after that line insert:

16 “(jz) Badger care premiums PR C -0- -0-”.

17 **244.** Page 185, line 9: after that line insert:

18 “(p) Federal aid; badger care PR-F C -0- -0-”.

19 **245.** Page 185, line 11: increase the dollar amount for fiscal year 1997-98 by
20 \$9,900 and increase the dollar amount for fiscal year 1998-99 by \$74,900 for the
21 purpose for which the appropriation is made.

1 **246.** Page 186, line 12: decrease the dollar amount for fiscal year 1997–98 by
2 \$22,700 to reflect a 3–month delay in the starting date for 1.0 FTE PR adult facility
3 licensing staff position and 1.0 FTE PR provider training staff position.

4 **247.** Page 187, line 3: decrease the dollar amount for fiscal year 1997–98 by
5 \$50,000 and decrease the dollar amount for fiscal year 1998–99 by \$50,000 to
6 decrease funding for grants to programs that provide services for runaways.

7 **248.** Page 187, line 5: increase the dollar amount for fiscal year 1997–98 by
8 \$830,600 and increase the dollar amount for fiscal year 1998–99 by \$2,209,400 for
9 the purpose of increasing the number of community options program slots by 250 in
10 fiscal year 1997–98 and by 250 in fiscal year 1998–99.

11 **249.** Page 187, line 5: decrease the dollar amount for fiscal year 1997–98 by
12 \$9,900 and decrease the dollar amount for fiscal year 1998–99 by \$74,900 for the
13 purpose for which the appropriation is made.

14 **250.** Page 188, line 4: increase the dollar amount for fiscal year 1997–98 by
15 \$88,800 and increase the dollar amount for fiscal year 1998–99 by \$88,800 to
16 increase funding for the retired senior volunteer program.

17 **251.** Page 188, line 18: delete lines 18 and 19.

18 **252.** Page 188, line 23: after that line insert:

19 “(kg) Compulsive gambling awareness
20 campaigns PR–S A 100,000 100,000”.

21 **253.** Page 189, line 2: decrease the dollar amount for fiscal year 1997–98 by
22 \$650,000 and decrease the dollar amount for fiscal year 1998–99 by \$650,000 to
23 decrease funding for the purpose for which the appropriation is made.

1 **254.** Page 191, line 8: decrease the dollar amount for fiscal year 1997–98 by
 2 \$3,300 and decrease the dollar amount for fiscal year 1998–99 by \$3,300 to decrease
 3 funding to reflect the elimination of the equal rights council.

4 **255.** Page 192, line 14: decrease the dollar amount for fiscal year 1997–98 by
 5 \$19,300 to reflect decreased costs for new position authorizations.

6 **256.** Page 200, line 3: decrease the dollar amount for fiscal year 1997–98 by
 7 \$89,700 to reflect decreased costs for new position authorizations.

8 **257.** Page 204, line 15: delete that line.

9 **258.** Page 204, line 17: after that line insert:

10 “(kj) Victim payments, victim sur-
 11 charge PR-S A 488,800 488,800”.

12 **259.** Page 205, line 3: decrease the dollar amount for fiscal year 1997–98 by
 13 \$9,400 to reflect decreased costs for new position authorizations.

14 **260.** Page 205, line 9: decrease the dollar amount for fiscal year 1997–98 by
 15 \$2,400 to reflect decreased costs for new position authorizations.

16 **261.** Page 208, line 1: decrease the dollar amount for fiscal year 1997–98 by
 17 \$116,900 to reflect decreased costs for new position authorizations.

18 **262.** Page 208, line 17: decrease the dollar amount for fiscal year 1997–98 by
 19 \$108,200 to reflect decreased costs for new position authorizations.

20 **263.** Page 209, line 17: decrease the dollar amount for fiscal year 1997–98 by
 21 \$8,700 to reflect decreased costs for new position authorizations.

22 **264.** Page 210, line 16: increase the dollar amount for fiscal year 1997–98 by
 23 \$337,500 and increase the dollar amount for fiscal year 1998–99 by \$212,900 for the

1 purpose of providing tuition fee reimbursements to veterans for courses completed
2 within 10 years after separation from the service.

3 **265.** Page 211, line 14: increase the dollar amount for fiscal year 1997–98 by
4 \$15,000,000 for the purposes for which the appropriation is made.

5 **266.** Page 211, line 14: substitute “B” for “A”.

6 **267.** Page 214, line 15: increase the dollar amount for fiscal year 1997–98 by
7 \$3,900,000 to increase funding for the purpose for which the appropriation is made.

8 **268.** Page 214, line 16: delete lines 16 and 17.

9 **269.** Page 216, line 3: increase the dollar amount for fiscal year 1997–98 by
10 \$500,000 and increase the dollar amount for fiscal year 1998–99 by \$500,000 to
11 provide for increased executive office expenses.

12 **270.** Page 216, line 13: increase the dollar amount for fiscal year 1997–98 by
13 \$25,000 and increase the dollar amount for fiscal year 1998–99 by \$25,000 to
14 increase funding for the purpose for which the appropriation is made.

15 **271.** Page 216, line 18: after “grants” insert “; Wisconsin Lake Schooner
16 Education Association”.

17 **272.** Page 216, line 19: on lines 19, 21 and 23, after “information” insert
18 “board”.

19 **273.** Page 216, line 20: decrease the dollar amount for fiscal year 1997–98 by
20 \$27,300 to reflect decreased costs for new position authorizations.

21 **274.** Page 217, line 7: decrease the dollar amount for fiscal year 1997–98 by
22 \$40,900 to reflect decreased costs for new position authorizations.

1 **275.** Page 217, line 11: decrease the dollar amount for fiscal year 1997-98 by
2 \$10,500 to reflect decreased costs for new position authorizations.

3 **276.** Page 217, line 12: decrease the dollar amount for fiscal year 1997-98 by
4 \$730,000 and decrease the dollar amount for fiscal year 1998-99 by \$740,000 to
5 decrease funding for the purpose for which the appropriation is made.

6 **277.** Page 217, line 14: decrease the dollar amount for fiscal year 1997-98 by
7 \$6,200 to reflect decreased costs for new position authorizations.

8 **278.** Page 217, line 19: decrease the dollar amount for fiscal year 1997-98 by
9 \$75,000 to reflect decreased costs for new position authorizations.

10 **279.** Page 217, line 21: decrease the dollar amount for fiscal year 1997-98 by
11 \$84,600 to decrease funding for the purposes for which the appropriation is made.

12 **280.** Page 220, line 11: decrease the dollar amount for fiscal year 1997-98 by
13 \$12,000 to reflect decreased costs for new position authorizations.

14 **281.** Page 221, line 4: decrease the dollar amount for fiscal year 1997-98 by
15 \$18,500 to reflect decreased costs for new position authorizations.

16 **282.** Page 221, line 19: decrease the dollar amount for fiscal year 1997-98 by
17 \$6,100 to reflect decreased costs for new position authorizations.

18 **283.** Page 224, line 14: decrease the dollar amount for fiscal year 1997-98 by
19 \$14,000 and decrease the dollar amount for fiscal year 1998-99 by \$14,000 for the
20 purpose for which the appropriation is made.

21 **284.** Page 224, line 16: decrease the dollar amount for fiscal year 1997-98 by
22 \$50,000 and decrease the dollar amount for fiscal year 1998-99 by \$50,000 for the
23 purpose for which the appropriation is made.

1 **285.** Page 224, line 16: decrease the dollar amount for fiscal year 1997–98 by
2 \$34,300 to reflect decreased costs for new position authorizations.

3 **286.** Page 224, line 19: decrease the dollar amount for fiscal year 1997–98 by
4 \$14,100 to reflect decreased costs for new position authorizations.

5 **287.** Page 226, line 11: decrease the dollar amount for fiscal year 1997–98 by
6 \$500 and decrease the dollar amount for fiscal year 1998–99 by \$500 to reflect the
7 elimination of the elections advisory council.

8 **288.** Page 227, line 16: delete the material beginning with that line and
9 ending with page 228, line 2.

10 **289.** Page 229, line 4: decrease the dollar amount for fiscal year 1997–98 by
11 \$25,300 to reflect decreased costs for new position authorizations.

12 **290.** Page 229, line 8: increase the dollar amount for fiscal year 1997–98 by
13 \$75,000 and increase the dollar amount for fiscal year 1998–99 by \$75,000 to
14 increase funding for the purpose for which the appropriation is made.

15 **291.** Page 229, line 10: decrease the dollar amount for fiscal year 1997–98 by
16 \$75,000 and decrease the dollar amount for fiscal year 1998–99 by \$75,000 to
17 decrease funding for the purpose for which the appropriation is made.

18 **292.** Page 230, line 1: increase the dollar amount for fiscal year 1997–98 by
19 \$51,400 and increase the dollar amount for fiscal year 1998–99 by \$51,400.

20 **293.** Page 231, line 8: decrease the dollar amount for fiscal year 1997–98 by
21 \$82,400 to reflect decreased costs for new position authorizations.

22 **294.** Page 233, line 3: decrease the dollar amount for fiscal year 1997–98 by
23 \$15,500 to reflect decreased costs for new position authorizations.

1 **295.** Page 234, line 3: decrease the dollar amount for fiscal year 1997-98 by
2 \$136,800 to decrease funding for the purposes for which the appropriation is made.

3 **296.** Page 234, line 12: before that line insert:

4 “(gf) Administration of resort tax PR A -0- -0-”.

5 **297.** Page 234, line 12: after that line insert:

6 “(gm) Administration of tax on con-
7 trolled substances dealers PR A -0- -0-”.

8 **298.** Page 235, line 1: decrease the dollar amount for fiscal year 1997-98 by
9 \$13,900 to decrease funding for the purposes for which the appropriation is made.

10 **299.** Page 235, line 3: decrease the dollar amount for fiscal year 1997-98 by
11 \$5,700 to decrease funding for the purposes for which the appropriation is made.

12 **300.** Page 237, line 2: decrease the dollar amount for fiscal year 1997-98 by
13 \$280,200 to reflect decreased costs for new position authorizations.

14 **301.** Page 238, line 14: decrease the dollar amount for fiscal year 1997-98 by
15 \$5,900 to reflect decreased costs for new position authorizations.

16 **302.** Page 239, line 3: increase the dollar amount for fiscal year 1997-98 by
17 \$880,700 and increase the dollar amount for fiscal year 1998-99 by \$880,700.

18 **303.** Page 240, line 3: increase the dollar amount for fiscal year 1997-98 by
19 \$123,400 and increase the dollar amount for fiscal year 1998-99 by \$123,400.

20 **304.** Page 241, line 3: increase the dollar amount for fiscal year 1997-98 by
21 \$68,900 and increase the dollar amount for fiscal year 1998-99 by \$68,900.

22 **305.** Page 241, line 7: increase the dollar amount for fiscal year 1997-98 by
23 \$102,000 and increase the dollar amount for fiscal year 1998-99 by \$102,000.

1 **306.** Page 241, line 7: increase the dollar amount for fiscal year 1998–99 by
2 \$900 for the additional circuit court branch in Oconto County.

3 **307.** Page 241, line 7: decrease the dollar amount for fiscal year 1997–98 by
4 \$15,900 to reflect decreased costs for new position authorizations.

5 **308.** Page 241, line 13: increase the dollar amount for fiscal year 1998–99 by
6 \$54,100 for the additional circuit court branch in Oconto County.

7 **309.** Page 241, line 16: decrease the dollar amount for fiscal year 1997–98 by
8 \$5,100 to reflect decreased costs for new position authorizations.

9 **310.** Page 243, line 4: increase the dollar amount for fiscal year 1997–98 by
10 \$378,700 and increase the dollar amount for fiscal year 1998–99 by \$378,700.

11 **311.** Page 243, line 6: increase the dollar amount for fiscal year 1997–98 by
12 \$254,000 and increase the dollar amount for fiscal year 1998–99 by \$254,000.

13 **312.** Page 244, line 2: increase the dollar amount for fiscal year 1997–98 by
14 \$3,400 and increase the dollar amount for fiscal year 1998–99 by \$3,400.

15 **313.** Page 244, line 3: increase the dollar amount for fiscal year 1997–98 by
16 \$300 and increase the dollar amount for fiscal year 1998–99 by \$300.

17 **314.** Page 244, line 5: decrease the dollar amount for fiscal year 1997–98 by
18 \$9,600 to reflect decreased costs for new position authorizations.

19 **315.** Page 244, line 5: increase the dollar amount for fiscal year 1997–98 by
20 \$11,800 and increase the dollar amount for fiscal year 1998–99 by \$11,800.

21 **316.** Page 244, line 6: increase the dollar amount for fiscal year 1997–98 by
22 \$62,000 and increase the dollar amount for fiscal year 1998–99 by \$62,000.

1 **317.** Page 244, line 7: increase the dollar amount for fiscal year 1997-98 by
2 \$72,400 and increase the dollar amount for fiscal year 1998-99 by \$72,400.

3 **318.** Page 244, line 8: increase the dollar amount for fiscal year 1997-98 by
4 \$43,700 and increase the dollar amount for fiscal year 1998-99 by \$43,700.

5 **319.** Page 244, line 9: decrease the dollar amount for fiscal year 1997-98 by
6 \$12,200 to reflect decreased costs for new position authorizations.

7 **320.** Page 244, line 9: increase the dollar amount for fiscal year 1997-98 by
8 \$48,700 and increase the dollar amount for fiscal year 1998-99 by \$48,700.

9 **321.** Page 244, line 11: decrease the dollar amount for fiscal year 1997-98 by
10 \$29,300 to reflect decreased costs for new position authorizations.

11 **322.** Page 244, line 11: increase the dollar amount for fiscal year 1997-98 by
12 \$18,200 and increase the dollar amount for fiscal year 1998-99 by \$18,200.

13 **323.** Page 245, line 7: after that line insert:

14 “(e) State aid; computers GPR S -0- -0-”.

15 **324.** Page 247, line 7: delete that line.

16 **325.** Page 249, line 8: after that line insert:

17 “(f) Supplemental title fee matching GPR S -0- -0-”.

18 **326.** Page 251, line 12: decrease the dollar amount for fiscal year 1997-98 by
19 \$26,300 to reflect decreased costs for new position authorizations.

20 **327.** Page 255, line 3: increase the dollar amount for fiscal year 1997-98 by
21 \$3,330,000 and increase the dollar amount for fiscal year 1998-99 by \$6,670,000 for
22 the purpose of making lapses to offset unbudgeted increases in the cost of state
23 employe compensation, employer fringe benefits costs and related adjustments.

1 **328.** Page 255, line 3: increase the dollar amount for fiscal year 1997–98 by
2 \$3,996,000 and increase the dollar amount for fiscal year 1998–99 by \$8,004,000 for
3 the purpose of making lapses to offset unbudgeted increases in the cost of state
4 employe compensation, employer fringe benefits costs and related adjustments.

5 **329.** Page 255, line 3: decrease the dollar amount for fiscal year 1997–98 by
6 \$1,400,000 to decrease funding for the specific purpose of funding the
7 recommendations of the joint legislative council’s special committee on prevention
8 of child abuse.

9 **330.** Page 255, line 3: increase the dollar amount for fiscal year 1997–98 by
10 \$1,400,000 to increase funding for the purposes for which the appropriation is made.

11 **331.** Page 255, line 3: increase the dollar amount for fiscal year 1997–98 by
12 \$4,900,000 and increase the dollar amount for fiscal year 1998–99 by \$10,100,000 for
13 the purpose of supplementing appropriations to fund the cost of additional
14 contracted prison beds.

15 **332.** Page 255, line 3: increase the dollar amount for fiscal year 1998–99 by
16 \$1,500,000 for the purpose of providing funding for criminal background checks for
17 employees and residents of certain facilities.

18 **333.** Page 255, line 3: increase the dollar amount for fiscal year 1997–98 by
19 \$1,650,400 and increase the dollar amount for fiscal year 1998–99 by \$2,547,100 to
20 increase funding for the purposes for which the appropriation is made.

21 **334.** Page 255, line 3: increase the dollar amount for fiscal year 1997–98 by
22 \$102,800 for the purpose for which the appropriation is made.

23 **335.** Page 263, line 13: after that line insert:

1 “**SECTION 178e.** 20.115 (7) (f) of the statutes is created to read:

2 20.115 (7) (f) *Principal repayment and interest; nonpoint source water pollution*
3 *abatement.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
4 principal and interest costs incurred in providing funds for nonpoint source water
5 pollution abatement projects under s. 281.65 and to make the payments determined
6 by the building commission under s. 13.488 (1) (m) that are attributable to the
7 proceeds of obligations incurred in financing those projects.”.

8 **336.** Page 265, line 1: delete “*loans.*” and substitute “*grant program.*”.

9 **337.** Page 265, line 1: delete “for loans” and substitute “for grants”.

10 **338.** Page 265, line 5: after “schedule” insert “for grants under s. 560.615;”.

11 **339.** Page 265, line 8: after “560.06;” insert “for the grant or loan under 1997
12 Wisconsin Act (this act), section 9110 (7f);”.

13 **340.** Page 266, line 11: delete lines 11 to 13.

14 **341.** Page 266, line 19: delete “and 1989” and substitute “and, 1989”.

15 **342.** Page 266, line 20: after “(3gx)” insert “, and 1997 Wisconsin Act (this
16 act), section 9110 (7f)”.

17 **343.** Page 266, line 21: after “560.16” insert “, for the grant or loan under 1997
18 Wisconsin Act (this act), section 9110 (7f);”.

19 **344.** Page 268, line 1: delete lines 1 to 3.

20 **345.** Page 268, line 7: after that line insert:

21 “**SECTION 202m.** 20.143 (1) (qm) of the statutes is created to read:

22 20.143 (1) (qm) *Brownfields grant program; environmental fund.* From the
23 environmental fund, the amounts in the schedule for grants under s. 560.13.”.

1 **346.** Page 269, line 1: after “(3)” insert “and (3m)”.

2 **347.** Page 272, line 20: delete “(4) and 562.09 (2) (e)” and substitute “(4) and,
3 562.09 (2) (e) and 562.124 (2)”.

4 **348.** Page 272, line 21: after “account.” insert “Annually, of the moneys
5 received under this appropriation account, an amount equal to 14% of the amount
6 in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation
7 account under s. 20.435 (7) (kg).”.

8 **349.** Page 273, line 1: delete lines 1 to 3 and substitute:

9 “**SECTION 229m.** 20.197 (1) (h) of the statutes is renumbered 20.505 (8) (h) and
10 amended to read:

11 20.505 (8) (h) (title) *General program operations; Indian gaming regulation.*
12 The amounts in the schedule for general program operations under ch. 569. All
13 Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated
14 under s. 20.455 (2) (gc), shall be credited to this appropriation account. Annually, of
15 the moneys received under this appropriation account, an amount equal to 50% of
16 the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to the
17 appropriation account under s. 20.435 (7) (kg).”.

18 **350.** Page 273, line 18: delete lines 18 to 22 and substitute:

19 “**SECTION 233rb.** 20.215 (1) (k) of the statutes is repealed.

20 **SECTION 233re.** 20.215 (1) (ka) of the statutes is repealed.”.

21 **351.** Page 276, line 20: after that line insert:

22 “**SECTION 243j.** 20.245 (3) (h) of the statutes is amended to read:

23 20.245 (3) (h) *Gifts and grants.* All moneys received from gifts and grants,
24 including those made to the historical markers council under s. 44.15, grants and

1 bequests, except moneys that are otherwise specifically appropriated, for the historic
2 preservation program under subch. II of ch. 44.”.

3 **352.** Page 278, line 12: delete lines 12 to 18 and substitute:

4 “20.255 (1) (a) *General program operations.* The amounts in the schedule for
5 the improvement of curriculum, instruction and educational resources for local
6 educational agencies, and the improvement of library services ~~and the~~
7 ~~administration of higher educational aids.~~ The amounts include the matching of
8 federal funds available under applicable federal acts or programs. ~~At least \$5,000~~
9 ~~of the amounts in the schedule in each fiscal year shall be allocated for support of the~~
10 ~~governor’s council on business and education partnerships.”.~~

11 **353.** Page 279, line 2: after “s. 118.30” insert “and for the review and
12 modification of academic standards, as provided under 1997 Wisconsin Act ... (this
13 act), section 9140 (5r)”.

14 **354.** Page 279, line 7: after that line insert:

15 “**SECTION 253k.** 20.255 (2) (ac) of the statutes is amended to read:

16 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
17 educational aids under ss. 121.08, 121.09 and 121.105 and subch. VI of ch. 121 equal
18 to \$3,348,600,000 in the 1997-98 fiscal year and equal to the amount determined by
19 the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year thereafter.”.

20 **355.** Page 279, line 7: after that line insert:

21 “**SECTION 253m.** 20.255 (2) (cg) of the statutes is amended to read:

22 20.255 (2) (cg) (title) *Tuition payments; full-time open enrollment transfer*
23 *payments.* The amounts in the schedule for payment of tuition under subch. V of ch.
24 121 and full-time open enrollment transfer payments under s. 118.51 (16) (b) 2.”.

1 **356.** Page 279, line 7: after that line insert:

2 “**SECTION 253k.** 20.255 (2) (ac) of the statutes is amended to read:

3 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
4 educational aids under ss. 121.08, 121.09 and 121.105 and subch. VI of ch. 121 equal
5 to the amount determined by the joint committee on finance under s. 121.15 (3m) (c)
6 less the amount appropriated under par. (bi).

7 **SECTION 253p.** 20.255 (2) (bi) of the statutes is created to read:

8 20.255 (2) (bi) *Additional aid for county handicapped children’s education*
9 *boards.* The amounts in the schedule for additional aid to county handicapped
10 children’s education boards under 1997 Wisconsin Act (this act), section 9140
11 (6m). No moneys may be expended or encumbered from this appropriation after June
12 30, 1998.”.

13 **357.** Page 279, line 12: delete lines 12 to 15 and substitute:

14 “**SECTION 255m.** 20.255 (2) (cw) of the statutes is amended to read:

15 20.255 (2) (cw) (title) *Aid for transportation to institutions of higher education;*
16 *part-time open enrollment.* The amounts in the schedule for the payment of state aid
17 for the transportation of pupils attending an institution of higher education under
18 s. ~~118.37~~ 118.55 (7g) and for the reimbursement of parents for the costs of
19 transportation of pupils who are eligible for assistance under s. 118.52 (11) (b).

20 **SECTION 256m.** 20.255 (2) (cy) of the statutes is created to read:

21 20.255 (2) (cy) *Aid for transportation; full-time open enrollment.* The amounts
22 in the schedule to reimburse parents for the costs of transportation of full-time open
23 enrollment pupils under s. 118.51 (14) (b).”.

24 **358.** Page 281, line 14: after that line insert:

1 **“SECTION 265mm.** 20.255 (3) (d) of the statutes is created to read:

2 20.255 (3) (d) *Elks and Easter Seals Center for Respite and Recreation.* The
3 amounts in the schedule for payments to the Wisconsin Elks and Easter Seals Center
4 for Respite and Recreation under s. 115.28 (41).”.

5 **359.** Page 281, line 14: after that line insert:

6 **“SECTION 265mp.** 20.255 (3) (ec) of the statutes is amended to read:

7 20.255 (3) (ec) *Wisconsin geography alliance.* The amounts in the schedule for
8 payments to the Wisconsin geography alliance under s. 115.28 (27). ~~No money may~~
9 ~~be encumbered from the appropriation under this paragraph after June 30, 1996.”.~~

10 **360.** Page 284, line 18: after that line insert:

11 “(tm) *Educational telecommunications access support; private schools.*
12 Biennially, from the universal service fund, the amounts in the schedule to make
13 payments to telecommunications providers under contracts with the department of
14 administration under s. 16.974 (7) (c) to the extent that the amounts due are not paid
15 from the appropriation under s. 20.505 (1) (is).”.

16 **361.** Page 287, line 1: delete the material beginning with “,for” and ending
17 with “(6m)” on line 3.

18 **362.** Page 287, line 7: delete lines 7 to 11 and substitute:

19 “20.285 (1) (ip) *Extension student fees.* Except as provided under pars. (Lm)
20 and (Ls), all moneys received from academic student fees at the University of
21 Wisconsin–Extension, for credit outreach instruction sponsored by the University of
22 Wisconsin–Extension.”.

23 **363.** Page 290, line 21: delete lines 21 and 22 and substitute “faculty
24 development grants under s. 38.33.”.

1 **364.** Page 296, line 4: substitute “(7) (gq)” for “(7) (gh)”.

2 **365.** Page 296, line 6: substitute “(gq)” for “(gh)”.

3 **366.** Page 300, line 10: after that line insert:

4 “**SECTION 323m.** 20.370 (1) (Lt) of the statutes is created to read:

5 20.370 (1) (Lt) *Wildlife abatement and control grants.* Biennially, the amounts
6 in the schedule from moneys received under s. 29.092 (14) (c) for wildlife abatement
7 and control grants under s. 29.595. No moneys may be expended under this
8 appropriation without the approval of the joint committee on finance under s. 29.598
9 (6).”.

10 **367.** Page 303, line 24: after that line insert:

11 “**SECTION 341s.** 20.370 (2) (da) of the statutes is created to read:

12 20.370 (2) (da) *Solid waste management — tire manufacturing waste.* The
13 amounts in the schedule to abate nuisances caused by solid waste resulting from
14 manufacturing tires under s. 289.55.”.

15 **368.** Page 304, line 8: delete “292.21 (1) (c) 1. d.”.

16 **369.** Page 304, line 11: after that line insert:

17 “**SECTION 344m.** 20.370 (2) (dv) of the statutes is amended to read:

18 20.370 (2) (dv) *Solid waste management — environmental repair; spills;*
19 *abandoned containers.* As a continuing appropriation, from the environmental fund,
20 the amounts in the schedule for payments under s. 292.65 (3) (cm) 1.; the
21 administration of the environmental repair program under s. 292.31; for the
22 hazardous substance spills program under s. 292.11; for the abandoned container
23 program under s. 292.41; consistent with a court order under s. 283.87, to remove,
24 terminate or remedy the adverse effects of a discharge or deposit of pollutants into

1 the waters of the state, to restore or develop the water environment for public use or
2 to provide grants under s. 66.365; and for the payment of this state's share of
3 environmental repair which is funded under 42 USC 9601, et seq., and any
4 additional costs which this state is required to incur under 42 USC 9601, et seq.”.

5 **370.** Page 304, line 17: delete lines 17 to 20.

6 **371.** Page 310, line 22: delete “*Illinois Fox River study and*”.

7 **372.** Page 310, line 23: delete “*dredging*” and substitute “; *Southeastern*
8 *Wisconsin Fox River commission*”.

9 **373.** Page 310, line 25: delete “*Illinois Fox River study and dredging under*
10 *s. 31.307*” and substitute “*projects, plans and responsibilities of the Southeastern*
11 *Wisconsin Fox River commission under s. 33.54 (2)*”.

12 **374.** Page 312, line 1: delete lines 1 to 7 and substitute:

13 “20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
14 under ss. 29.092 (14) and 29.1075 (3) and not appropriated under sub. (1) (Ls) and
15 (Lt) to provide state aid under the wildlife damage abatement program under s.
16 29.598 (5) (c) and the wildlife damage claim program under s. 29.598 (7) (d) and for
17 county administration costs under s. 29.598 (2) (d).

18 **SECTION 381t.** 20.370 (5) (fq) of the statutes, as affected by 1997 Wisconsin Act
19 (this act), is repealed and recreated to read:

20 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
21 under ss. 29.092 (14) and 29.1075 (3) and not appropriated under sub. (1) (Ls) and
22 (Lt) to provide state aid under the wildlife damage claim and abatement program
23 under s. 29.598. No moneys may be expended under this appropriation without the
24 approval of the joint committee on finance under s. 29.598 (6).”.

1 **375.** Page 314, line 9: after that line insert:

2 “**SECTION 400pm.** 20.370 (6) (bq) 9. of the statutes is created to read:

3 20.370 (6) (bq) 9. In fiscal year 1999–2000, \$231,749,200 plus the amount of
4 any refunds under s. 287.23 in prior fiscal years, less the amount encumbered under
5 subds. 1. to 8.”.

6 **376.** Page 314, line 10: delete lines 10 to 13.

7 **377.** Page 316, line 7: delete lines 7 and 8 and substitute “program under s.
8 20.866 (2) (tz), but not including payments made under sub.”.

9 **378.** Page 316, line 9: after “(ac)” insert “, (au) and (av)”.

10 **379.** Page 317, line 4: after that line insert:

11 “**SECTION 414b.** 20.370 (7) (av) of the statutes is created to read:

12 20.370 (7) (av) *Recreational boating properties acquisition and development —*
13 *principal repayment and interest.* From the conservation fund, the amounts in the
14 schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs
15 incurred in financing land acquisition and development of properties relating to
16 recreational boating from the appropriation under s. 20.866 (2) (tz).

17 **SECTION 414c.** 20.370 (7) (av) of the statutes, as created by 1997 Wisconsin Act
18 (this act), is repealed.”.

19 **380.** Page 324, line 23: delete “and,” and substitute “and”.

20 **381.** Page 324, line 24: delete “(2m)” and substitute “(2x)”.

21 **382.** Page 326, line 21: delete lines 21 to 23.

22 **383.** Page 327, line 8: delete “(ag) 1” and substitute “(a) 6”.

23 **384.** Page 327, line 11: delete “(ag) 2” and substitute “(a) 7”.

1 **385.** Page 327, line 14: delete “(ag) 3” and substitute “(a) 8”.

2 **386.** Page 329, line 23: after “85.026” insert “and for grants under s. 85.024”.

3 **387.** Page 332, line 7: after “84.02 (8);” insert “for review of drainage plans
4 under s. 85.195 (3);”.

5 **388.** Page 336, line 18: delete that line.

6 **389.** Page 338, line 3: after that line insert:

7 “**SECTION 500m.** 20.395 (5) (er) of the statutes is created to read:

8 20.395 (5) (er) *Ignition interlock device program, state funds.* All moneys
9 received under ss. 343.10 (6) (b) and 343.21 (1) (j) 2. that are credited to this
10 appropriation, for the ignition interlock device program under s. 110.10, for
11 educational and informational materials and technical equipment related to that
12 program and for grants under s. 85.55.”.

13 **390.** Page 341, line 8: delete lines 8 to 12 and substitute:

14 “**SECTION 514d.** 20.410 (3) (a) of the statutes is amended to read:

15 20.410 (3) (a) *General program operations.* The amounts in the schedule to
16 operate the department’s juvenile correctional institutions, and to provide field
17 services and administrative services ~~and to provide for the operating costs of the~~
18 ~~gang violence prevention council.~~”.

19 **391.** Page 341, line 13: before that line insert:

20 “**SECTION 514m.** 20.410 (3) (cd) of the statutes is amended to read:

21 20.410 (3) (cd) *Community youth and family aids.* The A sum sufficient equal
22 to the amounts in the schedule plus the amounts transferred from the appropriation
23 account under par. (cg) for the improvement and provision of juvenile
24 delinquency-related services under s. 301.26 and for reimbursement to counties

1 having a population of less than 500,000 for the cost of court attached intake services
2 as provided in s. 938.06 (4). Disbursements may be made from this appropriation
3 account under s. 301.085. Refunds received relating to payments made under s.
4 301.085 shall be returned to this appropriation account. All moneys transferred from
5 the appropriation account under par. (cg) shall be credited to this appropriation
6 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of
7 corrections may transfer moneys under this paragraph between fiscal years. Except
8 for moneys authorized for transfer under s. 301.26 (3), all moneys from this
9 paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties by
10 December 31 of each year shall lapse into the general fund on the succeeding January
11 1. The joint committee on finance may transfer additional moneys to the next
12 calendar year.

13 **SECTION 514p.** 20.410 (3) (cg) of the statutes is amended to read:

14 20.410 (3) (cg) *Serious juvenile offenders*. The amounts in the schedule for
15 juvenile correctional institution, corrective sanctions, alternate care, aftercare and
16 other juvenile program services specified in s. 938.538 (3) provided for the persons
17 specified in s. 301.26 (4) (cm), for juvenile correctional institution services for persons
18 placed in juvenile correctional institutions under s. 973.013 (3m) and for juvenile
19 correctional services for persons under 18 years of age placed with the department
20 under s. 48.366 (8). Notwithstanding s. 20.001 (3) (a), the unencumbered balance of
21 this appropriation account on June 30 of each fiscal year is transferred to the
22 appropriation account under par. (cd).”.

23 **392.** Page 343, line 25: delete the material beginning with that line and
24 ending with page 344, line 4.

1 **393.** Page 344, line 14: delete “, to provide” and substitute “, to provide”.

2 **394.** Page 344, line 15: delete “health care coverage under s. 49.153” and
3 substitute “health care coverage under s. 49.153”.

4 **395.** Page 344, line 21: after “(3r).” insert “Notwithstanding s. 20.002 (1), the
5 department may transfer from this appropriation to the appropriation account
6 under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45
7 (6v).”.

8 **396.** Page 344, line 21: after that line insert:

9 “**SECTION 529m.** 20.435 (1) (bm) of the statutes is amended to read:

10 20.435 (1) (bm) *Medical assistance administration.* Biennially, the amounts
11 in the schedule to provide the state share of administrative contract costs for the
12 medical assistance program under s. 49.45 and ~~health care coverage under s. 49.153~~
13 and to reimburse insurers for their costs under s. 49.475. No state positions may be
14 funded in the department of health and family services from this appropriation,
15 except positions for the performance of duties under a contract in effect before
16 January 1, 1987, related to the administration of the medical assistance program
17 between the subunit of the department primarily responsible for administering the
18 medical assistance program and another subunit of the department.”.

19 **397.** Page 346, line 6: after that line insert:

20 “**SECTION 541m.** 20.435 (1) (dg) of the statutes is created to read:

21 20.435 (1) (dg) *Tobacco prevention and education program.* The amounts in the
22 schedule for the tobacco prevention and education program under s. 255.10.”.

23 **398.** Page 349, line 10: delete that line and substitute:

1 “**SECTION 567b.** 20.435 (1) (o) of the statutes is renumbered 20.435 (5) (o) and
2 amended to read:

3 20.435 (5) (o) *Federal aid; medical assistance.* All federal moneys received for
4 meeting costs of medical assistance administered under s. 49.45 and for meeting the
5 costs of health care coverage under s. 49.153.”.

6 **399.** Page 349, line 16: substitute “**568g.**” for “**568g.**”.

7 **400.** Page 354, line 11: delete “20.455” and substitute “20.445”.

8 **401.** Page 354, line 11: after that line insert:

9 “**SECTION 584r.** 20.435 (3) (ke) of the statutes is created to read:

10 20.435 (3) (ke) *Tribal kinship care.* All moneys transferred from the
11 appropriation accounts under s. 20.445 (3) (d) and (p), 1995 stats., under 1997
12 Wisconsin Act (this act), section 9226 (1n), for payments to federally recognized
13 American Indian tribes or bands in reimbursement of payments made under s. 48.57
14 (3m).

15 **SECTION 584t.** 20.435 (3) (ke) of the statutes, created by 1997 Wisconsin Act
16 (this act), is repealed.”.

17 **402.** Page 356, line 6: after that line insert:

18 “**SECTION 591cm.** 20.435 (5) (bc) of the statutes is created to read:

19 20.435 (5) (bc) *Health care for low-income families.* As a continuing
20 appropriation, the amounts in the schedule for the badger care health care program
21 for low-income families under s. 49.665.”.

22 **403.** Page 356, line 11: after “(b)” insert “and (6m)”.

23 **404.** Page 356, line 11: after that line insert:

24 “**SECTION 592h.** 20.435 (5) (gh) of the statutes is created to read:

1 20.435 (5) (gh) *Health insurance risk-sharing plan; premium reduction.* All
2 moneys received from the plan administrator under s. 149.143 (2) (a) 1. c., to be used
3 as specified in s. 149.143 (1) (b) 1. b.”.

4 **405.** Page 356, line 15: after that line insert:

5 “**SECTION 594gm.** 20.435 (5) (jz) of the statutes is created to read:

6 20.435 (5) (jz) *Badger care premiums.* All moneys received from payments
7 under s. 49.665 (5) to be used for the badger care health care program for low-income
8 families under s. 49.466.”.

9 **406.** Page 356, line 20: after that line insert:

10 “**SECTION 594mm.** 20.435 (5) (p) of the statutes is created to read:

11 20.435 (5) (p) *Federal aid; health care for low-income families.* All federal
12 moneys received for the badger care health care program for low-income families
13 under s. 49.665, to be used for that purpose.”.

14 **407.** Page 357, line 21: delete lines 21 and 22 and substitute “the schedule for
15 services for related to drivers. Of the All moneys received by”.

16 **408.** Page 358, line 2: delete lines 2 and 3 and substitute “appropriation. The
17 moneys remaining may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm),”.

18 **409.** Page 359, line 9: before “Notwithstanding” insert “If the department
19 transfers funds to this appropriation from the appropriation account under sub. (5)
20 (b), the amounts in the schedule for the fiscal year for which the transfer is made are
21 increased by the amount of the transfer for the purposes specified in s. 49.45 (6v).”.

22 **410.** Page 359, line 12: delete “all” and substitute “, all”.

1 **411.** Page 360, line 25: delete the material beginning with that line and
2 ending with page 361, line 5.

3 **412.** Page 361, line 5: after that line insert:

4 “**SECTION 607m.** 20.435 (7) (kg) of the statutes is created to read:

5 20.435 (7) (kg) *Compulsive gambling awareness campaigns.* The amounts in
6 the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys
7 transferred from ss. 20.505 (8) (g) and (h) and 20.566 (8) (q) shall be credited to this
8 appropriation account.”.

9 **413.** Page 361, line 7: delete “*and intra-agency*”.

10 **414.** Page 361, line 13: delete “and (hx)”.

11 **415.** Page 361, line 17: delete “*and intra-agency*”.

12 **416.** Page 361, line 22: delete “sub. (6)” and substitute “~~sub. (6)~~”.

13 **417.** Page 361, line 23: delete “(hx) and under” and substitute “~~under~~”.

14 **418.** Page 368, line 6: after “distributed” insert “as provided in s. 49.24 and”.

15 **419.** Page 368, line 24: after “distributed” insert “as provided in s. 49.24 and”.

16 **420.** Page 370, line 18: delete “or 49.19 (4) (h) 1.” and substitute “, 49.19 (4)
17 (h) 1. b. or 49.775 (2) (bm).”.

18 **421.** Page 370, line 19: delete “b.”.

19 **422.** Page 371, line 11: after that line insert:

20 “**SECTION 642g.** 20.445 (6) (u) of the statutes is amended to read:

21 20.445 (6) (u) *General enrollee operations; conservation fund.* Biennially, from
22 the conservation fund, the amounts in the schedule for the payment of Wisconsin
23 conservation corps enrollee compensation and for the payment of other Wisconsin

1 conservation corps costs for ~~conservation~~ activities authorized under s. 106.215 (7)
2 (a) or (c) if those costs are not paid by project sponsors. Corps enrollee compensation
3 includes the cost of salaries, benefits, incentive payments and vouchers.”.

4 **423.** Page 371, line 19: after that line insert:

5 “**SECTION 642q.** 20.455 (1) (d) of the statutes is amended to read:

6 20.455 (1) (d) *Legal expenses.* Biennially, the amounts in the schedule for the
7 payment of expenses, except staff salaries and fringe benefits, incurred by the
8 department of justice in the prosecution or defense of any action or proceeding in
9 which the state may be a party or may have an interest, in the prosecution of any
10 action or proceeding brought under s. 165.251, for any abstract of title, clerk of court’s
11 fees, sheriff’s fees or any other expense actually necessary to the prosecution or
12 defense of those cases, for the payment of expenses incurred where the department
13 of justice is not involved, and where the statutes provide that those expenses shall
14 be paid from this appropriation, unless the cost or expenses are charged to some
15 other appropriation.”.

16 **424.** Page 373, line 7: delete that line and substitute “under par. (j) (kj) the
17 amounts in the schedule under par. (kj).”.

18 **425.** Page 373, line 16: delete “(j) the amounts in the schedule under par. (j).”
19 and substitute “(kj) the amounts in the schedule under par. (kj).”.

20 **426.** Page 373, line 16: after that line insert:

21 “**SECTION 646r.** 20.455 (5) (j) of the statutes is renumbered 20.455 (5) (kj).”.

22 **427.** Page 374, line 17: after that line insert:

23 “**SECTION 651d.** 20.465 (3) (dt) of the statutes, as affected by 1997 Wisconsin
24 Act (this act), is repealed and recreated to read:

1 20.465 (3) (dt) *Emergency response training*. Biennially, the amounts in the
2 schedule for the division of emergency management to provide training for
3 emergency response to releases of hazardous substances.

4 **SECTION 651g.** 20.465 (3) (i) of the statutes is amended to read:

5 20.465 (3) (i) *Emergency planning and reporting; administration*. From the
6 moneys received by the ~~state emergency response board~~ division of emergency
7 management from fees assessed under s. 166.20 (7), the amounts in the schedule for
8 emergency planning, notification and response and reporting activities under s.
9 166.20 and administration of the grant program under s. 166.21.

10 **SECTION 651m.** 20.465 (3) (j) of the statutes is amended to read:

11 20.465 (3) (j) (title) ~~State emergency response board~~ Division of emergency
12 management; gifts and grants. All moneys received as gifts and grants by the ~~state~~
13 ~~emergency response board~~ division of emergency management, to be used for the
14 purposes for which made.”.

15 **428.** Page 374, line 25: after that line insert:

16 “**SECTION 652am.** 20.465 (3) (jm) of the statutes, as affected by 1997 Wisconsin
17 Act (this act), is repealed and recreated to read:

18 20.465 (3) (jm) *Division of emergency management; emergency planning*
19 *grants*. All moneys received by the division of emergency management from fees
20 assessed under s. 166.20 (7), except moneys appropriated under par. (i) for the
21 payment of grants under s. 166.21, except grants under s. 166.21 (2) (br).

22 **SECTION 652ap.** 20.465 (3) (jt) of the statutes is amended to read:

23 20.465 (3) (jt) *Regional emergency response reimbursement*. All moneys
24 received by the ~~state emergency response board~~ division of emergency management

1 under s. 166.215 (3) for reimbursement of regional emergency response teams under
2 s. 166.215 (2).”.

3 **429.** Page 375, line 5: after that line insert:

4 “**SECTION 652bh.** 20.465 (3) (r) (title) of the statutes is amended to read:

5 20.465 (3) (r) (title) ~~State emergency response board~~ Division of emergency
6 management; petroleum inspection fund.”.

7 **430.** Page 376, line 17: after that line insert:

8 “**SECTION 652y.** 20.465 (3) (t) of the statutes is amended to read:

9 20.465 (3) (t) *Emergency response training — environmental fund.* Biennially,
10 from the environmental fund, the amounts in the schedule for the ~~state emergency~~
11 ~~response board~~ division of emergency management to provide training for
12 emergency response to releases of hazardous substances and for providing
13 equipment under 1989 Wisconsin Act 31, section 3039 (1q).”.

14 **431.** Page 378, line 21: delete “The amounts” and substitute “Biennially, the
15 amounts”.

16 **432.** Page 379, line 24: delete the material beginning with that line and
17 ending with page 380, line 5.

18 **433.** Page 380, line 1: delete “*brownsfields*” and substitute “*brownfields*”.

19 **434.** Page 380, line 21: after “*grants*” insert “; *Wisconsin Lake Schooner*
20 *Education Association*”.

21 **435.** Page 380, line 22: after “16.25” insert “and for financial assistance to the
22 Wisconsin Lake Schooner Education Association under 1997 Wisconsin Act (this
23 act), section 9101 (12pg). The first \$200,000 transferred to this appropriation

1 account shall be expended for financial assistance to the Wisconsin Lake Schooner
2 Education Association.”.

3 **436.** Page 388, line 22: after that line insert:

4 “SECTION 695n. 20.512 (2) of the statutes is repealed.”.

5 **437.** Page 389, line 5: after that line insert:

6 “SECTION 695m. 20.521 (1) (g) of the statutes is amended to read:

7 20.521 (1) (g) *General program operations; program revenue.* The amounts in
8 the schedule for general program operations under subch. III of ch. 13 and subch III
9 of ch. 19. ~~Ninety percent of all~~ All moneys received from fees collected under s. 13.75
10 shall be credited to this appropriation account.”.

11 **438.** Page 390, line 10: delete that line.

12 **439.** Page 391, line 7: after that line insert:

13 “SECTION 700r. 20.566 (1) (gm) of the statutes is created to read:

14 20.566 (1) (gm) *Administration of tax on controlled substances dealers.* From
15 moneys received from the collection of taxes, penalties and interest from dealers of
16 controlled substances under s. 139.96, the amounts in the schedule to pay the costs
17 of the department of revenue in administering subch. IV of ch. 139.”.

18 **440.** Page 391, line 7: after that line insert:

19 “SECTION 700mm. 20.566 (1) (gf) of the statutes is created to read:

20 20.566 (1) (gf) *Administration of resort tax.* From moneys received from the
21 appropriation account under s. 20.835 (4) (gd), the amounts in the schedule for
22 administering the tax under subch. X of ch. 77. Three percent of those taxes reported
23 for periods beginning before January 1, 2000, and 1.3% of those taxes for periods

1 beginning on or after January 1, 2000, shall be credited to this appropriation
2 account.”.

3 **441.** Page 391, line 17: after that line insert:

4 “**SECTION 704g.** 20.566 (8) (q) of the statutes is amended to read:

5 20.566 (8) (q) *General program operations.* From the lottery fund, the amounts
6 in the schedule for general program operations under ch. 565. Annually, of the
7 moneys appropriated under this paragraph, an amount equal to 36% of the amount
8 in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation
9 account under s. 20.435 (7) (kg).”.

10 **442.** Page 393, line 16: after that line insert:

11 “**SECTION 710m.** 20.455 (5) (i) of the statutes is amended to read:

12 20.455 (5) (i) *Victim compensation, inmate payments.* All moneys received
13 under s. 303.06 (2) and (3) for the administration of ch. 949 and for crime victim
14 compensation payments or services.”.

15 **443.** Page 396, line 23: after that line insert:

16 “**SECTION 716ss.** 20.835 (1) (e) of the statutes is created to read:

17 20.835 (1) (e) *State aid; computers.* A sum sufficient to make the state aid
18 payments under s. 79.095.”.

19 **444.** Page 397, line 14: delete lines 14 to 17.

20 **445.** Page 397, line 19: delete lines 19 to 21 and substitute:

21 “20.835 (4) (gd) *Premier resort area tax.* All moneys received from the tax
22 imposed under subch. X of ch. 77, for distribution to the municipality or county that
23 imposed the tax, except that 3.0% of those moneys for periods beginning before

1 January 1, 2000, and 1.3% of those moneys for periods beginning on or after January
2 1, 2000, shall be credited to the appropriation account under s. 20.566 (1) (gf).”

3 **446.** Page 397, line 20: after “ch. 77” insert “for reporting periods beginning
4 on or after January 1, 2000”.

5 **447.** Page 398, line 2: after that line insert:

6 “**SECTION 719r.** 20.855 (4) (f) of the statutes is created to read:

7 20.855 (4) (f) *Supplemental title fee matching.* From the general fund, a sum
8 sufficient equal to the amount of supplemental title fees collected under s. 342.14
9 (3m), as determined under s. 85.037, to be transferred to the environmental fund on
10 October 1 annually.”

11 **448.** Page 398, line 14: delete that line.

12 **449.** Page 398, line 21: after “20.115 (2) (d)” insert “and (7) (f)”.

13 **450.** Page 398, line 24: after “(au),” insert “(av),”.

14 **451.** Page 399, line 8: after “20.115 (2) (d)” insert “and (7) (f)”.

15 **452.** Page 400, line 7: increase the underscored dollar amount by \$1,000,000.

16 **453.** Page 400, line 24: increase the underscored dollar amount by \$112,800.

17 **454.** Page 400, line 24: increase the underscored dollar amount by
18 \$7,800,000.

19 **455.** Page 401, line 2: delete “~~66.905 (2) (b)~~ 560.036” and substitute “66.905
20 (2) (b)”.

21 **456.** Page 401, line 3: delete “(2m) (b) 2”.

22 **457.** Page 403, line 11: delete lines 11 to 19.

23 **458.** Page 406, line 15: after that line insert:

1 “**SECTION 735ag.** 20.866 (2) (we) of the statutes is created to read:

2 20.866 (2) (we) *Agriculture; nonpoint source water pollution abatement.* From
3 the capital improvement fund, a sum sufficient for the department of agriculture,
4 trade and consumer protection to provide for nonpoint source water pollution
5 abatement under s. 281.65. The state may contract public debt in an amount not to
6 exceed \$2,000,000 for this purpose.”.

7 **459.** Page 408, line 21: substitute “are” for “is”.

8 **460.** Page 408, line 23: delete lines 23 and 24 and substitute:

9 “20.866 (2) (z) 1m. g. July 1, 1997, ~~or thereafter~~ to June 30, 1999,
10 \$150,000,000.”.

11 **461.** Page 409, line 5: delete lines 5 to 7 and substitute:

12 “**SECTION 735wm.** 20.866 (2) (z) 1m. i. of the statutes is created to read:
13 20.866 (2) (z) 1m. i. July 1, 1999, or thereafter, \$162,500,000.”.

14 **462.** Page 409, line 12: delete “\$14,500,000” and substitute “\$22,000,000”.

15 **463.** Page 414, line 23: after that line insert:

16 “**SECTION 744e.** 20.905 (1) of the statutes is amended to read:

17 20.905 (1) MANNER OF PAYMENT. Payments to the state may be made in legal
18 tender, postal money order, express money order, bank draft or certified check.
19 Payments to the state may also be made by personal check or individual check drawn
20 in the ordinary course of business unless otherwise required by individual state
21 agencies. Payments to the state made by a debit or credit card approved by the
22 ~~depository selection board~~ state treasurer may be accepted by state agencies. Prior
23 to authorizing the use of a card, the ~~depository selection board~~ state treasurer shall

1 determine how any charges associated with the use of the card shall be paid, unless
2 the method of payment of such charges is specified by law.

3 **SECTION 744m.** 20.905 (2) of the statutes is amended to read:

4 20.905 (2) PROTESTED PAYMENT. If a personal check tendered to make any
5 payment to the state is not paid by the bank on which it is drawn, or if a demand for
6 payment under a debit or credit card transaction is not paid by the bank upon which
7 demand is made, the person by whom the check has been tendered or the person
8 entering into the debit or credit card transaction shall remain liable for the payment
9 of the amount for which the check was tendered or the amount agreed to be paid by
10 debit or credit card and for all legal penalties, additions and a charge set by the
11 ~~depository selection board~~ state treasurer which is comparable to charges for unpaid
12 drafts made by establishments in the private sector. In addition, the officer to whom
13 the check was tendered or to whom the debit or credit card was presented may, if
14 there is probable cause to believe that a crime has been committed, provide any
15 information or evidence relating to the crime to the district attorney of the county
16 having jurisdiction over the offense for prosecution as provided by law. If any license
17 has been granted upon any such check or any such debit or credit card transaction,
18 the license shall be subject to cancellation for the nonpayment of the check or failure
19 of the bank to honor the demand for payment authorized by debit or credit card.

20 **SECTION 744s.** 20.906 (6) of the statutes is amended to read:

21 20.906 (6) DIRECT DEPOSITS. The governor or the state treasurer may require
22 state agencies making deposits under this section to make direct deposits to any
23 depository designated by the ~~depository selection board~~ state treasurer, if such a
24 requirement is advantageous or beneficial to this state.”.

1 **464.** Page 415, line 13: after that line insert:

2 “**SECTION 747m.** 20.920 (2) (c) of the statutes is amended to read:

3 20.920 (2) (c) All moneys in a contingent fund, except petty cash accounts
4 established under s. 16.52 (7), shall be deposited in a separate account in a public
5 depository approved by the ~~depository selection board~~ state treasurer. The agency
6 head of each state agency having a contingent fund is responsible for all
7 disbursements from the fund, but the agency head may delegate the responsibility
8 for administration of the fund to a custodian, who shall be an employe of the agency.
9 State agency invoices which qualify for payment from a contingent fund may be paid
10 by check, share draft or other draft drawn by the agency head or custodian against
11 the account. No such invoice need be submitted for audit prior to disbursement.
12 After making each disbursement, the agency head shall file with the secretary a
13 claim for reimbursement of the contingent fund on a voucher which shall be
14 accompanied by a copy of the invoice to be reimbursed. Upon audit and approval of
15 the claim by the secretary, the department of administration shall reimburse the
16 contingent fund with the total amount lawfully paid therefrom.”.

17 **465.** Page 419, line 3: delete lines 3 and 4.

18 **466.** Page 419, line 9: after that line insert:

19 “**SECTION 757s.** 20.923 (6) (o) of the statutes is amended to read:

20 20.923 (6) (o) Wisconsin sesquicentennial commission; staff. This paragraph
21 does not apply after June 30, 1999.”.

22 **467.** Page 419, line 9: after that line insert:

23 “**SECTION 757r.** 20.923 (6) (m) of the statutes is amended to read:

1 20.923 (6) (m) University of Wisconsin system: deans, principals, professors,
2 instructors, research assistants, librarians and other teachers, as defined in s. 40.02
3 (55), and the staff of the environmental education board.”.

4 **468.** Page 420, line 24: after that line insert:

5 “**SECTION 760f.** 20.9275 of the statutes is created to read:

6 **20.9275 Prohibitions on funding for abortion-related activities. (1)** In
7 this section:

8 (a) “Abortion” has the meaning given in s. 253.10 (2) (a).

9 (b) “Local governmental unit” means a city, village, town or county or an agency
10 or subdivision of a city, village, town or county.

11 (c) “Organization” means a nonprofit corporation, as defined in s. 46.93 (1m)
12 (c), or a public agency, as defined in s. 46.93 (1m) (e).

13 (e) “Pregnancy program, project or service” means a program or project of or
14 services for pregnancy prevention, family planning, as defined in s. 253.07 (1) (a),
15 pregnancy testing, pregnancy counseling, prenatal care, pregnancy services and
16 reproductive health care services that are related to pregnancy.

17 (f) “Program funds” means all of the following funds distributed or attributable
18 to an organization for operation of a pregnancy program, project or service:

19 1. Funds specified under sub. (2) (intro.).

20 2. Income derived from a grant, subsidy or other funding specified under sub.
21 (2) (intro.) or from a pregnancy program, project or service funded by a grant, subsidy
22 or other funding specified under sub. (2) (intro.).

23 3. Funds that are matching funds to a grant, subsidy or other funding specified
24 under sub. (2) (intro.).

1 (g) "State agency" means an office, department, agency, institution of higher
2 education, association, society or other body in state government created or
3 authorized to be created by the constitution or any law, which is entitled to expend
4 moneys appropriated by law, including the legislature, the courts and an authority
5 created in ch. 231 or 233.

6 (2) No state agency or local governmental unit may authorize payment of funds
7 of this state, of any local governmental unit or, subject to sub. (3m), of federal funds
8 passing through the state treasury as a grant, subsidy or other funding that wholly
9 or partially or directly or indirectly involves pregnancy programs, projects or
10 services, including a grant, subsidy or other funding under s. 46.93, 46.995, 46.997,
11 253.05, 253.07, 253.08 or 253.085, if any of the following applies:

12 (a) The pregnancy program, project or service does any of the following using
13 the state, local or federal funds:

- 14 1. Provides abortion services.
- 15 2. Promotes, encourages or counsels in favor of abortion services.
- 16 3. Makes abortion referrals either directly or through an intermediary in any
17 instance other than when an abortion is directly and medically necessary to save the
18 life of the pregnant woman.

19 (b) The pregnancy program, project or service is funded from any other source
20 that requires, as a condition for receipt of the funds, that the pregnancy program,
21 project or service perform any of the activities specified in par. (a) 1. to 3.

22 (2m) Nothing in sub. (2) prohibits the providing of nondirective information
23 explaining any of the following:

- 24 (a) Prenatal care and delivery.
- 25 (b) Infant care, foster care or adoption.

1 (c) Pregnancy termination.

2 (3) Subject to sub. (3m), no organization that receives funds specified under
3 sub. (2) (intro.) may use program funds for an activity that is specified under sub. (2)
4 (a) 1. to 3.

5 (3m) The restriction under subs. (2) and (3) on the authorization of payment
6 and the use of federal funds passing through the state treasury shall apply only to
7 the extent that the application of the restriction does not result in the loss of any
8 federal funds.

9 (4) If an organization that receives funds specified under sub. (2) (intro.)
10 violates sub. (3), all of the following shall apply:

11 (a) The organization may not receive funds specified under sub. (2) (intro.) for
12 24 months after the date on which the state agency or local governmental unit last
13 authorized payment or the date on which the organization, under a pregnancy
14 program, project or service, last violated sub. (3), whichever is later.

15 (b) The grant, subsidy or other funding under which an organization, under a
16 pregnancy program, project or service, has used funds in violation of sub. (3), is
17 terminated; and the organization shall return to the state agency or local
18 governmental unit all funds that have been paid to the organization under the grant,
19 subsidy or other funding.

20 (5) If a state agency or local governmental unit authorizes payment in violation
21 of sub. (2), the grant, subsidy or other funding under which the state agency or local
22 governmental unit authorized payment in violation of sub. (2), is terminated; and the
23 organization shall return to the state agency or local governmental unit funds that
24 have been paid to the organization under the grant, subsidy or other funding.”.

- 1 **469.** Page 422, line 25: delete that line and substitute “TRAIL. Except as
2 provided in s. 23.0915 (2), the department in each”.
- 3 **470.** Page 423, line 3: substitute “(a)” for “1.”.
- 4 **471.** Page 423, line 4: substitute “(b)” for “2.”.
- 5 **472.** Page 423, line 5: delete lines 5 to 8.
- 6 **473.** Page 424, line 11: after that line insert:
7 “SECTION 765m. 23.09 (25) (d) of the statutes is repealed.”.
- 8 **474.** Page 424, line 17: delete lines 17 and 18 and substitute “fiscal year
9 1999–2000, except as provided in pars. (am), (kr), (L) ~~and~~, (Lg), (Lr), (m) and (n).”.
- 10 **475.** Page 424, line 24: substitute “\$8,100,000” for “\$7,100,000”.
- 11 **476.** Page 425, line 1: delete lines 1 to 11.
- 12 **477.** Page 425, line 24: after that line insert:
13 “SECTION 766 Lm. 23.0915 (1m) (c) of the statutes is created to read:
14 23.0915 (1m) (c) The department may not expend moneys from the
15 appropriation under s. 20.866 (2) (tz) for the acquisition by a city, village or town of
16 land that is outside the boundaries of the city, village or town unless the city, village
17 or town acquiring the land and the city, village or town in which the land is located
18 approve the acquisition.”.
- 19 **478.** Page 426, line 15: delete “(kg) or”.
- 20 **479.** Page 426, line 16: delete “(kg) or”.
- 21 **480.** Page 427, line 12: delete “(kg) or”.
- 22 **481.** Page 427, line 13: delete “(kg) or”.

1 **482.** Page 429, line 5: after that line insert:

2 “**SECTION 766ur.** 23.0915 (2s) of the statutes is created to read:

3 23.0915 (2s) DEVELOPMENT OF ABANDONED RAIL CORRIDOR. (a) From the
4 appropriation under s. 20.866 (2) (tz), the department may expend up to \$1,750,000
5 to develop a state trail, to be designated the Badger Trail, that is located on the
6 portion of an abandoned railroad corridor running between Madison and Freeport,
7 Illinois, that is located in Dane and Green counties.

8 (b) For purposes of sub. (1), moneys expended under par. (a) may be treated as
9 moneys expended for any of the purposes specified under sub. (1) (a) to (k) or any
10 combination of those purposes. Notwithstanding s. 23.175 (3) (a), the abandoned
11 railroad corridor need not be under the ownership or jurisdiction of the department.
12 Notwithstanding s. 23.175 (3) (b) 1. and 2., no matching gift, grant, bequest or land
13 need be donated for the trail.”

14 **483.** Page 429, line 18: delete the material beginning with that line and
15 ending with page 430, line 12.

16 **484.** Page 431, line 9: delete lines 9 to 18.

17 **485.** Page 431, line 23: delete lines 23 and 24.

18 **486.** Page 433, line 5: after that line insert:

19 “**SECTION 767r.** 23.15 (1) of the statutes is amended to read:

20 23.15 (1) The natural resources board may sell, at public or private sale or as
21 provided in sub. (2r), lands and structures owned by the state under the jurisdiction
22 of the department of natural resources when the natural resources board determines
23 that said lands are no longer necessary for the state’s use for conservation purposes

1 and, if real property, the real property is not the subject of a petition under s. 16.375
2 (2).

3 **SECTION 767t.** 23.15 (2m) (a) (intro.) of the statutes is amended to read:

4 23.15 **(2m)** (a) (intro.) Notwithstanding sub. (1), the natural resources board
5 shall sell, at fair market value or as provided in sub. (2r), land in the lower Wisconsin
6 state riverway, as defined in s. 30.40 (15), that is not exempt under s. 30.48 (2) and
7 that is acquired by the department after August 9, 1989, if all of the following
8 conditions are met:

9 **SECTION 767v.** 23.15 (2r) of the statutes is created to read:

10 23.15 **(2r)** (a) In this subsection:

- 11 1. "Immediate family member" means a spouse, brother, sister, parent or child.
12 2. "Land" includes any structures on the land.

13 (b) If the department offers land for sale, the department shall offer the first
14 right to purchase the land to all of the owners from whom the department acquired
15 the land. In order to exercise this right, an owner shall make a bona fide offer to
16 purchase the land. If no owner exercises this right, the department shall next offer
17 the right to purchase to the immediate family members of all of the owners. This
18 paragraph applies without regard to when the land was acquired."

19 **487.** Page 433, line 9: after that line insert:

20 "SECTION 768g. 23.18 of the statutes is repealed."

21 **488.** Page 454, line 19: after that line insert:

22 "SECTION 821b. 24.66 (3) (b) of the statutes is amended to read:

23 24.66 **(3)** (b) *For long-term loans by unified school districts.* Every application
24 for a loan, the required repayment of which exceeds 10 years, shall be approved and

1 authorized for a unified school district by a majority vote of the members of the school
2 board at a regular or special meeting of the school board. Every vote so required shall
3 be by ayes and noes duly recorded. In addition, the application shall be approved for
4 a unified school district by a majority vote of the electors of the school district at a
5 ~~special election~~ referendum as provided under sub. (4).

6 **SECTION 822b.** 24.66 (4) of the statutes is amended to read:

7 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
8 by law to incur indebtedness for a particular purpose without first submitting the
9 question to its electors, the application for a state trust fund loan for that purpose
10 must be approved and authorized by a majority vote of the electors at a ~~special~~
11 ~~election~~ referendum called, in accordance with s. 8.065, and noticed and held in the
12 manner provided for other ~~special elections~~ referenda. The notice of the election
13 referendum shall state the amount of the proposed loan and the purpose for which
14 it will be used.”.

15 **489.** Page 457, line 21: delete the material beginning with that line and
16 ending with page 458, line 3.

17 **490.** Page 458, line 16: delete lines 16 to 20.

18 **491.** Page 458, line 20: after that line insert:

19 “**SECTION 840m.** 25.19 (3) of the statutes is amended to read:

20 25.19 (3) The state treasurer shall, ~~at the direction of the depository selection~~
21 ~~board under s. 34.045 (1) (b),~~ allocate bank service costs to the funds incurring those
22 costs.”.

23 **492.** Page 461, line 6: after that line insert:

24 “**SECTION 849m.** 25.40 (1) (a) 9. of the statutes is repealed.”.

1 **493.** Page 466, line 19: after that line insert:

2 “**SECTION 873m.** 25.46 (1m) of the statutes is created to read:

3 25.46 **(1m)** The moneys transferred under s. 20.855 (4) (f) for nonpoint source
4 water pollution abatement.”.

5 **494.** Page 466, line 19: after that line insert:

6 “**SECTION 873r.** 25.46 (1s) of the statutes is created to read:

7 25.46 **(1s)** The moneys required under s. 77.9964 (3) (b) to be deposited in the
8 fund for environmental management.”.

9 **495.** Page 469, line 22: after that line insert:

10 “**SECTION 899m.** 25.46 (20) of the statutes is repealed.”.

11 **496.** Page 471, line 6: delete the material beginning with “all” and ending with
12 “(9)” on line 7 and substitute “the moneys required under s. 77.9964 (3) (a) to be
13 deposited in the fund.”.

14 **497.** Page 472, line 10: delete “Act ... (this act)” and substitute “Act ... (this
15 act)”.

16 **498.** Page 475, line 18: after that line insert:

17 “**SECTION 918m.** 27.01 (2) (d) of the statutes is amended to read:

18 27.01 **(2)** (d) Enter into agreements with the federal government, the
19 government of neighboring states, state departments, counties, towns, scientific
20 societies, organizations, individuals or others on any subject considered of concern
21 and benefit to the state parks. Operation of historic buildings, restorations,
22 museums or remains within the boundaries of a state park or parks may be vested
23 by such agreements in the historical society, which may, ~~in accordance with s. 44.02~~
24 ~~(5)~~, charge a resident an admission fee and shall charge a nonresident an admission

1 fee to such buildings, restorations, museums or remains in accordance with s. 44.02
2 (5) in order to defray in whole or in part the costs of operation of such sites.”.

3 **499.** Page 481, line 21: after that line insert:

4 “**SECTION 953m.** 27.012 of the statutes is created to read:

5 **27.012 Mountain Bay State Trail.** The department shall expend up to
6 \$333,000 from the appropriations under s. 20.370 (1) (ea), (eq), (mu) and (my) for the
7 completion of the Mountain Bay State Trail in Shawano County and for the
8 maintenance of trail crossings for the Mountain Bay State Trail in Brown, Oconto,
9 Shawano and Marathon counties. The department shall determine how the moneys
10 to be expended under this section shall be allocated from one or more of these
11 appropriations.”.

12 **500.** Page 481, line 22: delete lines 22 to 25.

13 **501.** Page 482, line 1: delete lines 1 and 2 and substitute:

14 “**SECTION 954mm.** 27.014 (1) of the statutes is renumbered 27.014 (1m), and
15 27.014 (1m) (a), as renumbered, is amended to read:

16 27.014 (1m) (a) If the department finds a vehicle in a vehicle admission area,
17 as defined in s. 27.01 (7) (a) 3., that does not have a valid ~~sticker~~ receipt affixed to
18 it or otherwise displayed as authorized under s. 27.01 (7) (e) and the department
19 cannot locate the operator of the vehicle, the owner of the vehicle shall be presumed
20 liable for a violation of s. 27.01 (7) (b).

21 **SECTION 955m.** 27.014 (1c) of the statutes is created to read:

22 27.014 (1c) DEFINITION. In this section, with respect to a vehicle that is
23 registered, or is required to be registered, by a lessee of the vehicle under ch. 341,
24 “owner” means the lessee of the vehicle.

1 **SECTION 956m.** 27.014 (2) (intro.) of the statutes is amended to read:

2 27.014 (2) DEFENSES. (intro.) The following are defenses to the imposition of
3 liability under sub. ~~(1)~~ (1m):

4 **SECTION 957m.** 27.014 (2) (b) of the statutes is amended to read:

5 27.014 (2) (b) If the owner of the vehicle provides the department with the name
6 and address of the person operating the vehicle or having the vehicle under his or her
7 control at the time of the violation and sufficient information for the department to
8 determine that probable cause does not exist to believe that the owner of the vehicle
9 was operating the vehicle at the time of the violation, then the owner of the vehicle
10 shall not be liable under sub. ~~(1)~~ (1m) or s. 27.01 (7) (b).

11 **SECTION 958m.** 27.014 (2) (c) of the statutes is amended to read:

12 27.014 (2) (c) If the vehicle is owned by a lessor of vehicles and at the time of
13 the violation the vehicle was in the possession of a lessee, and the lessor provides the
14 department with the information required under s. 343.46 (3), then the lessee and
15 not the lessor shall be liable under sub. ~~(1)~~ (1m) or s. 27.01 (7) (b).

16 **SECTION 959m.** 27.014 (2) (d) of the statutes is amended to read:

17 27.014 (2) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)
18 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time
19 of the violation the vehicle was being operated by or was under the control of any
20 person on a trial run, and if the dealer provides the department with the name,
21 address and operator's license number of the person operating the vehicle, then that
22 person, and not the dealer, shall be liable under sub. ~~(1)~~ (1m) or s. 27.01 (7) (b).”.

23 **502.** Page 482, line 14: after that line insert:

24 “**SECTION 960g.** 28.02 (4) (bm) of the statutes is created to read:

1 28.02 (4) (bm) Paragraph (b) does not apply to sales under s. 23.15 (2r).”.

2 **503.** Page 482, line 15: delete lines 15 to 21 and substitute:

3 “**SECTION 960mn.** 29.01 (2s) of the statutes is created to read:

4 29.01 (2s) “Farm–raised fish” means a fish that is kept on a fish farm for
5 propagation purposes or reared on a fish farm and that has not been introduced,
6 stocked or planted into waters outside a fish farm or that has not escaped from a fish
7 farm.

8 **SECTION 960np.** 29.01 (2w) of the statutes is created to read:

9 29.01 (2w) “Fish farm” has the meaning given in s. 95.60 (1) (a), except that
10 “fish farm” does not include a state or municipal fish hatchery or a private fishing
11 preserve.”.

12 **504.** Page 483, line 3: delete lines 3 to 6 and substitute:

13 “**SECTION 960qg.** 29.01 (3m) of the statutes is created to read:

14 29.01 (3m) “Freeze–out pond” means a natural, self–contained body of water
15 in which freezing or anoxic conditions prevent the body of water from naturally
16 sustaining a fish population at least twice every 5 years.

17 **SECTION 960qj.** 29.01 (11c) of the statutes is created to read:

18 29.01 (11c) “Preexisting fish rearing facility” means a body of water that is a
19 fish farm or part of a fish farm and that is not a self–contained body of water but that
20 was licensed as a private fish hatchery, or as part of a private fish hatchery, under
21 s. 29.52, 1995 stats., on the effective date of this subsection [revisor inserts date]
22 and that has been continuously used to rear fish since that date.

23 **SECTION 960qL.** 29.01 (11d) of the statutes is created to read:

1 29.01 (11d) “Preexisting fish rearing facility that is barrier equipped” means
2 a preexisting fish rearing facility that is equipped with barriers that prevent the
3 passage of fish between the facility and the other waters of the state.

4 **SECTION 960qm.** 29.01 (12p) of the statutes is created to read:

5 29.01 (12p) “Self-contained body of water” means a body of water that has no
6 inlet from or outlet to a natural body of water, except that it may have pipes or similar
7 conduits to put in or withdraw water that are equipped with barriers that prevent
8 the passage of fish between the body of water and the other waters of the state.

9 **SECTION 960qr.** 29.01 (12r) of the statutes is created to read:

10 29.01 (12r) “Self-contained fish rearing facility” means any of the following:

11 (a) An artificial, self-contained body of water that is a fish farm or part of a fish
12 farm.

13 (b) A freeze-out pond for which a permit is issued under s. 29.521 (2).”.

14 **505.** Page 489, line 16: after that line insert:

15 “**SECTION 994e.** 29.092 (2) (em) of the statutes, as affected by 1997 Wisconsin
16 Act 1, is amended to read:

17 29.092 (2) (em) *Resident wild turkey.* The fee for a resident wild turkey hunting
18 license is ~~\$10.25~~ \$9.25.

19 **SECTION 994k.** 29.092 (2) (kd) of the statutes, as affected by 1997 Wisconsin Act
20 1, is amended to read:

21 29.092 (2) (kd) *Nonresident wild turkey.* The fee for a nonresident wild turkey
22 hunting license is ~~\$54.25~~ \$53.25.”.

23 **506.** Page 489, line 25: after that line insert:

24 “**SECTION 996t.** 29.092 (8m) of the statutes is created to read:

1 29.092 (8m) FISH FARM PERMITS. The fee for a fish farm permit is the amount
2 established under s. 29.521 (2) (f).”.

3 **507.** Page 490, line 6: after that line insert:

4 “**SECTION 998m.** 29.092 (14) (c) of the statutes is amended to read:

5 29.092 (14) (c) *Use of surcharge fees.* The wildlife damage surcharge shall be
6 collected as are other approval fees and the surcharge fees shall be deposited in the
7 conservation fund to be used for the wildlife damage abatement program, for the
8 wildlife damage claim program, for wildlife abatement and control grants under s.
9 29.595 and for removal activities by the department under s. 29.59.”.

10 **508.** Page 490, line 6: after that line insert:

11 “**SECTION 998b.** 29.092 (14) (a) of the statutes, as affected by 1997 Wisconsin
12 Act 1, is amended to read:

13 29.092 (14) (a) *Surcharge generally.* In addition to the fees specified under
14 subs. (2) (a) and (c) to ~~(k)~~ (kd), (3v) (a) 1. and (am) and (4) (a) and (am), a person who
15 applies for a resident small game, resident wild turkey, resident deer, resident
16 Class A or Class B bear, resident archer, nonresident annual small game,
17 nonresident 5-day small game, nonresident wild turkey, nonresident deer,
18 nonresident Class A or Class B bear, nonresident fur-bearing animal, nonresident
19 archer license, resident sports license, or nonresident sports license shall pay a
20 wildlife damage surcharge of \$1.

21 **SECTION 998d.** 29.092 (14) (b) of the statutes, as affected by 1997 Wisconsin Act
22 1, is amended to read:

1 29.092 (14) (b) *Addition of surcharge.* The wildlife damage surcharge shall be
2 added to the fee provided in sub. (2) (a) or (c) to ~~(k)~~ (kd), (3v) (a) 1. or (am) or (4) (a),
3 (am), (b) or (bn).”.

4 **509.** Page 490, line 16: after that line insert:

5 “**SECTION 1000L.** 29.093 (8m) of the statutes is created to read:

6 29.093 (8m) FISH FARM PERMITS. A fish farm permit, issued under s. 29.521 (2),
7 is valid for 10 years after the date of issuance.”.

8 **510.** Page 500, line 16: delete lines 16 to 22.

9 **511.** Page 501, line 1: delete lines 1 to 3 and substitute:

10 “29.137 (8) This section does not apply to bait produced in a private state or
11 municipal fish hatchery licensed under s. 29.52 or to bait that is farm-raised fish.”.

12 **512.** Page 514, line 19: after that line insert:

13 “**SECTION 1099b.** 29.24 of the statutes is renumbered 29.24 (1) (intro.) and
14 amended to read:

15 29.24 (1) (intro.) The owner or occupant of any land, and any member of his or
16 her family, may hunt or trap beaver, coyotes, foxes, raccoons, woodchucks, rabbits
17 and squirrels on the land without a license at any time, except ~~that such as follows:~~

18 (a) Such persons may not hunt any of these wild animals during the period of
19 24 hours prior to the opening date for deer hunting in those counties or parts of
20 counties where an open season for hunting deer with firearms is established.

21 (2) The owner or occupant of any land and any member of his or her family may
22 take beaver, rabbits, raccoons and squirrels on the land at any time by means of live
23 trapping with box traps in areas where the discharge of a firearm is ~~unlawful~~ illegal.

24 **SECTION 1099bn.** 29.24 (1) (b) of the statutes is created to read:

1 29.24 (1) (b) Such persons may not hunt coyotes during an open season for
2 hunting deer with firearms in an area that is closed by the department by rule to
3 coyote hunting.”.

4 **513.** Page 514, line 22: after that line insert:

5 “**SECTION 1103n.** 29.29 (4) of the statutes is amended to read:

6 29.29 (4) USE OF PESTICIDES. The department of natural resources, after public
7 hearing, may promulgate rules governing the use of any pesticide which it finds is
8 a serious hazard to wild animals other than those it is intended to control, and the
9 making of reports thereon. In making such determinations, the department to the
10 extent relevant shall consider the need for pesticides to protect the well-being of the
11 general public. ~~It shall obtain the recommendation of the pesticide review board and~~
12 ~~such rules, other than rules to protect groundwater promulgated to comply with ch.~~
13 ~~160, are not effective until approved by the pesticide review board.~~ “Pesticide” has
14 the meaning designated in s. 94.67.”.

15 **514.** Page 515, line 3: delete lines 3 to 5 and substitute:

16 “29.29 (5) (b) 1. This section does not apply to toxicants placed in the waters
17 of a self-contained fish rearing facility or a state or municipal fish hatchery if the
18 toxicants are necessary to the operation of the fish farm or fish hatchery.

19 2. This section does not apply to toxicants placed in the waters of a preexisting
20 fish rearing facility that is an artificial body of water if the toxicants are necessary
21 to the operation of the fish farm and the department has issued a permit under s.
22 283.31 for the preexisting fish rearing facility.”.

23 **515.** Page 515, line 8: after that line insert:

24 “**SECTION 1105m.** 29.33 (4g) of the statutes is created to read:

1 **29.33 (4g)** PROHIBITION AGAINST OPERATING FISH FARMS. No person who holds a
2 commercial fishing or crew license issued under this section may operate a fish farm
3 that contains a species of fish that the holder of the license is authorized to catch
4 under this section or rules promulgated under this section.”.

5 **516.** Page 515, line 11: after that line insert:

6 “**SECTION 1108m.** 29.34 (6) of the statutes is created to read:

7 29.34 (6) No person who holds a net license may operate a fish farm that
8 contains a variety of fish that the holder of the license is authorized to catch under
9 this section or under rules promulgated under this section.”.

10 **517.** Page 515, line 24: after that line insert:

11 “**SECTION 1111m.** 29.343 (6) of the statutes is created to read:

12 29.343 (6) No person who holds a slat net license may operate a fish farm that
13 contains a species of fish that the holder of the license is authorized to catch under
14 this section or under rules promulgated under this section.

15 **SECTION 1111r.** 29.344 (5) of the statutes is created to read:

16 29.344 (5) No person who holds a trammel net license issued under this section
17 may operate a fish farm that contains a species of fish that the holder of the license
18 is authorized to catch under this section or under rules promulgated under this
19 section.”.

20 **518.** Page 516, line 10: after that line insert:

21 “**SECTION 1115m.** 29.36 (4) of the statutes is created to read:

22 29.36 (4) No person who holds a set or bank pole license may operate a fish farm
23 that contains a species of fish that the holder of the license is authorized to catch
24 under this section or under rules promulgated under this section.”.

1 **519.** Page 516, line 19: after that line insert:

2 “**SECTION 1118m.** 29.37 (5) of the statutes is created to read:

3 29.37 (5) No person who holds a set line license issued under this section may
4 operate a fish farm that contains a kind of fish that the holder of the license is
5 authorized to catch under this section or under rules promulgated under this
6 section.”.

7 **520.** Page 518, line 4: delete the material beginning with that line and ending
8 with page 521, line 13, and substitute:

9 “**SECTION 1120hg.** 29.50 (title) of the statutes is amended to read:

10 **29.50** (title) **Propagation privileged of fish; protected wild animals.**

11 **SECTION 1120hm.** 29.50 of the statutes is renumbered 29.50 (1) (intro.) and
12 amended to read:

13 29.50 (1) (intro.) Nothing in ~~the foregoing provisions~~ this chapter concerning
14 the protection of wild animals ~~shall affect the~~ applies to any of the following:

15 (a) The operation of state fish hatcheries, the

16 (b) The removal of fish which have died from natural causes or the removal of
17 deleterious fish by the department or under its authority; or the as authorized under
18 this chapter.

19 (c) The propagation or transportation, collecting and transplanting of fish or
20 fish fry by state authority; nor the by the department.

21 (d) The transportation of fish into or through this state or out of it by the
22 commissioners of fisheries of other states or of the United States; nor the operation
23 of private fish hatcheries, or the propagation of fish in private waters, or the

1 ~~(e) The transportation and sale of fish therefrom as hereinafter provided; but~~
2 ~~the,~~

3 ~~(2) The department, or its agents and employes, shall~~ may not furnish fish or
4 ~~fry~~ from state hatcheries to private ponds, private clubs, corporations or preserves,
5 and ~~shall~~ may not introduce, stock or plant them in waters where the general public
6 is not allowed the rights and privileges enjoyed by any individual.

7 **SECTION 1120hr.** 29.50 (3) of the statutes is created to read:

8 29.50 (3) An operator of a fish farm, or an employe of the operator, may capture
9 turtles that are on the fish farm, transport them to different locations and release
10 them into the wild.

11 **SECTION 1120jm.** 29.51 (title) of the statutes is repealed and recreated to read:

12 **29.51 (title) Propagation of fish; removal of fish.**

13 **SECTION 1120km.** 29.51 (1) (intro.) and (e) of the statutes are amended to read:

14 29.51 (1) (title) ~~STATE FISH HATCHERIES; FISH MANAGEMENT BY STATE.~~ (intro.) The
15 department shall have general charge of the following matters for operating state
16 fish hatcheries, and all necessary powers therefor, namely:

17 (e) ~~The~~ Subject to s. 95.60, the receiving from the U.S. commissioners of
18 fisheries, from the commissioners of fisheries of other states or from other persons
19 of all ~~spawn, fry~~ fish eggs or fish donated to the state or purchased, and in the most
20 practical ways, by exchange or otherwise, to procure, receive, distribute and dispose
21 of ~~spawn~~ fish eggs and fish; to make contracts and carry on the same for the
22 transportation of fish cars, cans, departmental officers and employes by land or
23 water as is most advantageous to the state; and to take such other measures as in
24 their judgment best promotes the abundant supply of food fishes in the waters of the
25 state.

1 **SECTION 1120np.** 29.51 (2) of the statutes is amended to read:

2 29.51 (2) TRANSPLANTATION OF FISH. The department may take or cause to be
3 taken fish at any time of the year from any waters of the state for stocking other
4 waters or for the purpose of securing eggs for artificial propagation. These fish or
5 eggs may be taken only under a special permit issued by the department and only
6 in the presence of the department or its wardens. This permit shall specify the kinds
7 of fish that may be taken and the manner in which they may be taken. ~~This permit
8 is subject to the conditions that the holder pay for the services of and furnish free
9 transportation and meals on his or her boat to a competent person approved by the
10 department to spawn the fish and fertilize the eggs and that the eggs are delivered
11 at the place designated by the department.~~

12 **SECTION 1120pm.** 29.51 (3) (title) of the statutes is amended to read:

13 29.51 (3) (title) DELIVERY OF SPAWN FISH EGGS.

14 **SECTION 1120qg.** 29.51 (3m) (title) of the statutes is created to read:

15 29.51 (3m) (title) DESTRUCTION OF FISH EGGS OR FISH.

16 **SECTION 1120qm.** 29.51 (3m) (b) of the statutes is created to read:

17 29.51 (3m) (b) Paragraph (a) does not authorize the department of natural
18 resources to remove fish or fish eggs from a self-contained fish rearing facility or
19 from a preexisting fish rearing facility that is barrier equipped and that is an
20 artificial body of water unless the department of agriculture, trade and consumer
21 protection has requested that the department of natural resources remove the fish
22 or fish eggs to address a problem affecting fish health.

23 **SECTION 1120qr.** 29.51 (4) of the statutes is amended to read:

24 29.51 (4) (title) REMOVAL OF SPAWN FISH EGGS OR FISH FROM STATE. No person shall
25 may remove any fish eggs or live fish from this state except as authorized by law,

1 unless a permit therefor has been issued to the person by the department. This
2 subsection does not apply to farm-raised fish or eggs from farm-raised fish.

3 **SECTION 1120rg.** 29.51 (5) (title) of the statutes is repealed and recreated to
4 read:

5 29.51 (5) (title) FISHING FOR PROPAGATION PURPOSES.

6 **SECTION 1120rm.** 29.51 (5) of the statutes is renumbered 29.51 (5) (intro.) and
7 amended to read:

8 29.51 (5) (intro.) ~~No employe of the department, and no other person, while~~
9 ~~engaged in~~ For the purposes of catching wild fish from the public waters for purposes
10 of artificial propagation, shall or for introduction, stocking or planting in fish farms,
11 no person may take or have possession or control of any kind of fish other than those
12 that the person has been directed, by the department, to take therefrom. unless par.
13 (a) or (b) applies:

14 **SECTION 1120rp.** 29.51 (5) (a) and (b) of the statutes are created to read:

15 29.51 (5) (a) The person has the approvals required under this chapter to take,
16 possess or control that kind of fish.

17 (b) The person has been otherwise authorized by the department to take,
18 possess or control that kind of fish.

19 **SECTION 1120vm.** 29.513 (5) of the statutes is created to read:

20 29.513 (5) A person who is using a navigable lake that is a freeze-out pond as
21 a fish farm, or as part of a fish farm, is exempt from obtaining a permit under this
22 section.

23 **SECTION 1120vr.** 29.514 of the statutes is created to read:

1 **29.514 Private fishing preserves. (1)** A single person may register with the
2 department a natural, navigable, self-contained body of water as a private fishing
3 preserve if all of the following apply:

4 (a) All of the use and occupancy rights in the land that is riparian to the body
5 of water are owned or leased by the registrant.

6 (b) The registrant and any owner of the riparian land do not provide access to
7 the body of water to the public by means of an easement or other right-of-way or by
8 means of a business open to the public.

9 **(2)** No lake association, corporation or other association that is formed to
10 establish a private fishing preserve is eligible to register under this section.

11 **(3)** A registration under this section is valid for one year.

12 **(4)** A person who is fishing in a private fishing preserve is exempt from having
13 any sport fishing approval issued under this chapter. No person may sell or trade
14 fish that are caught in a private fishing preserve. No person may charge a fee for
15 fishing in a private fishing preserve or a fee for an activity that includes the privilege
16 of fishing in a private fishing preserve.

17 **SECTION 1120xm.** 29.52 of the statutes is repealed.

18 **SECTION 1124d.** 29.521 of the statutes is created to read:

19 **29.521 Natural waters used in fish farms. (1)** No person may use a natural
20 body of water as a fish farm or as part of a fish farm unless all of the following apply:

21 (a) The land that is riparian to the body of water is owned, leased or controlled
22 by the owners of the fish farm.

23 (b) None of the owners of the fish farm or of the riparian land provides access
24 to the body of water to the public by means of an easement or other right-of-way or

1 by means of a business open to the public, except that the owners of the fish farm may
2 allow fishing by the public for a fee.

3 (c) The body of water is one of the following:

4 1. A freeze-out pond.

5 2. A preexisting fish rearing facility that is barrier equipped.

6 (d) A permit for the body of water has been issued under sub. (2).

7 **(2)** (a) The department shall issue a permit under this subsection for a natural
8 body of water specified under sub. (1) (c) 1. if the department determines that no
9 substantial public interest exists in the body of water and that no public or private
10 rights in the body of water will be damaged.

11 (b) Notwithstanding par. (a), for a freeze-out pond that is licensed as a private
12 fish hatchery, or as part of a private fish hatchery, under s. 29.52, 1995 stats., on the
13 effective date of this paragraph [revisor inserts date], or for a natural body of
14 water as described under sub. (1) (c) 2., the department shall issue an initial permit
15 without making the determination under par. (a).

16 (c) 1. The department shall renew a permit issued under this subsection unless
17 the department determines that there has been a substantial change in
18 circumstances that is related to a determination made under par. (a) for the natural
19 body of water or that is related to the application of the criteria promulgated under
20 par. (f) to the body of water.

21 2. A person may apply for a renewal of a permit issued under this subsection
22 within the 16 months before the permit expires.

23 3. Except as provided in subd. 4., the department shall renew the permit, or
24 deny the renewal, within 3 months after the date on which the department receives
25 the application for the renewal.

1 4. The department may delay the renewal or denial of the renewal under subd.
2 3. until the May 31 immediately following the date on which the department receives
3 the renewal application if ice conditions prevent the department from inspecting the
4 body of water for purposes of renewal within a reasonable time after receiving the
5 application.

6 (d) If the department denies a permit under par. (a), (b) or (c), the department
7 shall issue written findings supporting the reason for the denial that are based on
8 the criteria promulgated under par. (f).

9 (e) The department may suspend a permit for a body of water specified in sub.
10 (1) (c) 2. for 90 days if the department finds that the permit holder has failed to
11 adequately maintain the fish barriers and may revoke the permit if the department
12 determines that the failure to adequately maintain the barriers has not been
13 corrected within the 90-day period.

14 (f) The department shall promulgate rules to establish the fees, criteria and
15 procedures to be used in issuing permits under this subsection.

16 **SECTION 1124dm.** 29.525 of the statutes is created to read:

17 **29.525 Importation of fish.** (1) No person may bring into this state any fish,
18 or fish eggs, of a species that is not native to this state for the purpose of introduction
19 into the waters of the state, as defined in s. 281.01 (18), of use as bait or of rearing
20 in a fish farm without having a permit issued by the department.

21 (2) A person applying for a permit under this section shall submit a written
22 application to the department.

23 (3) Subsections (1) and (2) do not apply to the importation of fish by the
24 department.

1 (4) For the purpose of issuing permits under this section, the department may
2 not require that any testing, inspection or investigation be performed concerning the
3 health of the fish.”.

4 **521.** Page 521, line 17: delete lines 17 to 23 and substitute:

5 “(b) “Qualified inspector” means a veterinarian licensed under ch. 453 or a
6 person who is qualified to issue fish health certificates under s. 95.60 (4s) (c).

7 “(c) “Waters of the state” does not include self-contained fish rearing facilities
8 or preexisting fish rearing facilities that are barrier equipped and that are artificial
9 bodies of water.”.

10 **522.** Page 522, line 2: delete lines 2 to 4 and substitute:

11 “2. The fish have been certified by a qualified inspector to meet the fish health
12 standards and requirements promulgated under s. 95.60 (4s) (b).”.

13 **523.** Page 522, line 4: after that line insert:

14 “3. The fish is not a species of lake sturgeon.”.

15 **524.** Page 522, line 9: delete lines 9 to 12 and substitute:

16 “(3) (a) The department may not introduce, stock or plant any fish in the waters
17 of the state unless the fish have been certified by a qualified inspector to meet the
18 fish health standards and requirements promulgated under s. 95.60 (4s) (b).”.

19 **525.** Page 522, line 15: delete lines 15 to 17 and substitute:

20 “(a) Shall accept the certification by a qualified inspector that the fish meet the
21 fish health standards and requirements promulgated under s. 95.60 (4s) (b) and may
22 not require that any additional testing, inspection or investigation be performed
23 concerning the health of the fish.”.

24 **526.** Page 523, line 10: delete lines 10 to 15 and substitute:

1 “**SECTION 1124mn.** 29.535 (1) (f) of the statutes is renumbered 29.51 (3m) (a)
2 and amended to read:

3 29.51 (3m) (a) The department may seize or destroy, or both, any fish or spawn
4 ~~thereof, or any fish eggs,~~ found to be infected with any disease organisms as are
5 designated by the department.”.

6 **527.** Page 524, line 1: delete lines 1 to 14 and substitute:

7 “29.53 (5) This The requirement of being issued a permit under this section
8 shall not apply to civic organizations, organizations operating newspapers or
9 television stations or promoters of sport shows when and in connection with publicly
10 showing or exhibiting or, giving demonstrations with brook, brown or rainbow trout
11 or providing fishing of fish for periods of not to exceed 10 days. ~~Brook, brown or~~
12 ~~rainbow trout if the fish are placed in a tank or an artificially constructed pond that~~
13 is a self-contained body of water. Fish used for such purposes shall ~~be obtained only~~
14 ~~from resident Class A or Class B private fish hatchery operators licensed under s.~~
15 ~~29.52 (4).~~ Such private fish hatchery operators shall keep a record of all brook, brown
16 or rainbow trout introduced in or delivered for introduction in any public waters and
17 shall ~~make a report of such introduction or delivery for such introduction to the~~
18 ~~department on or before December 31 of each year on forms furnished by the~~
19 ~~department~~ have been certified by a qualified inspector to meet the fish health
20 standards and requirements promulgated under s. 95.60 (4s) (b).”.

21 **528.** Page 524, line 15: delete lines 15 to 18.

22 **529.** Page 526, line 2: after that line insert:

23 “**SECTION 1139p.** 29.595 of the statutes is created to read:

1 **29.595 Wildlife control in urban communities.** (1) The department shall
2 establish a program to award matching grants to urban communities for up to 50%
3 of the costs for projects to plan wildlife abatement measures or to engage in wildlife
4 control efforts or both.

5 (2) A grant awarded under this section may not exceed \$5,000.

6 (3) The department shall promulgate rules establishing criteria for awarding
7 grants under this section.”.

8 **530.** Page 526, line 5: delete “to crops on agricultural”.

9 **531.** Page 526, line 6: delete that line.

10 **532.** Page 527, line 1: substitute “*Certification*” for “*Rules; certification*”.

11 **533.** Page 527, line 8: after that line insert:

12 “(am) *Type of damage eligible.* The type of wildlife damage that is eligible for
13 wildlife damage claim payments shall be limited to damage to commercial seedings
14 or crops growing on agricultural land, damage to crops that have been harvested for
15 sale or further use but that have not been removed from the agricultural land,
16 damage to orchard trees or nursery stock or damage to apiaries or livestock.”.

17 **534.** Page 527, line 20: after that line insert:

18 “2m. That the claim contains an estimate of the total wildlife damage that
19 occurred, regardless of the amount that is eligible for payment under par. (d).”.

20 **535.** Page 528, line 1: delete “1.”.

21 **536.** Page 528, line 3: delete lines 3 and 4 and substitute “In calculating the
22 amount to be paid for a claim, the department shall determine the amount as
23 follows:”.

1 **537.** Page 528, line 5: before that line insert:

2 “1. If the amount of the claim is \$250 or less, the claimant will receive no
3 payment.

4 2. If the amount of claim is more than \$250 but not more than \$5,250, the
5 claimant will be paid 100% of the amount of the claim that exceeds \$250.

6 3. If the amount of the claim is more than \$5,250, the claimant will be paid the
7 amount calculated under subd. 2., plus 80% of the amount of the claim that exceeds
8 \$5,250, subject to subd. 4.

9 4. The total amount paid to a claimant under this paragraph may not exceed
10 \$15,000 for each claim.”.

11 **538.** Page 528, line 5: after “claims” insert “to the claimants”.

12 **539.** Page 528, line 5: delete “2.” and substitute “(dm) *Deadline for payment.*”.

13 **540.** Page 528, line 13: after that line insert:

14 “(am) *Type of damage eligible.* The type of wildlife damage that is eligible for
15 wildlife damage abatement assistance shall be limited to damage to commercial
16 seedings or crops growing on agricultural land, damage to crops that have been
17 harvested for sale or further use but that have not been removed from the
18 agricultural land, damage to orchard trees or nursery stock or damage to apiaries or
19 livestock.”.

20 **541.** Page 529, line 15: after that line insert:

21 “(am) *Exemption.* The requirements to allow hunting under par. (a) do not
22 apply to a person seeking wildlife damage abatement assistance if the person does
23 not have authority to control entry on the land that is subject to those requirements
24 and if the damage on the land is damage to apiaries.”.

1 **542.** Page 533, line 7: delete “committee” and substitute “committees”.

2 **543.** Page 533, line 13: delete lines 13 to 15 and substitute:

3 “29.60 (2g) (a) Subsections (1) and (2) do not apply to toxicants placed in the
4 waters of a self-contained fish rearing facility or a state or municipal fish hatchery
5 if the toxicants are necessary to the operation of the fish farm or fish hatchery.

6 (b) Subsections (1) and (2) do not apply to toxicants placed in the waters of a
7 preexisting fish rearing facility that is an artificial body of water if the toxicants are
8 necessary to the operation of the fish farm and the department has issued a permit
9 under s. 283.31 for the preexisting fish rearing facility.”.

10 **544.** Page 533, line 16: delete lines 16 to 24 and substitute:

11 “**SECTION 1139tm.** 29.62 (1) of the statutes is amended to read:

12 29.62 (1) The department may take rough fish by means of seines, nets or other
13 devices, or cause rough fish to be taken, from any of the waters of this state, other
14 than waters in a self-contained fish rearing facility or in a preexisting fish rearing
15 facility that is barrier equipped and that is an artificial body of water.

16 **SECTION 1139um.** 29.623 of the statutes is renumbered 29.623 (1).

17 **SECTION 1139ur.** 29.623 (2) of the statutes is created to read:

18 29.623 (2) Subsection (1) does not authorize the department to remove fish
19 from a self-contained fish rearing facility or from a preexisting fish rearing facility
20 that is an artificial body of water unless one or more of the following apply:

21 (a) The fish are of a species that is not native to this state and the department
22 determines that having the fish in that particular self-contained fish rearing facility
23 or preexisting fish rearing facility poses a risk of being detrimental to the waters of
24 the state.

1 (b) The department of agriculture, trade and consumer protection has
2 requested that the department of natural resources remove the fish to address a
3 problem affecting fish health.”.

4 **545.** Page 534, line 20: after that line insert:

5 “**SECTION 1139x.** 30.1255 (1) (intro.) and (a) of the statutes are consolidated,
6 renumbered 30.1255 (1) and amended to read:

7 30.1255 (1) (title) ~~DEFINITIONS~~ DEFINITION. In this section: ~~(a)~~ “Aquatic,
8 “aquatic nuisance species” means a nonindigenous species that threatens the
9 diversity or abundance of native species or the ecological stability of infested waters
10 or that threatens a commercial, agricultural, aquacultural or recreational activity
11 dependent on infested waters.

12 **SECTION 1139y.** 30.1255 (1) (b) of the statutes is repealed.

13 **SECTION 1139z.** 30.1255 (2) of the statutes is repealed.

14 **SECTION 1139zb.** 30.1255 (3) (a) (intro.) of the statutes is amended to read:

15 30.1255 (3) (a) (intro.) ~~After consulting with the council, the~~ The department
16 shall submit periodically to the legislature reports describing all of the following:”.

17 **546.** Page 534, line 20: after that line insert:

18 “**SECTION 1139w.** 30.12 (4) (bn) of the statutes is created to read:

19 30.12 (4) (bn) Any interdepartmental liaison procedures established under par.
20 (b) that relate to mitigation of wetland loss may not regulate or give priority to sites
21 for the wetlands to be created or restored based on proximity of the sites to the
22 wetlands to be lost except that the procedures may give priority to sites that are in
23 the same watersheds or aquifers as are the wetlands to be lost.”.

24 **547.** Page 534, line 20: after that line insert:

1 “**SECTION 1139zm.** 30.135 of the statutes is created to read:

2 **30.135 Regulation of water ski platforms and jumps. (1) WHEN PERMIT**

3 **REQUIRED.** (a) A riparian proprietor may place a water ski platform or water ski jump
4 in a navigable waterway without obtaining a permit if all of the following
5 requirements are met:

6 1. The platform or jump does not interfere with public rights in navigable
7 waters.

8 2. The platform or jump does not interfere with rights of other riparian
9 proprietors.

10 3. The platform or jump is located at a site that ensures adequate water depth
11 and clearance for safe water skiing.

12 (b) If the department determines that any of the requirements under par. (a)
13 are not met, the riparian owner shall submit a permit application to the department.

14 **(2) NOTICE AND HEARING PROCEDURE.** (a) Upon receipt of a complete permit
15 application, the department shall either order a hearing or provide notice stating
16 that it will proceed on the application without a hearing unless a substantive written
17 objection to issuance of the permit is received within 30 days after publication of the
18 notice. The department shall provide a copy of the notice to the applicant for the
19 permit, the clerk of each municipality in which the water ski platform or water ski
20 jump is to be located and to any other person required by law to receive notice. The
21 department may provide notice to other persons as it considers appropriate. The
22 applicant shall publish the notice as a class 1 notice under ch. 985 in a newspaper
23 designated by the department that is likely to give notice in the area affected. The
24 applicant shall file proof of publication with the department.

1 (b) If the department receives no substantive written objection to the permit
2 and proceeds on the permit application without a hearing, the department shall
3 approve or disapprove the permit within 5 days after the date that the 30-day period
4 under par. (a) expires.

5 (c) If the department orders a hearing on the permit application, the hearing
6 shall be scheduled within 30 days after the date on which the department orders the
7 hearing. The division of hearings and appeals shall mail copies of the written notice
8 of the hearing at least 10 days before the hearing to each person provided the notice
9 under par. (a). The division of hearings and appeals shall mail the copies at least 10
10 days before the hearing except that it shall mail the copy to the applicant for the
11 permit at least 20 days before the hearing. The applicant shall publish the notice as
12 a class 1 notice under ch. 985 in a newspaper designated by the department that is
13 likely to give notice in the area affected. The applicant shall file proof of the
14 publication with the hearing examiner at or prior to the hearing.

15 **(3) RULES.** (a) The department shall promulgate a rule listing specific reasons
16 that will support a substantive written objection to the placement of a water ski
17 platform or water ski jump.

18 (b) The department shall promulgate rules specifying the information that
19 shall be disclosed in an notice under sub. (2) (a). The disclosed information shall
20 include all of the following:

21 1. A statement explaining what constitutes a substantive written objection and
22 the list of specific reasons that support a substantive written objection that is
23 promulgated under par. (a).

24 2. The fact that the department may decide to proceed on the application
25 without a hearing.

1 3. The fact that a decision to proceed on an application without a hearing under
2 subd. 2. is subject to review under ch. 227.

3 **(4) EXEMPTION.** Section 30.02 does not apply to permit applications submitted
4 under this section.”.

5 **548.** Page 535, line 7: after that line insert:

6 **“SECTION 1141m.** 30.28 (2m) (a) of the statutes is amended to read:

7 30.28 **(2m)** (a) The department shall refund a permit or approval fee if the
8 applicant requests a refund before the department determines that the application
9 for the permit or approval is complete. The Except as provided under s. 299.05, the
10 department may not refund a permit or approval fee after the department
11 determines that the application is complete.”.

12 **549.** Page 535, line 9: delete “(a)”.

13 **550.** Page 535, line 12: substitute “(a)” for “1.”.

14 **551.** Page 535, line 14: substitute “s. 299.05” for “par. (b)”.

15 **552.** Page 535, line 15: substitute “(b)” for “2.”.

16 **553.** Page 535, line 16: delete lines 16 to 18.

17 **554.** Page 536, line 5: delete lines 5 to 8.

18 **555.** Page 536, line 8: after that line insert:

19 **“SECTION 1144p.** 30.92 (1) (b) of the statutes is amended to read:

20 30.92 **(1)** (b) “Governmental unit” means the department, a municipality, a lake
21 sanitary district, a public inland lake protection and rehabilitation district organized
22 under ch. 33, ~~the Milwaukee River revitalization council,~~ the Lower Wisconsin State
23 Riverway board, the Fox River management commission or any other local

1 governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose
2 of lake management.”.

3 **556.** Page 537, line 18: after that line insert:

4 “**SECTION 1146d.** 30.92 (4t) of the statutes is created to read:

5 30.92 (4t) LINNIE LAC DAM. Of the amounts appropriated under s. 20.370 (5)
6 (cq) and before applying the percentages under sub. (4) (b) 6., the department
7 shall provide to the city of New Berlin the amount that is necessary for the repair,
8 removal or reconstruction of the Linnie Lac Dam, but the amount shall not
9 exceed \$250,000. The city of New Berlin need not assume ownership of the Linnie Lac
10 Dam and, notwithstanding sub. (4) (b) 2., the city of New Berlin need not contribute
11 any moneys to match the amount expended from the appropriation under s. 20.370
12 (5) (cq). Notwithstanding sub. (1) (c), the dam project specified under this subsection
13 is a recreational boating facility for the purpose of expending moneys under this
14 section. This project need not be placed on the priority list under sub. (3) (a).”.

15 **557.** Page 538, line 7: delete lines 7 to 20.

16 **558.** Page 539, line 14: after that line insert:

17 “**SECTION 1148e.** 32.72 (1) of the statutes is amended to read:

18 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
19 question is submitted to the electors of the city at a ~~special election~~ referendum called
20 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
21 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
22, thus allowing the city to acquire and condemn property for street
23 widening and similar purposes, financed through assessments of benefits and
24 damages?”.

1 **559.** Page 539, line 18: delete “Illinois” and substitute “Southeastern
2 Wisconsin”.

3 **560.** Page 539, line 21: after that line insert:

4 “**SECTION 1148q.** 33.01 (1r) of the statutes is repealed.

5 **SECTION 1148r.** Subchapter II of chapter 33 [precedes 33.05] of the statutes is
6 repealed.”.

7 **561.** Page 540, line 2: delete “ILLINOIS” and substitute “SOUTHEASTERN
8 WISCONSIN”.

9 **562.** Page 540, line 6: delete “Illinois” and substitute “Southeastern
10 Wisconsin”.

11 **563.** Page 540, line 21: after that line insert:

12 “(8) “Surface waters” include surface water in drainage ditches.”.

13 **564.** Page 540, line 22: delete “Illinois” and substitute “Southeastern
14 Wisconsin”.

15 **565.** Page 540, line 23: delete “commission. The” and substitute “commission
16 for the Illinois Fox River basin. For the purposes of this subchapter, the Illinois Fox
17 River basin extends from the northern boundary of the city of Waukesha downstream
18 to the point immediately below the Waterford Dam. The”.

19 **566.** Page 540, line 24: delete “commission may”.

20 **567.** Page 540, line 25: delete that line and substitute “commission, a county
21 or a river municipality may solicit gifts, grants and other aid for the commission to
22 enable the commission to perform the functions in this subchapter.”.

1 **568.** Page 541, line 2: delete “for an engineering study, and the” and
2 substitute “to enable the commission to carry out its projects, plans and
3 responsibilities under this subchapter.”.

4 **569.** Page 541, line 3: delete lines 3 to 7.

5 **570.** Page 542, line 3: on lines 3 and 5, after “One” insert “nonvoting”.

6 **571.** Page 545, line 18: delete “to a county board”.

7 **572.** Page 545, line 19: delete “or to the” and substitute “to the”.

8 **573.** Page 545, line 19: on lines 19 and 24, delete “that is a city or a village”.

9 **574.** Page 545, line 23: delete “to a county”.

10 **575.** Page 545, line 24: delete “board or to the” and substitute “to the”.

11 **576.** Page 545, line 25: delete “and the”.

12 **577.** Page 546, line 1: delete “county”.

13 **578.** Page 546, line 3: delete lines 3 to 11.

14 **579.** Page 549, line 1: delete lines 1 to 10.

15 **580.** Page 549, line 10: after that line insert:

16 “**SECTION 1150c.** 34.045 (title) of the statutes is repealed and recreated to read:

17 **34.045** (title) **Duties of the state treasurer.**

18 **SECTION 1150g.** 34.045 (1) (intro.) of the statutes is amended to read:

19 34.045 (1) (intro.) The ~~depository selection board~~ state treasurer shall:

20 **SECTION 1150L.** 34.045 (1) (b) of the statutes is amended to read:

21 34.045 (1) (b) Establish procedures by which state agencies and departments
22 pay for services through compensating balances or fees, or a combination of both
23 methods. In the case of the state treasurer’s accounts, ~~direct the state treasurer to~~

1 maintain compensating balances, or direct the investment board to pay bank service
2 costs as allocated by ~~the state treasurer~~ under s. 25.19 (3) directly from the income
3 account of the state investment fund, or by a combination of such methods.

4 **SECTION 1150p.** 34.045 (2) of the statutes is amended to read:

5 34.045 (2) In the exercise of its his or her authority under this section, the
6 ~~depository selection board~~ state treasurer shall require any state department or
7 agency to submit to it him or her for prior review, elimination, consolidation,
8 renegotiation or confirmation any existing service contract or service proposed by the
9 department or agency.

10 **SECTION 1150t.** 34.045 (3) of the statutes is amended to read:

11 34.045 (3) The ~~board~~ state treasurer may, for cause, disapprove any contract
12 submitted to it him or her under sub. (2) if it he or she finds the proposed contract
13 to be in violation of the guidelines established under sub. (1), or to have been
14 improperly negotiated or to be otherwise illegal. If the ~~board~~ state treasurer fails to
15 disapprove a proposed contract within 60 days after it is submitted by the
16 department or agency, the contract shall be deemed approved. The ~~board~~ state
17 treasurer shall provide written justification for disapproving a contract proposed by
18 a state agency or department. A disapproval is subject to judicial review under ch.
19 227.

20 **SECTION 1150x.** 34.045 (4) of the statutes is amended to read:

21 34.045 (4) State agencies and departments shall provide the ~~board~~ state
22 treasurer with a written justification for any proposed contract award for service.”.

23 **581.** Page 551, line 17: delete the material beginning with that line and
24 ending with page 553, line 8.

1 **582.** Page 553, line 25: delete that line.

2 **583.** Page 554, line 1: delete lines 1 to 13.

3 **584.** Page 555, line 17: after that line insert:

4 “**SECTION 2164g.** 36.25 (20) of the statutes is repealed.”.

5 **585.** Page 556, line 4: after that line insert:

6 “**SECTION 1167b.** 36.25 (30) (intro.) and (a) of the statutes are consolidated,
7 renumbered 36.25 (30) and amended to read:

8 36.25 (30) HAZARDOUS POLLUTION PREVENTION PROGRAM. The board shall
9 establish in the extension a hazardous pollution prevention program to promote
10 hazardous pollution prevention, as defined in s. 299.13 (1) (c). In cooperation with
11 the department of natural resources, and the department of commerce ~~and the~~
12 ~~hazardous pollution prevention council~~, the program shall ~~do all of the following:~~ (a)
13 ~~Conduct~~ conduct an education and technical assistance program to promote
14 hazardous pollution prevention in this state.

15 **SECTION 1167c.** 36.25 (30) (c) of the statutes is repealed.”.

16 **586.** Page 556, line 13: after that line insert:

17 “**SECTION 1167p.** 36.25 (35) of the statutes is repealed.”.

18 **587.** Page 557, line 2: after that line insert:

19 “**SECTION 1168k.** 36.25 (42) of the statutes is created to read:

20 36.25 (42) DISTINGUISHED CHAIR OF MILITARY HISTORY. The board shall establish
21 a distinguished chair of military history at the University of Wisconsin-Madison.”.

22 **588.** Page 561, line 14: after that line insert:

23 “**SECTION 1178m.** 38.04 (9) of the statutes is amended to read:

1 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
2 life and property, the board may establish and supervise training programs in fire
3 prevention and protection. The training programs shall be available to members of
4 volunteer and paid fire departments maintained by public and private agencies,
5 including industrial plants. No training program required for participation in
6 structural fire fighting that is offered to members of volunteer and paid fire
7 departments maintained by public agencies may require more than 60 hours of
8 training. ~~The council on fire service training programs shall advise the board on the~~
9 ~~establishment and maintenance of the programs.”.~~

10 **589.** Page 562, line 16: after that line insert:

11 “**SECTION 1180q.** 38.04 (25) of the statutes is repealed.”.

12 **590.** Page 566, line 13: delete that line.

13 **591.** Page 575, line 20: after “(2)” insert “or (3)”.

14 **592.** Page 576, line 2: after that line insert:

15 “**SECTION 1224e.** 39.285 (3) of the statutes is created to read:

16 39.285 (3) By April 10, 1998, and annually thereafter, each tribally controlled
17 college in this state is requested to develop and submit to the board for its review
18 under sub. (1) a proposed formula for the awarding of grants under s. 39.30 for the
19 upcoming academic year to students enrolled at that tribally controlled college.”.

20 **593.** Page 576, line 5: after that line insert:

21 “**SECTION 1225m.** 39.30 (2) (intro.) of the statutes is amended to read:

22 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time
23 and registered as a freshman, sophomore, junior or senior in an accredited,
24 nonprofit, post high school, educational institution in this state or in a tribally

1 controlled college in this state shall be eligible for grants under this section for each
2 semester of attendance, but:".

3 **594.** Page 576, line 13: after "(2)" insert "or (3)".

4 **595.** Page 576, line 14: after that line insert:

5 "SECTION 1227g. 39.30 (3) (intro.) of the statutes is amended to read:

6 39.30 (3) BASIS OF GRANTS. (intro.) The grant to be paid to a resident student
7 enrolled at least half-time and registered as a freshman, sophomore, junior or senior
8 after August 1, 1979, shall be determined ~~under pars. (a) to (f).~~ as follows:

9 SECTION 1227m. 39.30 (3) (d) of the statutes is amended to read:

10 39.30 (3) (d) Subtract the amount determined in par. (c) from the amount
11 determined in par. (a) to arrive at the amount of the grant. ~~No grant may exceed~~
12 ~~\$1,086 per semester or a prorated amount in the case of a quarter or trimester~~
13 ~~institution, or \$2,172 per academic year. Grants under this section may not be less~~
14 ~~than \$250 during any one academic year."~~

15 **596.** Page 576, line 19: delete lines 19 to 23 and substitute:

16 "SECTION 1229c. 39.30 (3) (f) of the statutes is renumbered 39.30 (3m) (b) and
17 amended to read:

18 39.30 (3m) (b) The department board may not make initial awards of grants
19 under this section for an academic year in an amount that exceeds 122% of the
20 amount appropriated under s. 20.235 (1) (b) for the fiscal year in which the grant may
21 be paid.

22 SECTION 1229g. 39.30 (3) (g) of the statutes is created to read:

23 39.30 (3) (g) This subsection does not apply to students enrolled in tribally
24 controlled colleges.

1 **SECTION 1229j.** 39.30 (3m) of the statutes is created to read:

2 **39.30 (3m) GRANT AWARDS.** (a) No grant awarded under this section may exceed
3 \$1,086 per semester or a prorated amount in the case of a quarter or trimester
4 institution, or \$2,172 per academic year. Grants under this section may not be less
5 than \$250 during any one academic year.”.

6 **597.** Page 584, line 4: delete lines 4 to 20 and substitute:

7 **“SECTION 1254m.** 39.38 (2) of the statutes is amended to read:

8 **39.38 (2)** Grants under this section shall be based on financial need, as
9 determined by the ~~department~~ board. The maximum grant shall not exceed \$2,200
10 per year, of which not more than \$1,100 may be from the appropriation under s.
11 20.235 (1) (fb). State aid from this appropriation may be matched by a contribution
12 from a federally recognized American Indian tribe or band that is deposited in the
13 general fund and credited to the appropriation account under s. 20.235 (1) (gm).
14 Grants shall be awarded to students for full-time or part-time attendance at any
15 accredited institution of higher education in this state. The ~~department~~ board may
16 not make a grant under this section to a student if the ~~department~~ board receives a
17 certification under s. 49.855 (7) that the student is delinquent in child support or
18 maintenance payments or owes past support, medical expenses or birth expenses.
19 Grants shall be renewable for up to 5 years if a recipient remains in good academic
20 standing at the institution that he or she is attending. ~~The American Indian~~
21 ~~language and culture education board shall advise the department on the allocation~~
22 ~~of grants to students enrolled less than half-time.”.~~

23 **598.** Page 599, line 9: after that line insert:

24 **“SECTION 1310m.** 39.47 (2) of the statutes is amended to read:

1 39.47 (2) The agreement under this section shall provide for the waiver of
2 nonresident tuition for a resident of either state who is enrolled in a public vocational
3 school located in the other state. The agreement shall also establish a reciprocal fee
4 structure for residents of either state who are enrolled in public institutions of higher
5 education, other than vocational schools, located in the other state. The reciprocal
6 fee shall be the average academic fee that would be charged the student at a
7 comparable public institution of higher education located in his or her state of
8 residence, as specified in the agreement, except that, for a Wisconsin resident first
9 enrolled in the University of Minnesota Law School in the 1996-97 academic year
10 or thereafter, the reciprocal fee may be the fee that is charged a Minnesota resident
11 enrolled in the University of Minnesota Law School. The agreement shall take effect
12 on July 1, 1991. The agreement shall provide for a biennial review of the costs,
13 charges and payments associated with the agreement. The agreement is subject to
14 the approval of the joint committee on finance under s. 39.42.”.

15 **599.** Page 601, line 5: after that line insert:

16 “**SECTION 1316m.** 40.03 (2) (u) of the statutes is created to read:

17 40.03 (2) (u) Shall ensure that the department include on all publications that
18 are printed beginning on the effective date of this paragraph [revisor inserts date],
19 and that are intended for distribution to participants the toll-free telephone number
20 of the department, if the department has such a telephone number.”.

21 **600.** Page 601, line 22: delete the material beginning with that line and
22 ending with page 602, line 8, and substitute:

23 “**SECTION 1324c.** 40.51 (8) of the statutes, as affected by 1995 Wisconsin Act
24 289, 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)~~
3 632.746 (1) to (8) and (10), 632.747, 632.748, 632.87 (3) to (5), 632.895 (5m) and (8)
4 to (10) and 632.896.

5 **SECTION 1324m.** 40.51 (8) of the statutes, as affected by 1997 Wisconsin Act
6 (this act), is amended to read:

7 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
8 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.746 (1) to (8) and (10),
9 632.747, 632.748, 632.87 (3) to (5), 632.895 (5m) and (8) to ~~(10)~~ (13) and 632.896.

10 **SECTION 1325c.** 40.51 (8m) of the statutes, as created by 1995 Wisconsin Act
11 289, is amended to read:

12 40.51 (8m) Every health care coverage plan offered by the group insurance
13 board under sub. (7) shall comply with ss. ~~632.745 (1) to (3) and (5) and 632.746 (1)~~
14 to (8) and (10), 632.747 and 632.748.

15 **SECTION 1325m.** 40.51 (8m) of the statutes, as affected by 1997 Wisconsin Act
16 (this act), is amended to read:

17 40.51 (8m) Every health care coverage plan offered by the group insurance
18 board under sub. (7) shall comply with ss. 632.746 (1) to (8) and (10), 632.747 and,
19 632.748 and 632.895 (11) to (13).”.

20 **601.** Page 607, line 17: delete lines 17 to 24.

21 **602.** Page 608, line 4: after that line insert:

22 “**SECTION 1345f.** 44.02 (27) of the statutes is amended to read:

1 44.02 (27) Administer the historical markers program under s. 44.15 and
2 provide staff to assist the historical markers council in performing its duties under
3 s. 44.15.”.

4 **603.** Page 608, line 4: after that line insert:

5 “**SECTION 1345eg.** 44.02 (5) of the statutes is amended to read:

6 44.02 (5) Keep its main library and museum rooms open at all reasonable hours
7 on business days for the reception of the residents of this state who may wish to visit
8 the library or museum. Except as provided under subs. (5g) and (5m), the historical
9 society may collect a fee from residents and shall collect a fee from nonresidents for
10 admission to historic sites or buildings acquired, leased or operated by the historical
11 society, including areas within state parks or on other state-owned lands which
12 incorporate historic buildings, restorations, museums or remains and which are
13 operated by the historical society by agreement with the department of natural
14 resources or other departments, or for lectures, pageants or similar special events,
15 or for admission to defray the costs of special exhibits in its several buildings of
16 documents, objects or other materials not part of the historical society’s regular
17 collections but brought in on loan from other sources for such special exhibitions or
18 for use of the main library. The historical society shall take action on a continuing
19 basis to raise funds from private sources for the operation of its main library. The
20 historical society may procure and sell or otherwise dispose of postcards, souvenirs
21 and other appropriate merchandise to help defray the costs of operating its several
22 plants and projects.

23 **SECTION 1345ej.** 44.02 (5g) of the statutes is renumbered 44.02 (5g) (a) and
24 amended to read:

1 44.02 (5g) (a) Not charge a fee for use of the main library by any member of the
2 historical society, any member of the faculty or academic staff of the University of
3 Wisconsin System, any student enrolled in the University of Wisconsin System or
4 any other person who is a resident exempted by rule of the historical society. The
5 Except as provided in par. (b), the historical society may not charge a fee for use of
6 the main library by any other person unless the historical society submits a fee
7 schedule under this paragraph to the joint committee on finance that includes the
8 specific fee to be charged to different categories of persons and an identification of
9 any persons exempted by rule of the historical society. The fee schedule of the
10 historical society under this paragraph shall be implemented if the committee
11 approves the report, or does not schedule a meeting for the purpose of reviewing the
12 report within 14 working days after receipt of the report.

13 **SECTION 1345em.** 44.02 (5g) (b) of the statutes is created to read:

14 44.02 (5g) (b) Charge a fee for use of the main library by, or for research services
15 provided by the historical society to, any nonresident who is not specifically
16 exempted under par. (a). The historical society shall submit a fee schedule to the joint
17 committee on finance that specifies the fee to be charged to nonresidents for use of
18 the main library and for research services provided by the historical society. The fee
19 schedule of the historical society under this paragraph shall be implemented if the
20 committee approves the report, or does not schedule a meeting for the purpose of
21 reviewing the report within 14 working days after receipt of the report.”.

22 **604.** Page 609, line 9: after that line insert:

23 “**SECTION 1346h.** 44.15 (1) of the statutes is repealed.

24 **SECTION 1346hb.** 44.15 (2) of the statutes is amended to read:

1 44.15 (2) CREATION. It is declared to be in the public interest to stimulate
2 interest in and knowledge of the state by marking sites of special historical,
3 architectural, cultural, archaeological, ethnic, geological or legendary significance,
4 and maintaining and developing such sites approximately so as to preserve their
5 individual characteristics. The historical markers program is created to call
6 attention to the state's historical, cultural and natural heritage through a system of
7 markers and plaques and to supplement, wherever possible, information contained
8 in the state register of historic places. It is the purpose of the program to significantly
9 increase the number of historical, cultural and natural heritage sites that are
10 marked in this state ~~and to accomplish such marking, maintenance and development~~
11 ~~through the historical markers council. In addition to powers specifically~~
12 ~~enumerated, the council shall have all powers necessary to perform its duties.~~

13 **SECTION 1346hc.** 44.15 (3) (a) (intro.) of the statutes is amended to read:

14 44.15 (3) (a) (intro.) ~~In consultation with the council, the~~ The historical society
15 shall do all of the following:

16 **SECTION 1346he.** 44.15 (4) of the statutes is amended to read:

17 44.15 (4) STATE-FUNDED MARKERS. ~~In consultation with the council, the~~ The
18 historical society may identify and authorize construction of individual markers or
19 plaques, or any series of markers or plaques, to be funded from the appropriation
20 under s. 20.245 (3) (d). No matching funds are required for a marker or plaque that
21 is constructed under this subsection. Funds under this subsection may be used for
22 the purchase of plaques to be installed on historical properties and for the
23 construction of markers or plaques in other states or countries.

24 **SECTION 1346hf.** 44.15 (5) of the statutes is amended to read:

1 44.15 (5) MAINTENANCE. Any approval issued for a marker or plaque by the
2 historical society under this section shall include a requirement that the applicant
3 maintain the marker or plaque, and shall also include authorization permitting the
4 historical society ~~or council~~, if necessary, to enter the property and maintain the
5 marker or plaque. The historical society may issue orders to maintain markers and
6 plaques, and may maintain markers or plaques.

7 **SECTION 1346hg.** 44.15 (7) of the statutes is amended to read:

8 44.15 (7) DONATIONS; ASSISTANCE. (a) ~~The council~~ historical society may accept
9 gifts, appropriations and bequests made to it for the purposes of this section and use
10 them as far as practicable in accordance with the wishes of the donor. ~~All money so~~
11 ~~received shall promptly be paid into the state treasury and be paid out on order of~~
12 ~~the council. The expenditures thereof shall be audited and paid as other~~
13 ~~disbursements by the state treasury are audited and paid.~~

14 (b) ~~The council~~ historical society may accept the aid, support and cooperation
15 of county, city, village or town agencies, or private agencies or persons in executing
16 its projects.

17 **SECTION 1346hj.** 44.15 (8) of the statutes is amended to read:

18 44.15 (8) COOPERATION OF STATE AGENCIES. All state departments, independent
19 agencies and institutions are directed to cooperate with the ~~council~~ historical society
20 in the performance of its duties under this section. Applicable laws shall be liberally
21 construed in favor of such cooperation.

22 **SECTION 1346hk.** 44.15 (9) (intro.) of the statutes is amended to read:

23 44.15 (9) RULES. (intro.) ~~In consultation with the council, the~~ The historical
24 society shall promulgate rules to implement and administer the program. The rules
25 shall include all of the following:".

1 **605.** Page 609, line 9: after that line insert:

2 “**SECTION 1346k.** 44.47 (1) (bm) of the statutes is repealed.”.

3 **606.** Page 609, line 9: after that line insert:

4 “**SECTION 1346g.** 44.095 (2) (d) of the statutes is amended to read:

5 44.095 (2) (d) Develop and periodically update a comprehensive plan for the
6 protection, preservation and accessibility of electronic records of permanent
7 historical value. The historical society shall submit the plan by June 30, 1995, and
8 the plan updates annually thereafter until June 30, 1998, to the governor, the
9 legislature under s. 13.172 (2), and the public records board, and the division of
10 information technology services ~~and the council on information technology~~ in the
11 department of administration.”.

12 **607.** Page 609, line 9: after that line insert:

13 “**SECTION 1346gm.** 44.12 (3) of the statutes is amended to read:

14 44.12 (3) In operating this museum, the society may charge a resident an
15 admission fee and shall charge a nonresident an admission fee to defray in part the
16 costs of operation in accordance with s. 44.02 (5), and may loan objects or materials
17 from this central collection for special occasions and for such special exhibits as it
18 may desire to develop at its main building, at other historic sites within the state,
19 with other historical societies or with other state agencies.

20 **SECTION 1346gp.** 44.13 (3) of the statutes is amended to read:

21 44.13 (3) In operating this museum, the society may charge a resident an
22 admission fee and shall charge a nonresident an admission fee to defray in part the
23 costs of operation in accordance with s. 44.02 (5).”.

24 **608.** Page 609, line 13: after that line insert:

- 1 **“SECTION 1346r.** 44.47 (5m) (f) of the statutes is repealed.”.
- 2 **609.** Page 609, line 25: delete that line.
- 3 **610.** Page 610, line 1: delete lines 1 to 8 and substitute:
- 4 **“SECTION 1346sf.** 44.51 (2) of the statutes is repealed.
- 5 **SECTION 1346sj.** 44.51 (3) of the statutes is repealed.”.
- 6 **611.** Page 610, line 19: delete lines 19 to 25.
- 7 **612.** Page 611, line 1: delete lines 1 to 24.
- 8 **613.** Page 612, line 1: delete lines 1 to 25.
- 9 **614.** Page 613, line 1: delete lines 1 to 23.
- 10 **615.** Page 614, line 1: delete lines 1 to 3 and substitute:
- 11 **“SECTION 1346wg.** 44.57 of the statutes is repealed.”.
- 12 **616.** Page 615, line 16: after “districts,” insert “private schools,”.
- 13 **617.** Page 622, line 14: after that line insert:
- 14 **“SECTION 1350m.** 45.25 (2) (c) of the statutes is amended to read:
- 15 45.25 (2) (c) The individual applies for the tuition and fee reimbursement
- 16 program for courses completed within 6 10 years after separation from the service.”.
- 17 **618.** Page 628, line 6: after that line insert:
- 18 **“SECTION 1373m.** 45.356 (10) of the statutes is created to read:
- 19 45.356 (10) If a veteran who has obtained a loan under this section before, on
- 20 or after the effective date of this subsection [revisor inserts date], dies after the
- 21 effective date of this subsection [revisor inserts date], and before completing
- 22 repayment of the loan, the veteran’s obligation to complete repayment of the loan is
- 23 limited to the extent of the amount of funds in the veteran’s estate. The department

1 shall issue a satisfaction of any security instruments executed in connection with the
2 loan and write off the balance of the principal, interest and costs owing on the loan
3 on the date that the department receives notice that the veteran has died without
4 leaving any estate or upon receipt of the total amount of money in the veteran's estate
5 not exceeding the balance remaining on the loan. The department, upon receipt of
6 an application for refund, shall refund to the payer or heirs, executor or
7 administrator, from the appropriation in s. 20.485 (2) (yn), any payments made on
8 the loan after the date that the department receives the notice that the veteran has
9 died without leaving any estate or after the date that the department receives the
10 total amount of money, not exceeding the balance remaining on the loan, in the
11 veteran's estate.”.

12 **619.** Page 633, line 4: delete lines 4 to 6.

13 **620.** Page 633, line 11: delete lines 11 to 19.

14 **621.** Page 643, line 13: after that line insert:

15 “**SECTION 1410g.** 46.03 (43) of the statutes is created to read:

16 46.03 (**43**) COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. Provide grants to one
17 or more individuals or organizations in the private sector to conduct compulsive
18 gambling awareness campaigns. Annually, the department shall develop a plan for
19 the awarding of the grants and shall submit the proposed plan in writing to the joint
20 committee on finance. If the cochairpersons of the committee do not notify the
21 department that the committee has scheduled a meeting for the purpose of reviewing
22 the proposed plan within 14 working days after the date of the department's
23 submission, the department may award grants under this subsection. If, within 14
24 working days after the date of the department's submission, the cochairpersons of

1 the committee notify the department that the committee has scheduled a meeting for
2 the purpose of reviewing the proposed plan, the department may award grants under
3 this subsection only upon approval of the committee.”.

4 **622.** Page 656, line 12: delete lines 12 to 22 and substitute:

5 “**SECTION 1446L.** 46.245 (intro.) and (1) of the statutes are consolidated,
6 renumbered 46.245 and amended to read:

7 **46.245 Information for certain pregnant women.** ~~A~~ Upon request, a
8 county department under s. 46.215, 46.22 or 46.23 shall ~~do all of the following: (1)~~
9 Upon request, distribute the materials described under s. 253.10 (3) (d), as prepared
10 and distributed by the department. The county department may charge a fee not to
11 exceed the actual cost of preparation and distribution of the materials. A physician
12 who intends to perform or induce an abortion or another qualified physician, as
13 defined in s. 253.10 (2) (g), who reasonably believes that he or she might have a
14 patient for whom the information under s. 253.10 (3) (d) is required to be given, shall
15 request a reasonably adequate number of the materials from the county department
16 under this subsection section or from the department under s. 253.10 (3) (d). An
17 individual may request a reasonably adequate number of the materials.

18 **SECTION 1446m.** 46.245 (2) of the statutes is repealed.”.

19 **623.** Page 662, line 24: delete lines 24 and 25.

20 **624.** Page 663, line 8: delete “paragraph” and substitute “subdivision”.

21 **625.** Page 666, line 16: on lines 16, 21 and 23, delete “par. (b)” and substitute
22 “sub. (7) (b)”.

23 **626.** Page 666, line 18: delete “paragraph” and substitute “subd. 5p. a.”.

24 **627.** Page 666, line 22: delete “subd. 1. a.” and substitute “subd. 5p. a.”.

1 **628.** Page 674, line 6: delete “paragraph” and substitute “subd. 1p. a.”.

2 **629.** Page 674, line 10: delete “subd. 1. a.” and substitute “subd. 1p. a.”.

3 **630.** Page 675, line 15: delete lines 15 to 17 and substitute:

4 “**SECTION 1478c.** 46.35 of the statutes is repealed.”.

5 **631.** Page 681, line 6: delete “\$100,000” and substitute “\$50,000”.

6 **632.** Page 686, line 15: after that line insert:

7 “**SECTION 1519m.** 46.76 (intro.) of the statutes is amended to read:

8 **46.76** (title) **Board on Department duties relating to hunger**
9 **prevention.** (intro.) ~~The board on hunger department~~ shall do all of the following:”.

10 **633.** Page 686, line 20: after that line insert:

11 “**SECTION 1520m.** 46.76 (2) of the statutes, as affected by 1997 Wisconsin Act
12 (this act), is repealed and recreated to read:

13 46.76 (2) Advise the department of public instruction and any other relevant
14 state agency on the use of state and federal resources and on the provision and
15 administration of programs for hunger prevention.”.

16 **634.** Page 686, line 24: after that line insert:

17 “**SECTION 1521m.** 46.76 (5) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 46.76 (5) Submit, by December 31 annually, the plan developed under sub. (4)
20 to the governor, superintendent of public instruction and the appropriate standing
21 committees under s. 13.172 (3).”.

22 **635.** Page 687, line 4: after that line insert:

1 “**SECTION 1522d.** 46.765 (2) (intro.) of the statutes, as affected by 1997
2 Wisconsin Act (this act), is repealed and recreated to read:

3 46.765 (2) PURPOSE; AMOUNT. (intro.) From the appropriation under s. 20.435
4 (3) (dr), the department shall provide start-up grants to one or more agencies, but
5 not to exceed \$20,000 per grant per year, for any of the following purposes:

6 **SECTION 1522j.** 46.765 (3) (intro.) of the statutes is amended to read:

7 46.765 (3) GRANT AWARDS; CRITERIA. (intro.) The department shall provide
8 start-up grants under this section ~~pursuant to awards made by the board on hunger.~~
9 In evaluating applications for grants, the ~~board~~ department shall give priority to
10 proposals for any of the purposes enumerated in sub. (2) that do all of the following:”.

11 **636.** Page 688, line 22: after that line insert:

12 “**SECTION 1528ym.** 46.93 (4) (b) of the statutes is repealed and recreated to
13 read:

14 46.93 (4) (b) Engaging in any activity specified in s. 20.9275 (2) (a) 1. to 3.”.

15 **637.** Page 688, line 22: after that line insert:

16 “**SECTION 1529c.** 46.935 of the statutes is repealed.”.

17 **638.** Page 708, line 10: delete lines 10 to 13 and substitute:

18 “**SECTION 1595j.** 48.551 (2) (a) of the statutes is amended to read:

19 48.551 (2) (a) Training persons who provide counseling to adolescents
20 including school counselors, county employes providing child welfare services under
21 s. 48.56 and family planning clinic employes of a clinic providing family planning
22 services, as defined in s. 253.07 (1) (b).

23 **SECTION 1595k.** 48.551 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
24 (this act), is repealed and recreated to read:

1 48.551 (2) (a) Training persons who provide counseling to adolescents
2 including school counselors, county or department employes providing child welfare
3 services under s. 48.56 or 48.561 and employes of a clinic providing family planning
4 services, as defined in s. 253.07 (1) (b).”.

5 **639.** Page 709, line 19: after “1997,” insert “or within 30 days after the
6 effective date of this paragraph [revisor inserts date], whichever is later,”.

7 **640.** Page 709, line 22: after “1997,” insert “or within 30 days after the
8 effective date of this paragraph [revisor inserts date], whichever is later,”.

9 **641.** Page 710, line 22: after “1997” insert “~~or within 30 days after the~~
10 ~~effective date of this paragraph [revisor inserts date], whichever is later,”.~~”.

11 **642.** Page 710, line 25: after “1997” insert “~~or within 30 days after the~~
12 ~~effective date of this paragraph [revisor inserts date], whichever is later,”.~~”.

13 **643.** Page 719, line 13: after “3.” insert “or payment is approved under par. (h)
14 4.”.

15 **644.** Page 719, line 17: after that line insert:

16 “**SECTION 1622d.** 48.57 (3p) (fm) 1. of the statutes, as affected by 1997
17 Wisconsin Act (this act), is repealed and recreated to read:

18 48.57 (3p) (fm) 1. The county department or, in a county having a population
19 of 500,000 or more, the department of health and family services may provisionally
20 approve the making of payments under sub. (3m) based on the applicant’s statement
21 under sub. (3m) (am) 4m. The county department or department of health and family
22 services may not finally approve the making of payments under sub. (3m) unless the
23 county department or department of health and family services receives information
24 from the department of justice indicating that the conviction record of the applicant

1 under the law of this state is satisfactory according to the criteria specified in par.
2 (g) 1. to 3. The county department or department of health and family services may
3 make payments under sub. (3m) conditioned on the receipt of information from the
4 federal bureau of investigation indicating that the person's conviction record under
5 the law of any other state or under federal law is satisfactory according to the criteria
6 specified in par. (g) 1. to 3.”.

7 **645.** Page 720, line 10: after “person” insert “or until a decision is made under
8 par. (h) 4. to permit a person who is receiving payments under sub. (3m) to employ
9 a person in a position in which that person would have regular contact with the child
10 for whom payments are being made or to permit a person to be an adult resident and
11 the county department or, in a county having a population of 500,000 or more, the
12 department of health and family services so advises the person receiving payments
13 under sub. (3m)”.

14 **646.** Page 720, line 18: after that line insert:

15 “**SECTION 1623d.** 48.57 (3p) (fm) 2. of the statutes, as affected by 1997
16 Wisconsin Act (this act), is repealed and recreated to read:

17 48.57 **(3p)** (fm) 2. A person receiving payments under sub. (3m) may
18 provisionally employ a person in a position in which that person would have regular
19 contact with the child for whom those payments are being made or provisionally
20 permit a person to be an adult resident if the person receiving those payments states
21 to the county department or, in a county having a population of 500,000 or more, the
22 department of health and family services that the employe or adult resident does not
23 have any arrests or convictions that could adversely affect the child or the ability of
24 the person receiving payments to care for the child. A person receiving payments

1 under sub. (3m) may not finally employ a person in a position in which that person
2 would have regular contact with the child for whom those payments are being made
3 or finally permit a person to be an adult resident until the county department or, in
4 a county having a population of 500,000 or more, the department of health and family
5 services receives information from the department of justice indicating that the
6 person's conviction record under the law of this state is satisfactory according to the
7 criteria specified in par. (g) 1. to 3. and the county department so advises the
8 department of health and family services and the person receiving payments under
9 sub. (3m) or the department of health and family services so advises that person. A
10 person receiving payments under sub. (3m) may finally employ a person in a position
11 in which that person would have regular contact with the child for whom those
12 payments are being made or finally permit a person to be an adult resident
13 conditioned on the receipt of information from the county department or, in a county
14 having a population of 500,000 or more, the department of health and family services
15 that the federal bureau of investigation indicates that the person's conviction record
16 under the law of any other state or under federal law is satisfactory according to the
17 criteria specified in par. (g) 1. to 3."

18 **647.** Page 720, line 21: delete "~~Subject to par. (h), the A~~" and substitute
19 "~~Subject to~~ Except as provided in par. (h), the".

20 **648.** Page 721, line 2: after that line insert:

21 "**SECTION 1624d.** 48.57 (3p) (g) (intro.) of the statutes, as affected by 1997
22 Wisconsin Act (this act), is repealed and recreated to read:

23 48.57 (3p) (g) (intro.) A county department or, in a county having a population
24 of 500,000 or more, the department of health and family services may not make

1 payments to a person applying for payments under sub. (3m) and a person receiving
2 payments under sub. (3m) may not 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 permit a person to be an adult resident if any of the following applies.”

5 **649.** Page 721, line 22: after that line insert:

6 “**SECTION 1626g.** 48.57 (3p) (h) of the statutes is created to read:

7 48.57 (3p) (h) 1. A person who is denied payments under sub. (3m) for a reason
8 specified in par. (g) 1., 2. or 3. or a person who is prohibited from employing a person
9 in a position in which that person would have regular contact with the child for whom
10 payments under sub. (3m) are being made from permitting a person to be an adult
11 resident for a reason specified in par. (g) 1., 2. or 3. may request that the denial of
12 payments or the prohibition on employment or being an adult resident be reviewed.

13 2. The request for review shall be filed with the director of the county
14 department or, in a county having a population of 500,000 or more, with the person
15 designated by the secretary of health and family services to receive requests for
16 review filed under this subdivision. If the governing body of a federally recognized
17 American Indian tribe or band has entered into an agreement under sub. (3t) to
18 administer the program under this subsection and sub. (3m), the request for review
19 shall be filed with the person designated by that governing body to receive requests
20 for review filed under this subdivision.

21 3. The director of the county department, the person designated by the
22 governing body of a federally recognized American Indian tribe or band or, in a
23 county having a population of 500,000 or more, the person designated by the
24 secretary of health and family services shall review the denial of payments or the

1 prohibition on employment or being an adult resident to determine if the conviction
2 record on which the denial or prohibition is based includes any arrests, convictions
3 or penalties that are likely to adversely affect the child or the ability of the kinship
4 care relative to care for the child. In reviewing the denial or prohibition, the director
5 of the county department, the person designated by the governing body of the
6 federally recognized American Indian tribe or band or the person designated by the
7 secretary of health and family services shall consider, but not be limited to, all of the
8 following factors:

9 a. The length of time between the date of the arrest, conviction or of the
10 imposition of the penalty and the date of the review.

11 b. The nature of the violation or penalty and how that violation or penalty
12 affects the ability of the kinship care relative to care for the child.

13 c. Whether making an exception to the denial or prohibition would be in the
14 best interests of the child.

15 4. If the director of the county department, the person designated by the
16 governing body of the federally recognized American Indian tribe or band or, in a
17 county having a population of 500,000 or more, the person designated by the
18 secretary of health and family services determines that the conviction record on
19 which the denial of payments or the prohibition on employment or being an adult
20 resident is based does not include any arrests, convictions or penalties that are likely
21 to adversely affect the child or the ability of the kinship care relative to care for the
22 child, the director of the county department, the person designated by the governing
23 body of the federally recognized American Indian tribe or band or the person
24 designated by the secretary of health and family services may approve the making
25 of payments under sub. (3m) or may permit a person receiving payments under sub.

1 (3m) to employ a person in a position in which that person would have regular contact
2 with the child for whom payments are being made or permit a person to be an adult
3 resident.

4 5. A decision under this paragraph is not subject to review under ch. 227.”.

5 **650.** Page 722, line 8: after that line insert:

6 “**SECTION 1628g.** 48.57 (3t) of the statutes is amended to read:

7 48.57 (3t) Notwithstanding subs. (3m) and (3p), the department may enter into
8 an agreement with the governing body of a federally recognized American Indian
9 tribe to allow that governing body to administer the program under subs. (3m) and
10 (3p) within the boundaries of that reservation. Any agreement under this subsection
11 shall specify the person with whom a request for review under sub. (3p) (h) 2. may
12 be filed and the person who has been designated by the governing body to conduct
13 the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4.”.

14 **651.** Page 727, line 17: delete “4” and substitute “4”.

15 **652.** Page 727, line 18: delete “5”.

16 **653.** Page 727, line 19: delete “except that a”.

17 **654.** Page 727, line 20: delete lines 20 to 23.

18 **655.** Page 727, line 24: delete “department”.

19 **656.** Page 729, line 14: delete “4- 5” and substitute “4”.

20 **657.** Page 730, line 2: delete “5” and substitute “4”.

21 **658.** Page 741, line 2: after that line insert:

22 “**SECTION 1701m.** 48.981 (2m) (b) 2. of the statutes is amended to read:

1 48.981 **(2m)** (b) 2. “Health care service” means family planning services, as
2 defined in s. 253.07 (1) (b), 1995 stats., pregnancy testing, obstetrical health care or
3 screening, diagnosis and treatment for a sexually transmitted disease.”.

4 **659.** Page 759, line 25: delete “and (bm)” and substitute “~~and~~, (bm) and (br)”.

5 **660.** Page 760, line 7: after that line insert:

6 “**SECTION 1749m.** 49.124 (1m) (br) of the statutes is created to read:

7 49.124 **(1m)** (br) 1. In this paragraph, “area” means a county or combination
8 of counties; a city; a village; a town; a smaller geographic region of a county, city,
9 village or town; or a federally recognized American Indian reservation.

10 2. The department shall request a waiver from the secretary of the federal
11 department of agriculture to permit the department to waive the work requirement
12 under 7 USC 2015, as amended by section 824 of P.L. 104-193, for any group of
13 individuals, to the extent permitted under federal law, for whom any of the following
14 is true:

15 a. The group resides in an area determined by the department to have an
16 unemployment rate of over 10%.

17 b. The group resides in an area that the department determines does not have
18 a sufficient number of jobs to provide employment for that group of individuals.

19 2m. To determine if any of the conditions under subd. 2. are met, the
20 department shall evaluate independent studies, including studies prepared by the
21 U.S. department of labor, regarding job scarcity or lagging job growth in any area
22 and, if any of those studies indicate that there is a substantial likelihood that any of
23 the conditions under subd. 2. are met in any area, the department shall request a
24 waiver under subd. 2. for any group of individuals residing in that area.

1 3. If the waiver under subd. 2. is granted and in effect, the department shall
2 implement the waiver.”.

3 **661.** Page 762, line 4: delete lines 4 to 8 and substitute:

4 “(b) The department may require an individual whose needs are not considered
5 under par. (a) to submit to a test for use of a controlled substance not more than every
6 3 months. If, at the end of 12 months, the result of each test is negative, the
7 department shall consider the individual’s needs in determining the eligibility of the
8 individual’s household.”.

9 **662.** Page 762, line 13: after that line insert:

10 “**SECTION 1755m.** 49.124 (7) of the statutes is created to read:

11 49.124 (7) SIMPLIFIED FOOD STAMP PROGRAM. The department shall develop a
12 simplified food stamp program that meets all of the requirements under P.L.
13 104–193, section 854, and shall submit the plan to the secretary of the federal
14 department of agriculture for approval. If the secretary of the federal department
15 of agriculture approves the plan, the department shall submit the plan to the
16 secretary of administration for approval. If the secretary of administration approves
17 the plan, the department may implement the plan.”.

18 **663.** Page 767, line 19: after “1997” insert “, or on the first day of the first
19 month beginning after the effective date of this subsection ... [revisor inserts date],
20 whichever is later”.

21 **664.** Page 773, line 19: after that line insert:

22 “**SECTION 1798m.** 49.141 (2g) (a) 1. c. of the statutes is repealed.”.

23 **665.** Page 775, line 12: after that line insert:

24 “**SECTION 1801mm.** 49.143 (2) (ep) of the statutes is created to read:

1 49.143 (2) (ep) Distribute the amount specified in the contract for any of the
2 following purposes, as specified in the contract:

3 1. Customized labor training for a participant in a Wisconsin works
4 employment position to provide training for a specific job that an employer has
5 guaranteed to the participant upon successful completion of the training.

6 2. Enhancement of the education and training activities described under s.
7 49.147 (4) (am) and (5) (bm).

8 3. Employment of job coaches and interpreters for participants in Wisconsin
9 works employment positions.

10 4. Support and treatment services, including child care, family counseling and
11 in-home counseling, for the treatment of alcohol and other drug abuse. A Wisconsin
12 works agency may contract or work with community-based support groups or other
13 organizations to provide the services under this subdivision. Services provided
14 under this subdivision do not include treatment of alcoholism or other drug abuse
15 problems in excess of the minimum coverage required under s. 632.89 (2).

16 5. Learning labs.

17 **SECTION 1801mn.** 49.143 (2) (ep) 2. of the statutes, as created by 1997
18 Wisconsin Act (this act), is amended to read:

19 49.143 (2) (ep) 2. Enhancement of the education and training activities
20 described under s 49.147 (4) ~~(am)~~ (b) 1. a. and (5) (bm).”.

21 **666.** Page 778, 3: delete lines 3 and 4 and substitute “remain assigned to the
22 state until the amount due to the federal government has been recovered. No amount
23 of support”.

1 **667.** Page 778, line 10: after “works.” insert “The department shall pay the
2 federal share of support assigned under this paragraph as required under federal
3 law or waiver.”.

4 **668.** Page 779, line 13: after “statutes” insert “, as affected by 1997 Wisconsin
5 Act (this act),”.

6 **669.** Page 780, line 16: after “employment.” insert “Participation in
7 customized training, as described in s. 49.143 (2) (ep) 1., shall be considered
8 participation in education and training activities under this subd. 1. a.”.

9 **670.** Page 780, line 17: after “week.” insert “To the extent that the
10 participation in customized training, as described in s. 49.143 (2) (ep) 1., exceeds 10
11 hours per week, it shall be considered participation in a community service job under
12 this subd. 1. b.”.

13 **671.** Page 780, line 24: substitute “attained the age” for “obtained the age”.

14 **672.** Page 783, line 22: after the period insert “Participation in customized
15 training, as described in s. 49.143 (2) (ep) 1., shall be considered participation in
16 education and training activities. To the extent that the participation in customized
17 training exceeds 10 hours per week, it shall also be considered part of the work
18 requirement.”.

19 **673.** Page 784, line 1: substitute “attained the age” for “obtained the age”.

20 **674.** Page 786, line 12: delete “\$555 \$673” and substitute “\$555”.

21 **675.** Page 786, line 15: delete “\$4.25 \$5.15” and substitute “\$4.25”.

22 **676.** Page 786, line 20: delete “(a)” and substitute “(c)”.

23 **677.** Page 786, line 21: delete “\$5.15” and substitute “\$4.25”.

1 **678.** Page 787, line 2: delete “\$673” and substitute “\$555”.

2 **679.** Page 787, line 5: delete “\$5.15” and substitute “\$4.25”.

3 **680.** Page 787, line 7: after the period insert “If a participant in a community
4 service job under s. 49.147 (4) (b) is required to work fewer than 30 hours per week
5 because the participant has unsubsidized employment, as defined in s. 49.147 (1) (c),
6 the grant amount under this paragraph may be reduced by an amount equal to the
7 product of \$5.15 and the difference between 30 and the number of hours the
8 participant is required to work.”.

9 **681.** Page 787, line 15: delete “\$518 ~~\$628~~” and substitute “\$518”.

10 **682.** Page 787, line 19: delete “~~\$4.25~~ \$5.15” and substitute “\$4.25”.

11 **683.** Page 787, line 25: delete “~~\$555~~ \$673” and substitute “\$555”.

12 **684.** Page 788, line 3: delete “(a)” and substitute “(c)”.

13 **685.** Page 788, line 14: delete “\$673” and substitute “\$555”.

14 **686.** Page 788, line 17: delete “(a)” and substitute “(c)”.

15 **687.** Page 789, line 11: delete lines 11 to 16 and substitute:

16 “**SECTION 1819b.** 49.148 (3) of the statutes is repealed.”.

17 **688.** Page 790, line 1: delete lines 1 to 5 and substitute “job or transitional
18 placement, if less than 12 months. The Wisconsin works agency may require the
19 participant to submit to a test for the use of a controlled substance not more than
20 every 3 months. If, at the end of 12 months, the result of each test is negative and
21 the individual is still a participant in a community service job or transitional
22 placement, the Wisconsin works agency shall discontinue the reduction under this
23 subsection.”.

1 **689.** Page 790, line 12: after that line insert:

2 “**SECTION 1820c.** 49.15 of the statutes is created to read:

3 **49.15 Wisconsin works; 2-parent families. (1) DEFINITION.** In this section,
4 “other parent” means a parent who is not a participant in a Wisconsin works
5 employment position.

6 **(2) REQUIREMENTS FOR NONPARTICIPANT PARENT.** (a) If a participant in a
7 Wisconsin works employment position resides with the other parent of a dependent
8 child with respect to whom the participant is a custodial parent, the other parent
9 shall participate in activities described under sub. (3) if the Wisconsin works group
10 receives federally funded child care assistance on behalf of the dependent child. The
11 other parent shall participate in activities described under sub. (3) for a number of
12 hours per week that is at least equal to the difference between 55 hours and the sum
13 of the number of hours that the participant in the Wisconsin works employment
14 position participates in the Wisconsin works employment position and the number
15 of hours that the participant in the Wisconsin works employment position
16 participates in any activity described in sub. (3) during that week.

17 (b) Paragraph (a) does not apply if the other parent is disabled, as defined by
18 the department, or is caring for a severely disabled child, as defined by the
19 department.

20 **(3) PRESCRIBED WORK ACTIVITIES.** An individual who is subject to the work
21 requirement under sub. (2) may satisfy the requirement only by participating in any
22 of the following activities:

23 (a) Unsubsidized employment, as defined in s. 49.147 (1) (a).

24 (b) Subsidized employment, as defined by the department.

1 (c) If sufficient private sector employment is not available, work experience, as
2 defined by the department.

3 (d) On-the-job training, as defined by the department.

4 (e) A community service program, as defined by the department.

5 (4) GRANT. An individual who satisfies the requirement under sub. (2) by
6 participating in any of the activities under sub. (3) (b) to (e) shall receive a monthly
7 grant of \$555, paid by the Wisconsin works agency. For every hour that the
8 individual fails to participate for the required hours under sub. (2) without good
9 cause and for every hour that the individual participates in an activity under sub.
10 (3) (a) to satisfy the requirement under sub. (2), the grant amount shall be reduced
11 by \$4.25. Good cause shall be determined by the financial and employment planner
12 in accordance with rules promulgated by the department. Good cause shall include
13 required court appearances for a victim of domestic violence. If the individual is
14 required under sub. (2) to work fewer than 30 hours per week, the grant amount shall
15 be reduced by an amount equal to the product of \$4.25 and the difference between
16 30 and the number of hours that the individual is required to participate under sub.
17 (2).

18 **SECTION 1820d.** 49.151 (1) (intro.) of the statutes is amended to read:

19 49.151 (1) REFUSAL TO PARTICIPATE. (intro.) A participant who refuses to
20 participate 3 times in any Wisconsin works employment position component is
21 ineligible to participate in that component. A participant is also ineligible to
22 participate in that Wisconsin works employment position component if an individual
23 in the participant's Wisconsin works group is subject to the work requirement under
24 s. 49.15 (2) and refuses 3 times to participate as required. A participant whom the
25 Wisconsin works agency has determined is ineligible under this section for a

1 particular Wisconsin works employment position component may be eligible to
2 participate in any other Wisconsin works employment position component in which
3 the participant has not refused to participate 3 times. A participant ~~refuses to~~
4 ~~participate in a Wisconsin works employment position component if the participant~~
5 ~~does~~ or an individual who is subject to the work requirement under s. 49.15 (2)
6 demonstrates a refusal to participate if any of the following applies:

7 **SECTION 1820e.** 49.151 (1) (a) of the statutes is amended to read:

8 49.151 (1) (a) ~~Expresses~~ The participant, or an individual who is in the
9 participant's Wisconsin works group and who is subject to the work requirement
10 under s. 49.15 (2), expresses verbally or in writing to a Wisconsin works agency that
11 he or she refuses to participate.

12 **SECTION 1820f.** 49.151 (1) (b) of the statutes is amended to read:

13 49.151 (1) (b) ~~Fails~~ The participant, or an individual who is in the participant's
14 Wisconsin works group and who is subject to the work requirement under s. 49.15
15 (2), fails, without good cause, as determined by the Wisconsin works agency, to
16 appear for an interview with a prospective employer or, if the participant is in a
17 Wisconsin works transitional placement, the participant fails to appear for an
18 assigned activity, including an activity under s. 49.147 (5) (b) 1. a. to e., without good
19 cause, as determined by the Wisconsin works agency.

20 **SECTION 1820g.** 49.151 (1) (c) of the statutes is amended to read:

21 49.151 (1) (c) ~~Voluntarily~~ The participant, or an individual who is in the
22 participant's Wisconsin works group and who is subject to the work requirement
23 under s. 49.15 (2), voluntarily leaves appropriate employment or training without
24 good cause, as determined by the Wisconsin works agency.

25 **SECTION 1820h.** 49.151 (1) (d) of the statutes is amended to read:

1 49.151 (1) (d) ~~Loses~~ The participant, or an individual who is in the participant's
2 Wisconsin works group and who is subject to the work requirement under s. 49.15
3 (2), loses employment as a result of being discharged for cause.

4 **SECTION 1820j.** 49.151 (1) (e) of the statutes is amended to read:

5 49.151 (1) (e) ~~Demonstrates~~ The participant, or an individual who is in the
6 participant's Wisconsin works group and who is subject to the work requirement
7 under s. 49.15 (2), demonstrates through other behavior or action, as specified by the
8 department by rule, that he or she refuses to participate in a Wisconsin works
9 employment position.”.

10 **690.** Page 791, line 7: on lines 7 and 11, delete “14” and substitute “21”.

11 **691.** Page 791, line 13: after that line insert:

12 **“SECTION 1831g.** 49.152 (2) (d) of the statutes is created to read:

13 49.152 (2) (d) If the department reviews a decision under par. (b) and upon
14 receipt of a petition or request under par. (c) the department shall give the applicant
15 or participant reasonable notice and opportunity for a fair hearing and shall permit
16 the applicant or participant to present evidence and testimony and to be represented
17 by counsel at the hearing and to have access to records in preparation for the hearing.
18 The department may make any additional investigation that it considers necessary.
19 Notice of the hearing shall be given to the applicant or participant and, if
20 appropriate, to the county clerk. The Wisconsin works agency may be represented
21 at the hearing. The department shall render its decision as soon as possible after the
22 hearing and shall send a certified copy of its decision to the applicant or participant,
23 the county clerk, if appropriate, and the Wisconsin works agency. The decision of the
24 department shall be final, but may be revoked or modified as altered conditions may

1 require. The department shall deny a petition for a hearing or shall refuse to grant
2 relief if the applicant or participant does any of the following:

3 a. Withdraws the petition in writing.

4 b. Abandons the petition. Abandonment occurs if the applicant or participant
5 fails to appear in person or by representative at a scheduled hearing without good
6 cause as defined by the department by rule.”.

7 **692.** Page 792, line 7: delete the material beginning with that line and ending
8 with page 793, line 20, and substitute:

9 “**SECTION 1833c.** 49.153 of the statutes, as affected by 1997 Wisconsin Act 3,
10 is repealed.”.

11 **693.** Page 794, line 4: delete that line and substitute “under s. 48.651.”.

12 **694.** Page 794, line 5: delete lines 5 to 9.

13 **695.** Page 794, line 10: delete “provider.”.

14 **696.** Page 797, line 23: after that line insert:

15 “**SECTION 1850m.** 49.155 (1m) (c) 1m. of the statutes is created to read:

16 49.155 (1m) (c) 1m. The individual was eligible under s. 49.132 (4) (a) for aid
17 under s. 49.132 and received aid under s. 49.132 on September 30, 1997, but lost aid
18 solely because of the application of s. 49.132 (6), and the gross income of the
19 individual’s family is at or below 200% of the poverty line for a family the size of the
20 individual’s family. This subdivision does not apply to an individual whose family’s
21 gross income at any time on or after September 30, 1997, is more than 200% of the
22 poverty line for a family the size of the individual’s family.”.

23 **697.** Page 800, line 15: after that line insert:

24 “**SECTION 1857f.** 49.159 (2) of the statutes is amended to read:

1 49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.

2 A custodial parent who is under the age of 18 is eligible, regardless of that
3 individual's or that individual's parent's income or assets, to meet with a financial
4 and employment planner. The financial and employment planner may provide the
5 individual with information regarding Wisconsin works eligibility, available child
6 care services, employment and financial planning, family planning services, as
7 defined in s. 253.07 (1) (b), community resources, eligibility for food stamps and other
8 food and nutrition programs.”.

9 **698.** Page 802, line 14: delete lines 14 to 16 and substitute:

10 “(b) *Subsidized employment.* For payments to Wisconsin works agencies for
11 subsidized employment costs, \$155,375,100 in fiscal year 1997-98 and \$158,678,000
12 in fiscal year 1998-99. Amounts allocated under this paragraph shall include
13 \$20,000,000 in each fiscal year for the purposes set forth under s. 49.143 (2) (ep). The
14 department shall establish by rule a method to determine the amount that each
15 Wisconsin works agency must allocate for the activities specified in s. 49.143 (2) (ep).
16 Any moneys that are allocated by a Wisconsin works agency for the activities
17 specified in s. 49.143 (2) (ep) but are not spent by the end of the period specified in
18 the contract between the department and the Wisconsin works agency shall be
19 returned to the department, which shall add the moneys to the allocation under par.
20 (c).

21 “(bg) *Long-term and refugee supplement.* For payments to Wisconsin works
22 agencies as a supplement for long-term and refugee cases, \$8,200,000 in fiscal year
23 1997-98 and \$9,800,000 in fiscal year 1998-99.

1 (bm) *Wisconsin works agency office costs.* For payments to Wisconsin works
2 agencies for office costs, \$104,117,000 in fiscal year 1997-98 and \$115,293,800 in
3 fiscal year 1998-99.”.

4 **699.** Page 802, line 16: after that line insert:

5 “(br) *Payments for 2-parent families.* For payments under s. 49.15 (4),
6 \$735,000 in fiscal year 1997-98 and \$1,100,000 in fiscal year 1998-99.”.

7 **700.** Page 804, line 3: delete lines 3 to 5 and substitute:

8 “(q) *Education, training and support services.* In counties having a population
9 of 500,000 or more, for the purposes set forth under s. 49.143 (2) (ep), \$11,000,000 in
10 fiscal year 1997-98 and \$10,000,000 in fiscal year 1998-99.”.

11 **701.** Page 804, line 20: delete that line and substitute:

12 “(v) *Passports for youth program.* For the passports for youth program operated
13 by the YMCA of Metropolitan Milwaukee,”.

14 **702.** Page 804, line 22: delete that line and substitute “paragraph if the
15 passports for youth program does not comply with P.L. 104-193, section 103.”.

16 **703.** Page 806, line 9: delete lines 9 to 12 and substitute:

17 “49.175 (1) (b) 1. ~~For~~ Except as provided in subd. 2. for payments to Wisconsin
18 works agencies for subsidized employment costs, \$155,375,100 in fiscal year
19 1997-98 and \$155,678,000 in fiscal year 1998-99.”.

20 **704.** Page 806, line 24: after “(d)” insert “, or on the first day of the first month
21 beginning after the effective date of this subsection ... [revisor inserts date],
22 whichever is later”.

23 **705.** Page 806, line 25: delete that line.

1 **706.** Page 807, line 1: delete lines 1 to 14.

2 **707.** Page 808, line 6: after that line insert:

3 “**SECTION 1861d.** 49.19 (11s) (d) of the statutes is amended to read:

4 49.19 (11s) (d) From the appropriation under s. ~~20.435 (4)~~ 20.445 (3) (a), the
5 department may award grants to county departments under ss. 46.215, 46.22 and
6 46.23 for providing family planning education services relating to family planning,
7 as defined in s. 253.07 (1) (a), to persons who are subject to par. (b).”

8 **708.** Page 809, line 15: after that line insert:

9 “**SECTION 1866v.** 49.195 (1) of the statutes is amended to read:

10 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit
11 under s. 49.148, ~~49.153~~, 49.155 or 49.157 or at any time thereafter acquires property
12 by gift, inheritance, sale of assets, court judgment or settlement of any damage claim,
13 or by winning a lottery or prize, the county granting such aid, or the Wisconsin works
14 agency granting such a benefit, may sue the parent on behalf of the department to
15 recover the value of that portion of the aid or of the benefit which does not exceed the
16 amount of the property so acquired. The value of the aid or benefit liable for recovery
17 under this section may not include the value of work performed by a member of the
18 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,
19 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work
20 experience component under s. 49.193 (6). During the life of the parent, the 10–year
21 statute of limitations may be pleaded in defense against any suit for recovery under
22 this section; and if such property is his or her homestead it shall be exempt from
23 execution on the judgment of recovery until his or her death or sale of the property,
24 whichever occurs first. Notwithstanding the foregoing restrictions and limitations,

1 where the aid or benefit recipient is deceased a claim may be filed against any
2 property in his or her estate and the statute of limitations specified in s. 859.02 shall
3 be exclusively applicable. The court may refuse to render judgment or allow the
4 claim in any case where a parent, spouse or child is dependent on the property for
5 support, and the court in rendering judgment shall take into account the current
6 family budget requirement as fixed by the U.S. department of labor for the
7 community or as fixed by the authorities of the community in charge of public
8 assistance. The records of aid or benefits paid kept by the county, by the department
9 or by the Wisconsin works agency are prima facie evidence of the value of the aid or
10 benefits furnished. Liability under this section shall extend to any parent or
11 stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148,
12 49.155 or 49.157 during the period that he or she is a member of the same household,
13 but his or her liability is limited to such period. This section does not apply to medical
14 and health assistance payments for which recovery is prohibited or restricted by
15 federal law or regulation.

16 **SECTION 1866x.** 49.195 (3) of the statutes is amended to read:

17 49.195 (3) Notwithstanding s. 49.96, the department shall promptly recover all
18 overpayments made under s. 49.19, 49.148, ~~49.153~~, 49.155 or 49.157 and shall
19 promulgate rules establishing policies and procedures to administer this
20 subsection.”.

21 **709.** Page 811, line 16: after that line insert:

22 “**SECTION 1878p.** 49.22 (6) of the statutes is amended to read:

23 49.22 (6) The department shall establish, pursuant to federal and state laws,
24 rules and regulations, a uniform system of fees for services provided under this

1 section to individuals not receiving aid under s. 46.261, 49.19 or 49.47 or benefits
2 under s. 49.148, ~~49.153~~ or 49.155 and to individuals not receiving kinship care
3 payments under s. 48.57 (3m). The system of fees may take into account an
4 individual's ability to pay. Any fee paid and collected under this subsection may be
5 retained by the county providing the service except for the fee specified in 42 USC
6 653 (e) (2) for federal parent locator services.”.

7 **710.** Page 812, line 18: after that line insert:

8 “**SECTION 1882m.** 49.24 of the statutes is created to read:

9 **49.24 Child support incentive payments.** (1) From the appropriation
10 under s. 20.445 (3) (g), the department shall provide child support incentive
11 payments to counties to offset reduced federal child support incentive payments.
12 Total payments under this subsection may not exceed \$3,178,000 in fiscal year
13 1997-98 or \$3,850,000 in fiscal year 1998-99.

14 (2) The department shall distribute the payments under sub. (1) in accordance
15 with a formula developed by the department in consultation with representatives of
16 counties. The total of payments made to counties under sub. (1) and in federal child
17 support incentive payments may not exceed \$10,500,000 in a state fiscal year.

18 (3) A county that receives payment under sub. (1) may use the funds only to
19 pay costs under its child support program under s. 49.22.

20 **SECTION 1882n.** 49.24 (1) of the statutes, as created by 1997 Wisconsin Act
21 (this act), is amended to read:

22 49.24 (1) From the appropriation under s. 20.445 (3) (~~g~~) (k), the department
23 shall provide child support incentive payments to counties to offset reduced federal

1 child support incentive payments. Total payments under this subsection may not
2 exceed \$3,178,000 in fiscal year 1997-98 or \$3,850,000 in fiscal year 1998-99.”

3 **711.** Page 812, line 18: after that line insert:

4 “**SECTION 1883m.** 49.25 (7) (a) of the statutes is amended to read:

5 49.25 (7) (a) The department shall contract with the county department under
6 s. 46.215, 46.22 or 46.23 to provide education on parenting, human growth and
7 development, family planning, as defined in s. 253.07 (1) (a), and independent living
8 skills and to provide employment-related training to persons subject to the program
9 under this section and to persons subject to orders under s. 767.078 (1) (d). The
10 county department may contract with other agencies for the provision of these
11 services.”

12 **712.** Page 812, line 22: after that line insert:

13 “**SECTION 1884f.** 49.26 (1) (c) of the statutes is amended to read:

14 49.26 (1) (c) A county department or Wisconsin works agency may provide
15 services under this subsection directly or may contract with a nonprofit agency or a
16 school district to provide the services.

17 **SECTION 1884g.** 49.26 (1) (d) of the statutes, as affected by 1997 Wisconsin Act
18 3, is amended to read:

19 49.26 (1) (d) A county department or Wisconsin works agency that provides
20 services under this subsection directly shall develop a plan, in coordination with the
21 school districts located in whole or in part in the county, describing the assistance
22 that the county department or Wisconsin works agency and school districts will
23 provide to individuals receiving services under this subsection, the number of
24 individuals that will be served and the estimated cost of the services. The county

1 department or Wisconsin works agency shall submit the plan to the department of
2 workforce development and the department of public instruction by ~~August~~ January
3 15, annually.”.

4 **713.** Page 813, line 13: after that line insert:

5 “**SECTION 1887d.** 49.26 (1) (ge) (intro.) and 1. of the statutes are consolidated,
6 renumbered 49.26 (1) (ge) and amended to read:

7 49.26 (1) (ge) An individual ~~who is subject to this paragraph~~ fails to meet the
8 school attendance requirement if the individual ~~meets at least one of the following~~
9 ~~conditions: 1. The individual is either is not enrolled in school or is a habitual truant~~
10 was not enrolled in the immediately preceding semester. The Wisconsin works
11 agency or county department shall verify enrollment.

12 **SECTION 1887dc.** 49.26 (1) (ge) 2. of the statutes is repealed.

13 **SECTION 1887df.** 49.26 (1) (gm) of the statutes is repealed and recreated to
14 read:

15 49.26 (1) (gm) 1. The following individuals who are subject to the school
16 attendance requirement under the learnfare program are required to participate in
17 case management under sub. (2) (b):

18 a. Minor parents.

19 b. Habitual truants.

20 c. Dropouts, as defined in s. 118.153 (1) (b), including individuals who were
21 dropouts and reenrolled in school in the same or immediately succeeding semester
22 in which they dropped out of school.

1 2. The department may, in accordance with rules promulgated by the
2 department, sanction any individual specified under subd. 1. who fails to cooperate
3 with case management efforts.

4 **SECTION 1887dh.** 49.26 (1) (h) 1. (intro.) of the statutes is amended to read:

5 49.26 (1) (h) 1. (intro.) An individual who is ~~6 to 12 years of age and who fails~~
6 ~~to meet the school attendance requirement under par. (ge)~~ cooperate with case
7 management efforts under par. (gm) is subject to sanctions as provided under subd.
8 1s. only if all of the following apply:

9 **SECTION 1887dj.** 49.26 (1) (h) 1. a. of the statutes is repealed.

10 **SECTION 1887dk.** 49.26 (1) (h) 1. am. of the statutes is repealed.”.

11 **714.** Page 813, line 16: delete “the absences or nonenrollment under subd.”
12 and substitute “~~the absences or nonenrollment under subd.~~”.

13 **715.** Page 813, line 17: delete “1. am.” and substitute “~~1. am.~~ not cooperating
14 with case management efforts”.

15 **716.** Page 813, line 22: delete the material beginning with that line and
16 ending with page 814, line 22 and substitute:

17 “**SECTION 1888g.** 49.26 (1) (h) 1m. of the statutes is repealed.

18 **SECTION 1888gm.** 49.26 (1) (i) of the statutes is repealed.

19 **SECTION 1889c.** 49.26 (2) (b) of the statutes is amended to read:

20 49.26 (2) (b) ~~From the appropriation under s. 20.445 (3) (dg), the department~~
21 ~~shall allocate funds to county~~ County departments for the provision of or Wisconsin
22 works agencies shall provide case management services to individuals who are
23 subject to the school attendance requirement under the learnfare program under
24 sub. (1) and their families to improve the school attendance and achievement of those

1 individuals. ~~At least 75% of the funds that the department allocates under this~~
2 ~~paragraph to provide case management services to individuals who are 13 to 19 years~~
3 ~~of age shall be allocated to a county department of a county with a population of~~
4 ~~500,000 or more. A county department is eligible to receive funds under this~~
5 ~~subsection to provide case management services to individuals who are 13 to 19 years~~
6 ~~of age in a year if 35 or more individuals, 13 to 19 years of age, residing in the county~~
7 ~~were sanctioned under sub. (1) (h) or were subject to the monthly attendance~~
8 ~~requirement under s. HSS 201.195 (4) (b) 2., Wis. adm. code, in any month during the~~
9 ~~previous year.”.~~

10 **717.** Page 824, line 18: delete lines 18 to 24 and substitute “implement
11 ~~standards which are reasonable and adequate to meet the costs which must be~~
12 ~~incurred by efficiently and economically operated facilities in order to provide care~~
13 ~~in conformity with this section, with federal regulations authorized under 42 USC~~
14 ~~1396a (a) (13) (A), 1396a (a) (30), 1396b (i) (3), 1396L and 1396r (e) and with quality~~
15 ~~and safety standards established under subch. II of ch. 50 and ch. 150. In~~
16 ~~administering this payment system, the department shall allow costs it determines~~
17 ~~that are necessary and proper for providing patient care and that meet quality and~~
18 ~~safety standards established under subch. II of ch. 50 and ch. 150. The payment”.~~

19 **718.** Page 824, line 25: after that line insert:

20 **“SECTION 1919g.** 49.45 (6m) (ag) 2. of the statutes is amended to read:

21 49.45 **(6m)** (ag) 2. Standards established by the department ~~for costs of~~
22 ~~economically and efficiently operated facilities~~ that shall be based upon allowable
23 costs incurred by facilities in the state as available from information submitted
24 under par. (c) 3. and compiled by the department.”.

1 **719.** Page 825, line 19: delete “\$25,077,700” and substitute “\$30,145,200”.

2 **720.** Page 826, line 22: after “apply” insert “with respect to the delicensure
3 of beds between July 1, 1997, and October 1, 1997,”.

4 **721.** Page 826, line 23: delete “1996” and substitute “1997”.

5 **722.** Page 827, line 7: substitute “2.” for “2”.

6 **723.** Page 827, line 9: delete lines 9 to 15 and substitute:

7 “6. If subd. 4. b. applies and the nursing home later resumes licensure of a bed
8 that was delicensed between the effective date of this subdivision [revisor inserts
9 date], and the date that is 60 days after the effective date of this subdivision
10 [revisor inserts date], the department shall calculate the costs per patient day using
11 the methodology specified in the state plan that is in place at the time that the
12 delicensed beds are resumed.”.

13 **724.** Page 829, line 12: delete “COUNTY HOMES” and substitute “CERTAIN
14 FACILITIES”.

15 **725.** Page 829, line 15: delete “~~or that is~~” and substitute “or that is”.

16 **726.** Page 829, line 16: delete “~~owned and operated by a city, village or town~~”
17 and substitute “owned and operated by a city, village or town”.

18 **727.** Page 830, line 22: after that line insert:

19 “**SECTION 1932m.** 49.45 (6v) of the statutes is created to read:

20 49.45 (6v) (a) In this subsection, “facility” has the meaning given in sub. (6m)

21 (a) 3.

22 (b) The department shall, by December 1 of each year, submit to the joint
23 committee on finance a report that provides information on the utilization of beds by

1 recipients of medical assistance in facilities for the immediate prior 2 consecutive
2 fiscal years.

3 (c) If the report specified in par. (b) indicates that utilization of beds by
4 recipients of medical assistance in facilities decreased during the most recently
5 completed fiscal year from the utilization of beds by recipients of medical assistance
6 in facilities in the next most recently completed fiscal year, the department shall do
7 all of the following:

8 1. Multiply the difference between the number of days of care provided in the
9 facilities in each of the immediate prior 2 consecutive fiscal years by the average
10 daily costs of care in such facilities. The average daily costs of care shall be calculated
11 by dividing the total medical assistance expenditures for care in facilities by the total
12 number of days of care provided in facilities in that fiscal year.

13 2. For new placements under ss. 46.275, 46.277 and 46.278 in the most recently
14 completed fiscal year, multiply the number of days of service under ss. 46.275, 46.277
15 and 46.278 by the rate paid by the department for those placements.

16 3. Subtract the product calculated under subd. 2. from the product calculated
17 under subd. 1.

18 4. Multiply the difference in subd. 3. by the amount paid by the department for
19 the state's share of the costs of care.

20 (d) If par. (c) applies, the department's report under par. (b) shall include a
21 proposal to transfer the amount calculated under par. (c) 4. from the appropriation
22 under s. 20.435 (5) (b) to the appropriation under s. 20.435 (7) (bd) for the purpose
23 of increasing funding for the community options program under s. 46.27. The
24 secretary shall transfer the amount identified under the proposal if within 14

1 working days after the submission of the proposal the joint committee on finance
2 does not schedule a meeting for the purpose of reviewing the proposed action.

3 (e) The joint committee on finance may approve or modify any proposal
4 submitted by the department under this subsection.”.

5 **728.** Page 834, line 8: after that line insert:

6 “SECTION 1942e. 49.45 (18) (b) 5. of the statutes is amended to read:

7 49.45 (18) (b) 5. Family planning services, as defined in s. 253.07 (1) (b).”.

8 **729.** Page 835, line 23: after “services” insert “, as defined in s. 253.07 (1) (b),”.

9 **730.** Page 839, line 1: delete lines 1 to 14 and substitute:

10 “49.46 (1) (a) 1. Any person included in the grant of aid to families with
11 dependent children and any person who does not receive such aid solely because of
12 the application of s. 49.19 (11) (a) 7. ~~This subdivision does not apply beginning on~~
13 ~~the first day of the 6th month beginning after the date stated in the notice under s.~~
14 ~~49.141 (2) (d).~~”.

15 **SECTION 1950b.** 49.46 (1) (a) 1m. of the statutes is amended to read:

16 49.46 (1) (a) 1m. Any pregnant woman who meets the resource and income
17 limits under s. 49.19 (4) (bm) and (es) and whose pregnancy is medically verified.
18 Eligibility continues to the last day of the month in which the 60th day after the last
19 day of the pregnancy falls. ~~This subdivision does not apply beginning on the first day~~
20 ~~of the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d).~~”.

21 **731.** Page 839, line 18: delete the material beginning with that line and
22 ending with page 841, line 13, and substitute:

23 “49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who is considered,
24 under federal law, to be receiving aid to families with dependent children for the

1 purpose of determining eligibility for medical assistance. ~~This subdivision does not~~
2 ~~apply beginning on the first day of the 6th month beginning after the date stated in~~
3 ~~the notice under s. 49.141 (2) (d).~~

4 **SECTION 1953b.** 49.46 (1) (a) 9. of the statutes is amended to read:

5 49.46 (1) (a) 9. Any pregnant woman not described under subd. 1. or 1m. whose
6 family income does not exceed 133% of the poverty line for a family the size of the
7 woman's family. ~~This subdivision does not apply beginning on the first day of the 6th~~
8 ~~month beginning after the date stated in the notice under s. 49.141 (2) (d).~~

9 **SECTION 1954d.** 49.46 (1) (a) 10. of the statutes is amended to read:

10 49.46 (1) (a) 10. Any child not described under subd. 1. who is under 6 years
11 of age and whose family income does not exceed 133% of the poverty line for a family
12 the size of the child's family. ~~This subdivision does not apply beginning on the first~~
13 ~~day of the 6th month beginning after the date stated in the notice under s. 49.141 (2)~~
14 ~~(d).~~

15 **SECTION 1955d.** 49.46 (1) (a) 11. of the statutes is amended to read:

16 49.46 (1) (a) 11. Any If a waiver under s. 49.665 is granted and in effect, any
17 child not described under subd. 1. who was born after September 30, 1983, who has
18 attained the age of 6 but has not attained the age of 19 and whose family income does
19 not exceed 100% of the poverty line for a family the size of the child's family. This
20 subdivision does not apply beginning on the first day of the 6th month beginning
21 after the date stated in the notice under s. 49.141 (2) (d) If a waiver under s. 49.665
22 is not granted or in effect, any child not described in subd. 1. who was born after
23 September 30, 1983, who has attained the age of 6 but has not attained the age of 19
24 and whose family income does not exceed 100% of the poverty line for a family the
25 size of the child's family.

1 **SECTION 1956b.** 49.46 (1) (a) 12. of the statutes is amended to read:

2 49.46 (1) (a) 12. Any child not described under subd. 1. who is under 19 years
3 of age and who meets the resource and income limits under s. 49.19 (4). ~~This~~
4 ~~subdivision does not apply beginning on the first day of the 6th month beginning~~
5 ~~after the date stated in the notice under s. 49.141 (2) (d).~~

6 **SECTION 1957b.** 49.46 (1) (a) 13. of the statutes is amended to read:

7 49.46 (1) (a) 13. Any child who is under one year of age, whose mother was
8 determined to be eligible under subd. 9. and who lives with his or her mother. ~~This~~
9 ~~subdivision does not apply beginning on the first day of the 6th month beginning~~
10 ~~after the date stated in the notice under s. 49.141 (2) (d).”.~~

11 **732.** Page 841, line 14: delete that line.

12 **733.** Page 841, line 15: delete lines 15 to 18 and substitute:

13 “**SECTION 1958c.** 49.46 (1) (am) 3. of the statutes is repealed.”.

14 **734.** Page 841, line 25: delete the material beginning with that line and
15 ending with page 842, line 17, and substitute:

16 “**SECTION 1960b.** 49.46 (1) (cb) of the statutes is repealed.

17 **SECTION 1961b.** 49.46 (1) (cg) of the statutes is amended to read:

18 49.46 (1) (cg) ~~Except as provided in par. (cs), medical~~ Medical assistance shall
19 be provided to a dependent child, a relative with whom the child is living or the
20 spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a. or
21 b., for 4 calendar months beginning with the month in which the child, relative or
22 spouse is ineligible for aid to families with dependent children because of the
23 collection or increased collection of maintenance or support, if the child, relative or
24 spouse received aid to families with dependent children in 3 or more of the 6 months

1 immediately preceding the month in which that ineligibility begins. ~~This paragraph~~
2 ~~does not apply beginning on the first day of the 6th month beginning after the date~~
3 ~~stated in the notice under s. 49.141 (2) (d).”.~~

4 **735.** Page 843, line 3: delete lines 3 to 7 and substitute:

5 “**SECTION 1963b.** 49.46 (1) (co) 4. of the statutes is repealed.”.

6 **736.** Page 843, line 10: delete lines 10 to 18 and substitute:

7 “**SECTION 1965m.** 49.46 (1) (d) 1. of the statutes is amended to read:

8 49.46 (1) (d) 1. Children who are placed in licensed foster homes or licensed
9 treatment foster homes by the department and who would be eligible for payment
10 of aid to families with dependent children in foster homes or treatment foster homes
11 except that their placement is not made by a county department under s. 46.215,
12 46.22 or 46.23 will be considered as recipients of aid to families with dependent
13 children. ~~This subdivision does not apply beginning on the first day of the 6th month~~
14 ~~beginning after the date stated in the notice under s. 49.141 (2) (d).~~

15 **SECTION 1965p.** 49.46 (1) (e) 1. of the statutes is renumbered 49.46 (1) (e).

16 **SECTION 1966b.** 49.46 (1) (e) 2. of the statutes is repealed.”.

17 **737.** Page 843, line 22: after that line insert:

18 “**SECTION 1967d.** 49.46 (2) (a) 4. f. of the statutes is amended to read:

19 49.46 (2) (a) 4. f. ~~Family planning services~~ Services and supplies for family
20 planning, as defined in s. 253.07 (1) (a).”.

21 **738.** Page 844, line 9: after that line insert:

22 “**SECTION 1968s.** 49.46 (2) (be) of the statutes is amended to read:

23 49.46 (2) (be) Benefits for an individual eligible under sub. (1) (a) 9. are limited
24 to those services under par. (a) or (b) that are related to pregnancy, including

1 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
2 related to other conditions which may complicate pregnancy.”.

3 **739.** Page 844, line 10: delete lines 10 to 14 and substitute:

4 “**SECTION 1969b.** 49.465 (7) of the statutes is repealed.”.

5 **740.** Page 844, line 19: delete lines 19 to 23 and substitute “this section.”.

6 **741.** Page 844, line 24: delete the material beginning with that line and
7 ending with page 845, line 21, and substitute:

8 “**SECTION 1970m.** 49.47 (4) (a) (intro.) of the statutes is amended to read:

9 49.47 (4) (a) (intro.) ~~Except as provided in par. (ag), any~~ Any individual who
10 meets the limitations on income and resources under pars. (b) and (c) and who
11 complies with par. (cm) shall be eligible for medical assistance under this section if
12 such individual is:

13 **SECTION 1971b.** 49.47 (4) (ag) of the statutes is repealed.

14 **SECTION 1972b.** 49.47 (4) (an) of the statutes is repealed.

15 **SECTION 1973b.** 49.47 (4) (c) 2. of the statutes is amended to read:

16 49.47 (4) (c) 2. Whenever an applicant has excess income under subd. 1. or par.
17 (am), no certification may be issued until the excess income above the applicable
18 limits has been obligated or expended for medical care or for any other type of
19 remedial care recognized under state law or for personal health insurance premiums
20 or both. ~~No individual is eligible for medical assistance under this subdivision in a~~
21 ~~month in which the individual is eligible for health care coverage under s. 49.153.”.~~

22 **742.** Page 845, line 21: after that line insert:

23 “**SECTION 1973t.** 49.47 (6) (a) 7. of the statutes is amended to read:

1 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2. or (am) 1., for services
2 under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum
3 services and family planning services, as defined in s. 253.07 (1) (b), or related to
4 other conditions which may complicate pregnancy.”.

5 **743.** Page 846, line 23: after that line insert:

6 “**SECTION 1980p.** 49.665 of the statutes is created to read:

7 **49.665 Badger care. (1) DEFINITIONS.** In this section:

8 (a) “Custodial parent” has the meaning given in s. 49.141 (1) (b).

9 (b) “Dependent child” has the meaning given in s. 49.141 (c).

10 (c) “Employer–subsidized health care coverage” means family coverage under
11 a group health insurance plan offered by an employer for which the employer pays
12 at least 75% of the cost, excluding any deductibles or copayments that may be
13 required under the plan.

14 (d) “Family” means a custodial parent and his or her dependent children.

15 **(2) WAIVER.** The department of health and family services shall request a
16 waiver from the secretary of the federal department of health and human services
17 to permit the department of health and family services to implement, beginning not
18 later than July 1, 1998, or the effective date of the waiver, whichever is later, a health
19 care program under this section. If a waiver that is consistent with all of the
20 provisions of this section is granted and in effect, the department of health and family
21 services shall implement the program under this section. The department of health
22 and family services may not implement the program under this section unless a
23 waiver that is consistent with all of the provisions of this section is granted and in

1 effect. The department of health and family services shall promulgate all rules
2 required under this section no later than 60 days after the receipt of the waiver.

3 (3) ADMINISTRATION. The department shall administer a program to provide the
4 health services and benefits described in s. 49.46 (2) to families that meet the
5 eligibility requirements specified in sub. (4). The department shall promulgate rules
6 setting forth the application procedures and appeal and grievance procedures. The
7 department may promulgate rules limiting access to the program under this section
8 to defined enrollment periods. The department may also promulgate rules
9 establishing a method by which the department may purchase family coverage
10 offered by the employer of a member of an eligible family under circumstances in
11 which the department determines that purchasing that coverage would not be more
12 costly than providing the coverage under this section.

13 (4) ELIGIBILITY. (a) A family is eligible for health care coverage under this
14 section if the family meets all of the following requirements:

15 1. The family's income does not exceed 185% of the poverty line, except that a
16 family that is already receiving health care coverage under this section may have an
17 income that does not exceed 200% of the poverty line. The department shall establish
18 by rule the criteria to be used to determine income.

19 2. The family does not have access to employer-subsidized health care
20 coverage.

21 3. The family has not had access to employer-subsidized health care coverage
22 within the time period established by the department by rule, but not to exceed 18
23 months, immediately preceding application for health care coverage under this
24 section. The department may establish exceptions to this subdivision by rule.

1 4. The family meets all other requirements established by the department by
2 rule. In establishing other eligibility criteria, the department may not include any
3 health condition requirements.

4 (b) Notwithstanding fulfillment of the eligibility requirements under this
5 subsection, a family is not entitled to health care coverage under this section.

6 (c) No family may be denied health care coverage under this section solely
7 because of a health condition of any family member.

8 **(5) LIABILITY FOR COST.** (a) Except as provided in par. (b), a family that receives
9 health care coverage under this section shall pay a percentage of the cost of that
10 coverage in accordance with a schedule established by the department by rule. If the
11 schedule established by the department requires a family to contribute more than
12 3.5% of the family's income towards the cost of the health care coverage provided
13 under this section, the department shall submit the schedule to the joint committee
14 on finance for review and approval of the schedule. If the cochairpersons of the joint
15 committee on finance do not notify the department within 14 working days after the
16 date of the department's submittal of the schedule that the committee has scheduled
17 a meeting to review the schedule, the department may implement the schedule. If,
18 within 14 days after the date of the department's submittal of the schedule, the
19 cochairpersons of the committee notify the department that the committee has
20 scheduled a meeting to review the schedule, the department may not require a family
21 to contribute more than 3.5% of the family's income unless the joint committee on
22 finance approves the schedule.

23 (b) The department may not require a family with an income below 133% of the
24 poverty line to contribute to the cost of health care coverage provided under this
25 section.

1 (c) The department may establish by rule requirements for wage withholding
2 as a means of collecting the family's share of the cost of the health care coverage
3 under this section.

4 (6) ANNUAL REPORT. Not later than October 1 of each year, the department shall
5 submit a report to the legislature under s. 13.172 (2) that summarizes enrollment in
6 and cost of the health care program under this section and any other information that
7 the department determines is pertinent information regarding the program under
8 this section.”.

9 **744.** Page 848, line 5: after that line insert:

10 “(bm) The custodial parent assigns to the state any right of the custodial parent
11 or of the dependent child to support from any other person. No amount of support
12 that begins to accrue after the individual ceases to receive payments under this
13 section may be considered assigned to the state. Any money received by the
14 department of workforce development under an assignment to the state under this
15 paragraph shall be paid to the custodial parent.”.

16 **745.** Page 856, line 3: substitute “49.149” for “49. 149”.

17 **746.** Page 856, line 6: after that line insert:

18 “SECTION 2006r. 50.01 (1g) (g) of the statutes is created to read:

19 50.01 (1g) (g) A residential facility in the village of Union Grove that was
20 authorized to operate without a license under a final judgment entered by a court
21 before January 1, 1982, and that continues to comply with the judgment
22 notwithstanding the expiration of the judgment.”.

23 **747.** Page 865, line 6: delete lines 6 to 14.

24 **748.** Page 865, line 20: delete lines 20 and 21.

1 **749.** Page 866, line 7: delete “(c)” and substitute “(d)”.

2 **750.** Page 881, line 10: delete lines 10 to 25.

3 **751.** Page 882, line 1: delete lines 1 and 2 and substitute:

4 “**SECTION 2112b.** 51.13 (1) (a) of the statutes is amended to read:

5 51.13 (1) (a) Except as provided in s. 51.45 (2m), the application for voluntary
6 admission of a minor ~~who is under 14 years of age~~ to an approved inpatient treatment
7 facility shall be executed by a parent who has legal custody of the minor or the
8 minor’s guardian. Any statement or conduct by a minor ~~under the age of 14~~
9 indicating that the minor does not agree to admission to the facility shall be noted
10 on the face of the application and shall be noted in the petition required by sub. (4).

11 **SECTION 2112c.** 51.13 (1) (b) of the statutes is repealed.

12 **SECTION 2112d.** 51.13 (1) (d) of the statutes is amended to read:

13 51.13 (1) (d) A minor against whom a petition or statement has been filed under
14 s. 51.15, 51.20 or 51.45 (12) or (13) may be admitted under this section. The court
15 may permit the minor to become a voluntary patient pursuant to this section upon
16 approval by the court of an application executed pursuant to par. (a), ~~(b)~~ or (c), and
17 the judge shall then dismiss the proceedings under s. 51.15, 51.20 or 51.45. If a
18 hearing is held under this subsection, no hearing under sub. (4) is required.

19 **SECTION 2112e.** 51.13 (1) (e) of the statutes is amended to read:

20 51.13 (1) (e) A minor may be admitted immediately upon the approval of the
21 application executed under par. (a) ~~or (b)~~ by the treatment director of the facility or
22 his or her designee or, in the case of a center for the developmentally disabled, the
23 director of the center or his or her designee, and the director of the appropriate county
24 department under s. 51.42 or 51.437 if such county department is to be responsible

1 for the cost of the minor's therapy and treatment. Approval shall be based upon an
2 informed professional opinion that the minor is in need of psychiatric services or
3 services for developmental disability, alcoholism or drug abuse, that the treatment
4 facility offers inpatient therapy or treatment which is appropriate for the minor's
5 needs and that inpatient care in the facility is the least restrictive therapy or
6 treatment consistent with the minor's needs.

7 **SECTION 2112f.** 51.13 (2) (a) of the statutes is amended to read:

8 51.13 (2) (a) A minor may be admitted to an inpatient treatment facility
9 without complying with the requirements of this section if the admission does not
10 involve the department or a county department under s. 51.42 or 51.437, or a contract
11 between a treatment facility and the department or between a treatment facility and
12 a county department. The application for voluntary admission of a minor ~~who is 14~~
13 ~~years of age or over~~ shall be executed by ~~the minor and~~ a parent who has legal custody
14 of the minor or the minor's guardian.

15 **SECTION 2112g.** 51.13 (2) (b) of the statutes is repealed.

16 **SECTION 2112h.** 51.13 (2) (d) of the statutes is repealed.

17 **SECTION 2112i.** 51.13 (3) (b) of the statutes is repealed.

18 **SECTION 2112j.** 51.13 (3) (c) of the statutes is amended to read:

19 51.13 (3) (c) A minor ~~under 14 years of age~~ and his or her parent or guardian
20 shall also be informed by the director or his or her designee, both orally and in
21 writing, in easily understandable language, of the minor's right to a hearing to
22 determine continued appropriateness of the admission as provided in sub. (7).

23 **SECTION 2112k.** 51.13 (3) (e) of the statutes is amended to read:

24 51.13 (3) (e) Writing materials for use in requesting a hearing or discharge
25 under this section shall be made available to minors at all times by every inpatient

1 treatment facility. The staff of each such facility shall assist minors in preparing and
2 submitting requests for discharge or hearing hearings.

3 **SECTION 2112L.** 51.13 (4) (a) (intro.) of the statutes is amended to read:

4 51.13 (4) (a) (intro.) Within 3 days of after the admission of a minor under sub.
5 (1), or within 3 days of after application for admission of the minor, whichever occurs
6 first, the treatment director of the facility to which the minor is admitted or, in the
7 case of a center for the developmentally disabled, the director of the center, shall file
8 a verified petition for review of the admission in the court assigned to exercise
9 jurisdiction under chs. 48 and 938 in the county in which the facility is located. A
10 copy of the application for admission and of any relevant professional evaluations
11 shall be attached to the petition. The petition shall contain all of the following:

12 **SECTION 2112m.** 51.13 (4) (c) of the statutes is amended to read:

13 51.13 (4) (c) A copy of the petition shall be provided by the petitioner to the
14 minor and his or her parents or guardian within 5 days of after admission.

15 **SECTION 2112n.** 51.13 (4) (d) of the statutes is amended to read:

16 51.13 (4) (d) Within 5 days of after the filing of the petition, the court assigned
17 to exercise jurisdiction under chs. 48 and 938 shall determine, based on the
18 allegations of the petition and accompanying documents, ~~whether the admission is~~
19 ~~voluntary on the part of the minor if the minor is 14 years of age or older and whether~~
20 there is a prima facie showing that the minor is in need of psychiatric services, or
21 services for developmental disability, alcoholism or drug abuse, that the treatment
22 facility offers inpatient therapy or treatment which is appropriate to the minor's
23 needs, and that inpatient care in the treatment facility is the least restrictive therapy
24 or treatment consistent with the needs of the minor. If such a showing is made, the
25 court shall permit voluntary admission. If the court is unable to make such those

1 determinations based on the petition and accompanying documents, ~~it shall~~ the
2 court may dismiss the petition as provided in par. (h); ~~or~~ order additional information
3 to be produced as ~~it deems~~ necessary for the court to make ~~such review, and make~~
4 ~~such~~ those determinations within 14 days ~~of~~ after admission or application for
5 admission, whichever is sooner; or ~~it may~~ hold a hearing within 14 days ~~of~~ after
6 admission or application for admission, whichever is sooner. If a notation of the
7 minor's unwillingness appears on the face of the petition, or if a hearing has been
8 requested by the minor, the minor's counsel, parent or guardian, the court shall hold
9 a hearing to review the admission within 14 days ~~of~~ after admission or application
10 for admission, whichever is sooner, and shall appoint counsel to represent the minor
11 if the minor is unrepresented. If the court ~~deems~~ considers it necessary, ~~it~~ the court
12 shall also appoint a guardian ad litem to represent the minor.

13 **SECTION 2112p.** 51.13 (4) (g) (intro.) of the statutes is amended to read:

14 51.13 (4) (g) (intro.) If the court finds that the minor is in need of psychiatric
15 services, or services for developmental disability, alcoholism or drug abuse in an
16 inpatient facility, and that the inpatient facility to which the minor is admitted offers
17 therapy or treatment ~~which~~ that is appropriate for the minor's needs and ~~which~~ that
18 is the least restrictive therapy or treatment consistent with the minor's needs and,
19 ~~in the case of a minor aged 14 or older, the application is voluntary on the part of the~~
20 ~~minor, it,~~ the court shall permit voluntary admission. If the court finds that the
21 therapy or treatment in the inpatient facility to which the minor is admitted is not
22 appropriate or is not the least restrictive therapy or treatment consistent with the
23 minor's needs, the court may order placement in or transfer to another more
24 appropriate or less restrictive inpatient facility, except that the court may not permit
25 or order placement in or transfer to ~~the northern or southern centers~~ a center for the

1 developmentally disabled of a minor unless the department ~~gives approval for the~~
2 ~~placement or transfer~~ has authorized that center for the developmentally disabled
3 for the placement or transfer of minors generally or for the placement or transfer of
4 that minor specifically, and if the order of the court is approved by all of the following
5 if applicable:

6 **SECTION 2112q.** 51.13 (4) (g) 1. of the statutes is repealed.

7 **SECTION 2112r.** 51.13 (6) (a) of the statutes is amended to read:

8 51.13 **(6)** (a) A minor may be admitted to an inpatient treatment facility
9 without review of the application under sub. (4) for diagnosis and evaluation or for
10 dental, medical or psychiatric services for a period not to exceed 12 days. The
11 application for short-term admission of a minor shall be executed by the minor's
12 parent or guardian, ~~and by the minor if he or she is 14 years of age or older.~~ A minor
13 may not be readmitted to an inpatient treatment facility for psychiatric services
14 under this paragraph within 120 days of after a previous admission under this
15 paragraph.

16 **SECTION 2112s.** 51.13 (7) (title), (a) and (b) of the statutes are repealed.

17 **SECTION 2112sm.** 51.13 (7) (c) of the statutes is renumbered 51.13 (7) and
18 amended to read:

19 51.13 **(7)** (title) CONTINUED APPROPRIATENESS OF ADMISSION. ~~Any minor under 14~~
20 ~~years of age~~ who is voluntarily admitted under this section may submit a written
21 request to the court for a hearing to determine the continued appropriateness of the
22 admission. If the director or staff of the inpatient treatment facility to which a minor
23 ~~under the age of 14 is admitted~~ observes conduct by the minor which demonstrates
24 an unwillingness to remain at the facility, including ~~but not limited to~~ a written
25 expression of opinion or unauthorized absence, the director shall file a written

1 request with the court to determine the continued appropriateness of the admission.
2 A request ~~which~~ that is made personally by a minor under this paragraph subsection
3 shall be signed by the minor but need not be written or composed by him or her. A
4 request for a hearing under this ~~paragraph~~ subsection ~~which~~ that is received by staff
5 or the director of the facility in which the child is admitted shall be filed with the court
6 by the director. The court shall order a hearing upon request if no hearing concerning
7 the minor's admission has been held within 120 days ~~of receipt of~~ before the request
8 is received. The court shall appoint counsel and, if the court ~~deems~~ considers it
9 necessary, a guardian ad litem to represent the minor ~~and if~~. If a hearing is held, the
10 court shall hold the hearing within 14 days ~~of~~ after the request, unless the parties
11 agree to a longer period. After the hearing, the court shall ~~make disposition~~ dispose
12 of the matter in the manner provided in sub. (4).

13 **SECTION 2112t.** 51.14 (3) (a) of the statutes is amended to read:

14 51.14 (3) (a) ~~Either a~~ A minor 14 years of age or older ~~or his or her parent or~~
15 ~~guardian~~ may petition the mental health review officer in the county in which the
16 parent or guardian has residence for a review of a refusal of ~~either the minor or his~~
17 or her parent or guardian to provide the informed consent for outpatient mental
18 health treatment required under s. 51.61 (6).

19 **SECTION 2112tm.** 51.14 (3) (b) 3. of the statutes is amended to read:

20 51.14 (3) (b) 3. The facts substantiating the ~~petitioner's~~ minor's belief that ~~the~~
21 ~~minor~~ he or she needs outpatient mental health treatment.

22 **SECTION 2112u.** 51.14 (3) (b) 4. of the statutes is amended to read:

23 51.14 (3) (b) 4. Any available information which substantiates the
24 appropriateness of the particular treatment sought ~~for~~ by the minor and that the

1 particular treatment sought is the least restrictive treatment consistent with the
2 needs of the minor.

3 **SECTION 2112um.** 51.14 (3) (g) of the statutes is amended to read:

4 51.14 (3) (g) Within 21 days after the filing of a petition under this subsection,
5 the mental health review officer shall hold a hearing on the refusal of the ~~minor or~~
6 ~~the~~ minor's parent or guardian to provide informed consent for outpatient treatment.
7 The mental health review officer shall provide notice of the date, time and place of
8 the hearing to the minor and the minor's parent or guardian at least 96 hours prior
9 to the hearing.

10 **SECTION 2112v.** 51.14 (3) (h) (intro.) of the statutes is amended to read:

11 51.14 (3) (h) (intro.) If following the hearing under par. (g) and after taking into
12 consideration the recommendations, if any, of the county department under s. 51.42
13 or 51.437 made under par. (e), the mental health review officer finds all of the
14 following, he or she shall issue a written order that, notwithstanding the written,
15 informed consent requirement of s. 51.61 (6), ~~the written, informed consent of the~~
16 ~~minor, if the minor is refusing to provide consent, or the written, informed consent~~
17 ~~of the minor's parent or guardian, if the parent or guardian is refusing to provide~~
18 ~~consent,~~ is not required for outpatient mental health treatment for the minor:

19 **SECTION 2112vm.** 51.14 (4) (a) of the statutes is amended to read:

20 51.14 (4) (a) Within 21 days after the issuance of the order by the mental health
21 review officer under sub. (3) or if the requirements of sub. (3) (f) are satisfied, the
22 minor or his or her parent or guardian may petition a court assigned to exercise
23 jurisdiction under ~~ch.~~ chs. 48 and 938 in the county of residence of the minor's parent
24 or guardian for a review of the refusal of ~~either the minor or his or her~~ the parent or

1 guardian to provide the informed consent for outpatient mental health treatment
2 required under s. 51.61 (6).

3 **SECTION 2112w.** 51.14 (4) (b) of the statutes is amended to read:

4 51.14 (4) (b) The petition in par. (a) shall conform to the requirements set forth
5 in sub. (3) (b). ~~If the minor has refused to provide informed consent, a notation of this~~
6 ~~fact shall be made on the face of the petition.~~

7 **SECTION 2112wm.** 51.14 (4) (c) of the statutes is amended to read:

8 51.14 (4) (c) ~~If a notation of a minor's refusal to provide informed consent to~~
9 ~~outpatient mental health treatment appears on the petition, the court shall, at least~~
10 ~~7 days prior to the time scheduled for the hearing, appoint counsel to represent the~~
11 ~~minor if the minor is unrepresented.~~ If the minor's parent or guardian has refused
12 to provide informed consent and the minor is unrepresented, the court shall appoint
13 counsel to represent the minor, if requested by the minor or determined by the court
14 to be in the best interests of the minor.

15 **SECTION 2112x.** 51.14 (4) (g) (intro.) of the statutes is amended to read:

16 51.14 (4) (g) (intro.) After the hearing under this subsection, the court shall
17 issue a written order stating that, notwithstanding the written, informed consent
18 requirement of s. 51.61 (6), ~~the written, informed consent of the minor, if the minor~~
19 ~~refuses to provide consent, or the written, informed consent of the parent or~~
20 ~~guardian, if the parent or guardian refuses to provide consent,~~ is not required for
21 outpatient mental health treatment for the minor if the court finds all of the
22 following:".

23 **752.** Page 883, line 14: after that line insert:

24 **"SECTION 2115d.** 51.20 (16) (a) of the statutes is amended to read:

1 51.20 (16) (a) Except in the case of alcoholic commitments under s. 51.45 (13),
2 any patient who is involuntarily committed for treatment under this chapter, may
3 on the patient's own verified petition, except in the case of a minor ~~who is under 14~~
4 ~~years of age~~, or on the verified petition of the patient's guardian, relative, friend, or
5 any person providing treatment under the order of commitment, request a
6 reexamination or request the court to modify or cancel an order of commitment.

7 **SECTION 2115g.** 51.22 (2) of the statutes is amended to read:

8 51.22 (2) ~~Voluntary~~ Except as provided in s. 51.13 (2), voluntary admissions
9 under ss. 51.10, 51.13 and 51.45 (10) shall be through the county department under
10 s. 51.42 or 51.437 serving the person's county of residence, or through the
11 department if the person to be admitted is a nonresident of this state. Admissions
12 through a county department under s. 51.42 or 51.437 shall be made in accordance
13 with s. 51.42 (3) (as) 1. or 51.437 (4rm) (a). Admissions through the department shall
14 be made in accordance with sub. (3).

15 **SECTION 2120d.** 51.30 (5) (a) of the statutes is amended to read:

16 51.30 (5) (a) *Consent for release of information.* The parent, guardian, or person
17 in the place of a parent of a minor or the guardian of an adult adjudged incompetent
18 under ch. 880 may consent to the release of confidential information in court or
19 treatment records. ~~A minor who is aged 14 or more may consent to the release of~~
20 ~~confidential information in court or treatment records without the consent of the~~
21 ~~minor's parent, guardian or person in the place of a parent.~~ Consent under this
22 paragraph must conform to the requirements of sub. (2).

23 **SECTION 2120e.** 51.30 (5) (b) 1. of the statutes is amended to read:

24 51.30 (5) (b) 1. The guardian of an individual who is adjudged incompetent
25 under ch. 880 shall have access to the individual's court and treatment records at all

1 times. The parent, guardian or person in the place of a parent of a developmentally
2 disabled minor shall have access to the minor's court and treatment records at all
3 times ~~except in the case of a minor aged 14 or older who files a written objection to~~
4 ~~such access with the custodian of the records.~~ The parent, guardian or person in the
5 place of a parent of other minors shall have the same rights of access as provided to
6 subject individuals under this section.

7 **SECTION 2120f.** 51.30 (5) (b) 2. of the statutes is amended to read:

8 51.30 (5) (b) 2. ~~A minor upon reaching the age of 14 shall have access to his or~~
9 ~~her own court and treatment records, as provided in this section.~~ A minor under the
10 age of 14 shall have access to court records but only in the presence of parent,
11 guardian, counsel, guardian ad litem or judge and shall have access to treatment
12 records as provided in this section but only in the presence of parent, guardian,
13 counsel, guardian ad litem or staff member of the treatment facility.”.

14 **753.** Page 883, line 22: after that line insert:

15 “**SECTION 2120t.** 51.35 (3) (a) of the statutes is amended to read:

16 51.35 (3) (a) A licensed psychologist of a juvenile correctional facility or a
17 secured child caring institution, as defined in s. 938.02 (15g), or a licensed physician
18 of the department of corrections, who has reason to believe that any individual
19 confined in the facility or institution is, in his or her opinion, in need of services for
20 developmental disability, alcoholism or drug dependency or in need of psychiatric
21 services, and who has obtained voluntary consent to make a transfer for treatment,
22 shall make a report, in writing, to the superintendent of the facility or institution,
23 stating the nature and basis of the belief and verifying the consent. In the case of
24 a minor age 14 and over, the minor and, the minor's parent or guardian shall consent

1 unless the minor is admitted under s. 51.13 (1) (c); ~~and in the case of a minor under~~
2 ~~the age of 14, only the minor's parent or guardian need consent.~~ The superintendent
3 shall inform, orally and in writing, the minor and the minor's parent or guardian,
4 that transfer is being considered and shall inform them of the basis for the request
5 and their rights as provided in s. 51.13 (3). If the department of corrections, upon
6 review of a request for transfer, determines that transfer is appropriate, that
7 department shall immediately notify the department of health and family services
8 and, if the department of health and family services consents, the department of
9 corrections may immediately transfer the individual. The department of corrections
10 shall file a petition under s. 51.13 (4) (a) in the court assigned to exercise jurisdiction
11 under chs. 48 and 938 of the county where the treatment facility is located.

12 **SECTION 2120u.** 51.35 (3) (b) of the statutes is amended to read:

13 51.35 (3) (b) The court assigned to exercise jurisdiction under chs. 48 and 938
14 shall determine, based on the allegations of the petition and accompanying
15 documents, ~~whether the transfer is voluntary on the part of the minor if he or she is~~
16 ~~aged 14 or over, and whether the transfer of the minor to an inpatient facility is~~
17 ~~appropriate and consistent with the needs of the minor. In the event that~~ If the court
18 is unable to make such determinations that determination based on the petition and
19 accompanying documents, ~~it shall~~ the court may order additional information to be
20 produced as it deems necessary for the court to make such review, ~~and make such~~
21 ~~determinations~~ the determination within 14 days of after admission, or it the court
22 may hold a hearing within 14 days of after admission. If a notation of the minor's
23 unwillingness appears on the face of the petition, or ~~that~~ if a hearing has been
24 requested by the minor, the minor's counsel, guardian ad litem, parent or guardian,
25 the court shall hold a hearing and appoint counsel or a guardian ad litem for the

1 minor as provided in s. 51.13 (4) (d). At the conclusion of the hearing, the court shall
2 approve or disapprove the request for transfer. If the minor is under the continuing
3 jurisdiction of the court of another county, the court may order the case transferred
4 together with all appropriate records to that court.

5 **SECTION 2120v.** 51.35 (3) (g) of the statutes is amended to read:

6 51.35 (3) (g) A parent or guardian of a minor 14 years of age or older who is
7 transferred to a treatment facility under par. (a) may request in writing a return to
8 the juvenile correctional facility or secured child caring institution, as defined in s.
9 938.02 (15g). ~~In the case of a minor under 14 years of age, the parent or guardian~~
10 ~~may make the request. Upon receipt of a request for return from a minor 14 years~~
11 ~~of age or over, the director shall immediately notify the minor's parent or guardian.~~
12 The minor shall be returned to the juvenile correctional facility or secured child
13 caring institution within 48 hours after submission of the request unless a petition
14 or statement is filed for emergency detention, emergency commitment, involuntary
15 commitment or protective placement.”.

16 **754.** Page 890, line 24: after that line insert:

17 **“SECTION 2156d.** 51.61 (6) of the statutes is amended to read:

18 51.61 (6) Subject to the rights of patients provided under this chapter, the
19 department, county departments under s. 51.42 or 51.437 and any agency providing
20 services under an agreement with the department or those county departments have
21 the right to use customary and usual treatment techniques and procedures in a
22 reasonable and appropriate manner in the treatment of patients who are receiving
23 services under the mental health system, for the purpose of ameliorating the
24 conditions for which the patients were admitted to the system. The written,

1 informed consent of any patient shall first be obtained, unless the person is a minor
2 or has been found not competent to refuse medication and treatment under s. 51.61
3 (1) (g). In the case of a minor, the written, informed consent of the parent or guardian
4 is required. ~~Except, except~~ as provided under an order issued under s. 51.13 (1) (c),
5 51.14 (3) (h) or (4) (g), if the minor is 14 years of age or older, the written, informed
6 consent of the minor and the minor's parent or guardian is required. A refusal of
7 either a parent or guardian of a minor 14 years of age or older or the minor's parent
8 or guardian to provide written, informed consent for inpatient mental health
9 treatment is reviewable under s. 51.13 (1) (c) and a refusal of a parent or guardian
10 of a minor to provide written, informed consent for outpatient mental health
11 treatment is reviewable under s. 51.14."

12 **755.** Page 893, line 17: after that line insert:

13 "SECTION 2158m. 59.08 (7) (b) of the statutes is amended to read:

14 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
15 to the voters at the next election authorized under s. 8.065 (2) or an election
16 authorized under s. 8.065 (3) to be held on the first Tuesday in April, or the next
17 regular election, or at a special election to be held on a date specified in the order
18 which shall be no sooner than 45 days after the day fixed in date of the order issued
19 under par. (a), which day date shall be the same in each of the counties proposing to
20 consolidate. A copy of the order shall be filed with the county clerk of each of the
21 counties. If the question of consolidation is submitted at a special election, it shall
22 be held not less than 30 days nor more than 60 days from the completion of the
23 consolidation agreement, but not within 60 days of any spring or general election."

24 **756.** Page 900, line 9: delete ", 49.153" and substitute ", 49.153".

1 **757.** Page 900, line 21: after that line insert:

2 “**SECTION 2169m.** 59.54 (8) (a) 4. of the statutes is amended to read:

3 59.54 (8) (a) 4. At least annually, submit to the ~~state emergency response board~~
4 division of emergency management in the department of military affairs a list of the
5 members of the local emergency planning committee appointed by the county board
6 under this paragraph, including the agency, organization or profession that each
7 member represents.”.

8 **758.** Page 900, line 21: after that line insert:

9 “**SECTION 2169f.** 59.53 (13) (title) of the statutes is amended to read:

10 59.53 (13) (title) ~~SUBSIDY OF~~ PAYMENTS FOR ABORTIONS AND ABORTION-RELATED
11 ACTIVITY RESTRICTED.

12 **SECTION 2169g.** 59.53 (13) of the statutes is renumbered 59.53 (13) (a).

13 **SECTION 2169h.** 59.53 (13) (b) of the statutes is created to read:

14 59.53 (13) (b) No county or agency or subdivision of a county may authorize
15 payment of funds for a grant, subsidy or other funding involving a pregnancy
16 program, project or service if s. 20.9275 (2) applies to the pregnancy program, project
17 or service.”.

18 **759.** Page 901, line 10: delete the material beginning with that line and
19 ending with page 902, line 9.

20 **760.** Page 902, line 9: after that line insert:

21 “**SECTION 2174pm.** 59.692 (1s) of the statutes is created to read:

22 59.692 (1s) (a) Restrictions that are applicable to damaged or destroyed
23 nonconforming structures and that are contained in an ordinance enacted under this
24 section may not prohibit the restoration of a nonconforming structure to the size,

1 subject to par. (b), location or use that the structure had immediately before the
2 damage or destruction occurred or impose any limits on the costs of the repair,
3 reconstruction or improvement if all of the following apply:

4 1. The nonconforming structure was damaged or destroyed after the effective
5 date of this subdivision [revisor inserts date].

6 2. The damage or destruction was caused by violent wind, vandalism, fire or
7 a flood.

8 (b) An ordinance enacted under this section to which par. (a) applies shall allow
9 for the size of a structure to be larger than the size it was immediately before the
10 damage or destruction if necessary for the structure to comply with applicable state
11 or federal requirements.”.

12 **761.** Page 902, line 10: delete lines 10 to 15.

13 **762.** Page 903, line 19: substitute “(e)” for “(e)”.

14 **763.** Page 904, line 1: delete lines 1 to 6 and substitute:

15 “**SECTION 2178c.** 60.23 (25) of the statutes, as affected by 1995 Wisconsin Act
16 289, is amended to read:

17 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
18 officers and employes on a self-insured basis if the self-insured plan complies with
19 ss. 631.89, 631.90, 631.93 (2), ~~632.745 (2), (3) and (5)~~ 632.746 (10) (a) 2. and (b) 2.,
20 632.747 (3), 632.87 (4) and (5), 632.895 (9) and 632.896.

21 **SECTION 2178p.** 60.23 (25) of the statutes, as affected by 1997 Wisconsin Act
22 (this act), is amended to read:

23 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
24 officers and employes on a self-insured basis if the self-insured plan complies with

1 ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and
2 (5), 632.895 (9) and (11) to (13) and 632.896.”.

3 **764.** Page 904, line 6: after that line insert:

4 “**SECTION 2178s.** 60.30 (2) (a) of the statutes is amended to read:

5 60.30 (2) (a) Only an elector of the town may hold a town office, other than an
6 assessor appointed under s. 60.307 or a town clerk, town treasurer or combined town
7 clerk and town treasurer appointed under sub. (1e).”.

8 **765.** Page 904, line 24: after that line insert:

9 “**SECTION 2181c.** 60.62 (1) of the statutes is amended to read:

10 60.62 (1) Subject to subs. (2) and, (3) and (4), if a town board has been granted
11 authority to exercise village powers under s. 60.10 (2) (c), the board may adopt zoning
12 ordinances under s. 61.35.

13 **SECTION 2181e.** 60.62 (2) of the statutes is amended to read:

14 60.62 (2) If the county in which the town is located has enacted a zoning
15 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
16 approval by the town meeting or by a referendum vote of the electors of the town to
17 be held at the time of any regular or special election in accordance with s. 8.065.

18 **SECTION 2181i.** 60.62 (4) of the statutes is created to read:

19 60.62 (4) (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a
20 population of less than 2,500 that acts under this section may create a “Town Plan
21 Commission” under s. 62.23 (1) (a) that has 5 members, consisting of the town
22 chairperson, who shall be its presiding officer, the town engineer, the president of the
23 park board, another member of the town board and one citizen. If the town plan
24 commission has only 5 members and the town has no engineer or park board, an

1 additional citizen member shall be appointed so that the commission has at all times
2 5 members. All other provisions of ss. 61.35 and 62.23 shall apply to a town plan
3 commission that has 5 members.

4 (b) If a town plan commission consists of 7 members and the town board enacts
5 an ordinance or adopts a resolution reducing the size of the commission to 5
6 members, the commission shall continue to operate with 6 or 7 members until the
7 expiration of the terms of the 2 citizen members, who were appointed under s. 62.23
8 (1) (c), whose terms expire soonest after the effective date of the ordinance or
9 resolution that reduces the size of the commission.

10 (c) If a town plan commission consists of 5 members and the town board enacts
11 an ordinance or adopts a resolution increasing the size of the commission to 7
12 members, the town board chairperson shall appoint the 2 new members under s.
13 62.23 (1) (c).”.

14 **766.** Page 904, line 25: delete that line.

15 **767.** Page 905, line 1: delete lines 1 to 5.

16 **768.** Page 905, line 5: after that line insert:

17 “**SECTION 2181n.** 60.74 (5) (b) of the statutes is amended to read:

18 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by
19 qualified electors of the district equal to at least 20% of the vote cast for governor in
20 the district at the last gubernatorial election, requesting a change to appointment
21 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). Upon
22 receipt of the petition, the town board shall submit the question to a referendum at
23 the next regular spring election or general election, or shall call a special election for
24 that purpose authorized under s. 8.065 (2) or an election authorized under s. 8.065

1 (3) to be held not sooner than 45 days after receipt of the petition. The inspectors
2 shall count the votes and submit a statement of the results to the commission. The
3 commission shall canvass the results of the election and certify the results to the
4 town board which has authority to appoint commissioners.

5 **SECTION 2181p.** 61.187 (1) of the statutes is amended to read:

6 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
7 of s. 8.40, signed by at least one-third as many electors of any village as voted for
8 village officers at the next preceding election therefor, shall be presented to the
9 village board praying for dissolution of the village corporation, such board shall
10 submit to the electors of such village, for determination by ballot in substantially the
11 manner provided by ss. 5.64 (2) and 10.02, ~~at a general election or at a special election~~
12 ~~called by them for that purpose~~ the next election authorized under s. 8.065 (2) or an
13 election authorized under s. 8.065 (3) to be held not sooner than 45 days after
14 presentation of the petition, the question whether or not such village corporation
15 shall be dissolved.”.

16 **769.** Page 906, line 8: delete lines 8 to 13.

17 **770.** Page 906, line 13: after that line insert:

18 “**SECTION 2182g.** 61.46 (1) of the statutes is amended to read:

19 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
20 15 in each year, by resolution to be entered of record, determine the amount of
21 corporation taxes to be levied and assessed on the taxable property in such village
22 for the current year. Before levying any tax for any specified purpose, exceeding one
23 percent of the assessed valuation aforesaid, the village board shall, and in all other
24 cases may in its discretion, submit the question of levying the same to the village

1 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or
2 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after
3 submission by giving 10 days' notice thereof prior to such election by publication in
4 a newspaper published in the village, if any, and if there is none, then by posting
5 notices in 3 public places in said village, setting forth in such notices the object and
6 purposes for which such taxes are to be raised and the amount of the proposed tax.

7 **SECTION 2182i.** 62.09 (1) (a) of the statutes is amended to read:

8 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
9 attorney, engineer, one or more assessors unless the city is assessed by a county
10 assessor under s. 70.99, one or more constables as determined by the common
11 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
12 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
13 except in cities where not applicable, chief of police, chief of the fire department,
14 board of public works, 2 alderpersons from each aldermanic district, and such other
15 officers or boards as are created by law or by the council. If one alderperson from each
16 aldermanic district is provided under s. 66.018 (1), the council may, by ordinance
17 adopted by a two-thirds vote of all its members and approved by the electors at a
18 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be
19 2 alderpersons from each aldermanic district.”.

20 **771.** Page 907, line 13: delete the material beginning with that line and
21 ending with page 908, line 10.

22 **772.** Page 908, line 11: delete lines 11 to 16.

23 **773.** Page 908, line 20: after that line insert:

24 **“SECTION 2184m.** 64.03 (1) of the statutes is amended to read:

1 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
2 and every petition for a ~~special election~~ referendum on the same, shall state the
3 number of members of which the council herein provided for shall be composed, the
4 term of office of its members, which term shall not exceed 2 years, whether they shall
5 be nominated and elected from aldermanic districts or from the city at large, and the
6 compensation, if any, which they shall receive.

7 **SECTION 2184n.** 64.39 (3) of the statutes is amended to read:

8 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
9 the questions prescribed in sub. (1) at a ~~special~~ the next election authorized under
10 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held ~~at a time specified~~
11 ~~therein and within 2 months~~ not sooner than 45 days after such petition is filed. The
12 election upon such question shall be conducted, the vote canvassed, and the result
13 declared in the same manner as provided by law for other city elections.”.

14 **774.** Page 909, line 3: after that line insert:

15 “**SECTION 2185m.** 66.01 (8) of the statutes is amended to read:

16 66.01 (8) Every charter, charter amendment or charter ordinance enacted or
17 approved by a vote of the electors shall control and prevail over any prior or
18 subsequent act of the legislative body of the city or village. Whenever the electors
19 of any city or village by a majority vote have adopted or determined to continue to
20 operate under either ch. 62 or 64, or have determined the method of selection of
21 members of the governing board, the question shall not again be submitted to the
22 electors, nor action taken thereon within a period of 2 years. Any election to change
23 or amend the charter of any city or village, other than a ~~special~~ an election as

1 provided in called under s. 9.20 (4), shall be held at the time provided by statute for
2 holding the spring election.”.

3 **775.** Page 910, line 14: delete “s. ss. 59.692 (7) and 62.23 (7) (am)” and
4 substitute “s. 59.692 (7)”.

5 **776.** Page 913, line 11: delete lines 11 to 21.

6 **777.** Page 916, line 22: after that line insert:

7 “**SECTION 2199m.** 66.045 (6) of the statutes is amended to read:

8 66.045 (6) Subsections (1) to (5) do not apply to telecommunications carriers,
9 as defined in s. 196.01 (8m), telecommunications utilities, as defined in s. 196.01 (10),
10 alternative telecommunications utilities, as defined in s. 196.01 (1d), public service
11 corporations, or to cooperative associations organized under ch. 185 to render or
12 furnish telecommunications service, gas, light, heat or power, but such carriers,
13 utilities, corporations and associations shall secure permit from the proper official
14 for temporary obstructions or excavation in a highway and shall be liable for all
15 injuries to person or property thereby.”.

16 **778.** Page 916, line 22: after that line insert:

17 “**SECTION 2198r.** 66.04 (1) (m) (title) of the statutes is renumbered 66.04 (1m)
18 (title) and amended to read:

19 66.04 (1m) (title) ~~SUBSIDY OF~~ PAYMENTS FOR ABORTIONS AND ABORTION-RELATED
20 ACTIVITY RESTRICTED.

21 **SECTION 2198s.** 66.04 (1) (m) of the statutes is renumbered 66.04 (1m) (a).

22 **SECTION 2198t.** 66.04 (1m) (b) of the statutes is created to read:

23 66.04 (1m) (b) No city, village or town or agency or subdivision of a city, village
24 or town may authorize payment of funds for a grant, subsidy or other funding

1 involving a pregnancy program, project or service if s. 20.9275 (2) applies to the
2 pregnancy program, project or service.”.

3 **779.** Page 917, line 8: after that line insert:

4 “**SECTION 2200td.** 66.069 (1) (b) of the statutes is amended to read:

5 66.069 (1) (b) ~~On~~ Except as provided in pars. (bg) and (bn), on October 15 in
6 each year notice shall be given to the owner or occupant of all lots or parcels of real
7 estate to which utility service has been furnished prior to October 1 by a public utility
8 operated by any town, city or village and payment for which is owing and in arrears
9 at the time of giving such notice. The department in charge of the utility shall furnish
10 the treasurer with a list of all such lots or parcels of real estate, and the notice shall
11 be given by the treasurer, unless the governing body of the city, village or town shall
12 authorize such notice to be given directly by the department. Such notice shall be
13 in writing and shall state the amount of such arrears, including any penalty assessed
14 pursuant to the rules of such utility; that unless the same is paid by November 1
15 thereafter a penalty of 10% of the amount of such arrears will be added thereto; and
16 that unless such arrears, with any such added penalty, shall be paid by November
17 15 thereafter, the same will be levied as a tax against the lot or parcel of real estate
18 to which utility service was furnished and for which payment is delinquent as above
19 specified. Such notice may be served by delivery to either such owner or occupant
20 personally, or by letter addressed to such owner or occupant at the post-office
21 address of such lot or parcel of real estate. On November 16 the officer or department
22 issuing the notice shall certify and file with the clerk a list of all lots or parcels of real
23 estate, giving the legal description thereof, to the owners or occupants of which notice
24 of arrears in payment were given as above specified and which arrears still remain

1 unpaid, and stating the amount of such arrears together with the added penalty
2 thereon as herein provided. Each such delinquent amount, including such penalty,
3 shall thereupon become a lien upon the lot or parcel of real estate to which the utility
4 service was furnished and payment for which is delinquent, and the clerk shall insert
5 the same as a tax against such lot or parcel of real estate. All proceedings in relation
6 to the collection of general property taxes and to the return and sale of property for
7 delinquent taxes shall apply to said tax if the same is not paid within the time
8 required by law for payment of taxes upon real estate. Under this paragraph, if an
9 arrearage is for utility service furnished and metered by the utility directly to a
10 mobile home unit in a licensed mobile home park, the notice shall be given to the
11 owner of the mobile home unit and the delinquent amount shall become a lien on the
12 mobile home unit rather than a lien on the parcel of real estate on which the mobile
13 home unit is located. A lien on a mobile home unit may be enforced using the
14 procedures under s. 779.48 (2). This paragraph does not apply to arrearages collected
15 using the procedure under s. 66.60 (16).

16 **SECTION 2200tp.** 66.069 (1) (bg) of the statutes is created to read:

17 66.069 (1) (bg) A municipal utility may use the procedures under par. (b) to
18 collect arrearages for electric service only if one of the following applies:

19 1. The municipality has enacted an ordinance that authorizes the use of the
20 procedures under par. (b) for the collection of arrearages for electric service provided
21 by the municipal utility.

22 2. In 1996, the municipality collected arrearages for electric service provided
23 by the municipal utility using the procedures under s. 66.60 (16), 1993 stats.”.

24 **780.** Page 917, line 8: after that line insert:

1 **SECTION 2200s.** 66.059 (2m) (b) of the statutes is amended to read:

2 66.059 **(2m)** (b) If a referendum is to be held on a resolution, the municipal
3 governing body shall direct the municipal clerk to ~~call a special election for the~~
4 ~~purpose of submitting~~ submit the resolution to the electors for approval of the
5 electors at a referendum ~~on approval or rejection. In lieu of a special election, the~~
6 ~~municipal governing body may specify that the election be held at the next~~
7 ~~succeeding spring primary or election or September primary or general election~~
8 called in accordance with s. 8.065.

9 **SECTION 2200t.** 66.061 (1) (c) of the statutes is amended to read:

10 66.061 **(1)** (c) No such ordinance shall be operative until 60 days after passage
11 and publication unless sooner approved by a referendum. Within that time electors
12 equal in number to 20 per cent of those voting at the last regular municipal election,
13 may demand a referendum. The demand shall be in writing and filed with the clerk.
14 Each signer shall state his or her occupation and residence and signatures shall be
15 verified by the affidavit of an elector. The referendum shall be held at the next
16 ~~regular municipal election, or at a special election within 90 days of the~~ authorized
17 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner
18 than 45 days after filing of the demand, and the ordinance shall not be effective
19 unless approved by a majority of the votes cast thereon. This paragraph shall not
20 apply to extensions by a utility previously franchised by the village or city.

21 **SECTION 2200u.** 66.075 (5) of the statutes is amended to read:

22 66.075 **(5)** The provisions of this section shall apply only to such counties, cities,
23 villages and towns as shall have adopted the same at any general or municipal
24 election at which the question of the establishment of such county or municipal
25 slaughterhouse shall have been submitted to the voters of such county, city, village

1 or town. Such question shall, upon the filing of a petition conforming to the
2 requirements of s. 8.40 by electors of such county, city, village or town equal in
3 number to at least 10% of all the votes cast in such county, city, village or town for
4 governor at the last preceding general election, be submitted to the electors of such
5 county, city, village or town at the next ensuing election authorized under s. 8.065 (2)
6 or an election authorized under s. 8.065 (3) to be held not sooner than 45 days after
7 filing of the petition, and if a majority of votes cast shall be in favor of the
8 establishment of such slaughterhouse, the provisions of this section shall apply to
9 such county, city, village or town.”.

10 **781.** Page 917, line 8: after that line insert:

11 “SECTION 2200tc. 66.067 of the statutes is amended to read:

12 **66.067 Public works projects.** For financing purposes, garbage
13 incinerators, toll bridges, swimming pools, tennis courts, parks, playgrounds, golf
14 links, bathing beaches, bathhouses, street lighting, city halls, village halls, town
15 halls, courthouses, jails, schools, cooperative educational service agencies, hospitals,
16 homes for the aged or indigent, child care centers, as defined in s. 231.01 (3c),
17 regional projects, waste collection and disposal operations, systems of sewerage,
18 local professional baseball park facilities and any and all other necessary public
19 works projects undertaken by any municipality are public utilities within the
20 meaning of s. 66.066.”.

21 **782.** Page 922, line 15: delete lines 15 to 22 and substitute:

22 “SECTION 2210c. 66.184 of the statutes, as affected by 1995 Wisconsin Act 289,
23 is amended to read:

1 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
2 village provides health care benefits under its home rule power, or if a town provides
3 health care benefits, to its officers and employes on a self-insured basis, the
4 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
5 ~~632.745 (2), (3) and (5)~~ 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5),
6 632.895 (9) and (10), 632.896, 767.25 (4m) (d) and 767.51 (3m) (d).

7 **SECTION 2210m.** 66.184 of the statutes, as affected by 1997 Wisconsin Act ...
8 (this act), is amended to read:

9 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
10 village provides health care benefits under its home rule power, or if a town provides
11 health care benefits, to its officers and employes on a self-insured basis, the
12 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
13 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) ~~and (10)~~ to
14 (13), 632.896, 767.25 (4m) (d) and 767.51 (3m) (d).”.

15 **783.** Page 925, line 17: after that line insert:

16 “**SECTION 2214b.** 66.46 (2) (f) 2. a. of the statutes is amended to read:

17 66.46 (2) (f) 2. a. The cost of constructing or expanding administrative
18 buildings, police and fire buildings, libraries, community and recreational buildings
19 and school buildings, unless the administrative buildings, police and fire buildings,
20 libraries and community and recreational buildings were damaged or destroyed
21 before January 1, 1997, by a natural disaster.”.

22 **784.** Page 925, line 18: delete the material beginning with that line and
23 ending with page 926, line 15.

24 **785.** Page 936, line 23: after that line insert:

1 “**SECTION 2216m.** 66.504 (2) of the statutes is amended to read:

2 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
3 contract with a nonprofit corporation organized for civic purposes and located in the
4 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
5 a facility to be used for municipal and civic activities if a majority of the voters voting
6 in a referendum at a ~~special election or at a spring primary or election or September~~
7 ~~primary or general~~ an election authorized under s. 8.065 approve the question of
8 entering into the joint contract.”.

9 **786.** Page 937, line 12: after that line insert:

10 “**SECTION 2217b.** 66.521 (10) (d) of the statutes is amended to read:

11 66.521 (10) (d) The governing body may issue bonds under this section without
12 submitting the proposition to the electors of the municipality for approval unless
13 within 30 days from the date of publication of notice of adoption of the initial
14 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and
15 signed by a number of electors of the municipality equal to not less than 5% of the
16 registered electors ~~of the municipality~~, or, if there is no registration of electors in the
17 municipality, by 10% of the number of electors of the municipality voting for the office
18 of governor at the last general election as determined under s. 115.01 (13), is filed
19 with the clerk of the municipality requesting a referendum upon the question of the
20 issuance of the bonds. If such a petition is filed, the bonds shall not be issued until
21 approved by a majority of the electors of the municipality voting thereon at a ~~general~~
22 ~~or special election~~ referendum called in accordance with s. 8.065.”.

23 **787.** Page 938, line 24: after that line insert:

24 “**SECTION 2218m.** 66.77 (3) (a) 1. of the statutes is amended to read:

1 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating
2 levy rate limit otherwise applicable to the county under this section, it shall adopt
3 a resolution to that effect. The resolution shall specify either the operating levy rate
4 or the operating levy that the governing body wishes to impose for either a specified
5 number of years or an indefinite period. The governing body shall ~~call a special~~
6 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
7 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
8 ~~specify that~~ provide for the referendum to be held at the next succeeding spring
9 ~~primary or election or September primary or general election to be held~~ authorized
10 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier
11 than 30 days after the adoption of the resolution of the governing body.”

12 **788.** Page 939, line 1: delete the material beginning with that line and ending
13 with page 941, line 23.

14 **789.** Page 941, line 23: after that line insert:

15 “**SECTION 2219s.** 66.94 (4) of the statutes is amended to read:

16 66.94 (4) MANNER OF ADOPTION. This section may be adopted by any city, village
17 or town within the metropolitan district in the following manner: The governing body
18 of any municipality, by ordinance passed at least 30 days prior to submission of the
19 question, may direct that the question of the adoption of this section be submitted
20 to the electors therein at any ~~general, special, judicial or local~~ election authorized
21 under s. 8.065. The clerk of such municipality or the election commission of any city
22 of the first class shall thereupon submit the question to popular vote. Public notice
23 of the election shall be given in the same manner as in case of a regular municipal
24 election except that such notice shall be published or posted at least 20 days prior to

1 the election. If a majority of those voting on the question vote in the affirmative
2 thereon, this section shall be adopted in such municipality. The proposition on the
3 ballot to be used at such election shall be in substantially the following form:

4 Shall section 66.94 of the Wisconsin statutes which creates a metropolitan
5 transit authority for ownership and operation of a public mass transportation system
6 in the metropolitan district be adopted?

7 YES NO .

8 **790.** Page 942, line 7: after that line insert:

9 “**SECTION 2220m.** 67.05 (4) and (5) of the statutes are amended to read:

10 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
11 initial resolution for an issue of county bonds to provide for the original construction
12 or for the improvement and maintenance of highways, to provide railroad aid, or to
13 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining
14 a bridge over or across any stream or other body of water bordering upon or
15 intersecting any part of the county, the county clerk is not required to submit the
16 resolution for approval to the electors of the county at a ~~special election~~ referendum
17 unless within 30 days after the adoption thereof there is filed with the clerk a petition
18 conforming to the requirements of s. 8.40 and requesting such submission, signed by
19 electors numbering at least 10% of the votes cast in the county for governor at the
20 last general election. If a petition is filed, the question submitted shall be whether
21 the resolution shall be or shall not be approved. No such resolution of a county board
22 other than those specified in this subsection need be submitted to county electors,
23 except as provided otherwise in sub. (7).

1 **(5) REFERENDUM IN TOWNS, VILLAGES AND CITIES.** (a) Whenever an initial
2 resolution has been so adopted by the governing body of a town, the clerk of the
3 municipality shall immediately record the resolution and call a ~~special election~~
4 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
5 to the electors of the municipality for approval. This paragraph does not apply to
6 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number
7 of electors equal to at least 15% of the votes cast for governor at the last general
8 election in their town sign and file a petition conforming to the requirements of s. 8.40
9 with the town clerk requesting submission of the resolution. Whenever a number of
10 electors cannot be determined on the basis of reported statistics, the number shall
11 be determined in accordance with s. 60.74 (6). If a petition is filed, the question
12 submitted shall be whether the resolution shall or shall not be approved. This
13 paragraph is limited in its scope by sub. (7).

14 (b) No city or village may issue any bonds for any purposes other than for water
15 systems, lighting works, gas works, bridges, street lighting, street improvements,
16 street improvement funding, hospitals, airports, harbor improvements, river
17 improvements, breakwaters and protection piers, sewerage, garbage disposal,
18 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish
19 disposal, parks and public grounds, swimming pools and band shells thereon,
20 veterans housing projects, paying the municipality's portion of the cost of abolishing
21 grade crossings, for the construction of police facilities and combined fire and police
22 safety buildings, for the purchase of sites for engine houses, for fire engines and other
23 equipment of the fire department, for construction of engine houses, and for pumps,
24 water mains, reservoirs and all other reasonable facilities for fire protection
25 apparatus or equipment for fire protection, for parking lots or other parking

1 facilities, for school purposes, for libraries, for buildings for the housing of machinery
2 and equipment, for acquiring and developing sites for industry and commerce as will
3 expand the municipal tax base, for financing the cost of low-interest mortgage loans
4 under s. 66.38, for providing financial assistance to blight elimination, slum
5 clearance, community development, redevelopment and urban renewal programs
6 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or
7 for university of Wisconsin system centers until the proposition for their issue for the
8 special purpose thereof has been submitted to the electors of the city or village and
9 adopted by a majority vote. Except as provided under sub. (15), if the common council
10 of any city or the village board of any village declares its purpose to raise money by
11 issuing bonds for any purpose other than those above specified, it shall direct by
12 resolution, which shall be recorded at length in the record of its proceedings, the clerk
13 to call a ~~special election~~ referendum in accordance with s. 8.065 for the purpose of
14 submitting the question of bonding to the city or village electors. If a number of
15 electors of a city or village equal to at least 15% of the votes cast for governor at the
16 last general election in their city or village sign and file a petition conforming to the
17 requirements of s. 8.40 with the city or village clerk requesting submission of the
18 resolution, the city or village may not issue bonds for financing the cost of
19 low-interest mortgage loans under s. 66.38 ~~without calling a special election to~~
20 ~~submit the question of bonding to~~ unless the issuance is approved by the city or
21 village electors for their approval at a referendum called in accordance with s. 8.065.

22 **SECTION 2221b.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

23 67.05 **(6a)** (a) 2. a. Direct the school district clerk to call a ~~special election~~
24 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
25 to the electors for approval or rejection, ~~or direct that the resolution be submitted at~~

1 the next regularly scheduled primary or election authorized under s. 8.065 (2) or an
2 election authorized under s. 8.065 (3) to be held not earlier than 45 days after the
3 adoption of the resolution. The resolution shall not be effective unless adopted by a
4 majority of the school district electors voting at the referendum.

5 **SECTION 2221c.** 67.05 (6m) (b) of the statutes is amended to read:

6 67.05 **(6m)** (b) If a referendum is to be held on an initial resolution, the district
7 board shall direct the technical college district secretary to call a ~~special election~~
8 referendum in accordance with s. 8.065 for the purpose of submitting the initial
9 resolution to the electors for a ~~referendum on approval or rejection.~~ In lieu of a
10 ~~special election, the district board may specify that the election be held at the next~~
11 ~~succeeding spring primary or election or September primary or general election.~~

12 **SECTION 2221e.** 67.10 (5) (b) of the statutes is amended to read:

13 67.10 **(5)** (b) Any city having ~~voted~~ approved the issuance of bonds at a special
14 referendum election held in accordance with s. 8.065 and having sold a portion
15 thereof may negotiate, sell or otherwise dispose of the same in the manner provided
16 by statute within 9 years of the date of the election voting the same.

17 **SECTION 2221g.** 67.12 (12) (e) 5. of the statutes is amended to read:

18 67.12 **(12)** (e) 5. Within 10 days of the adoption by a technical college district
19 board of a resolution under subd. 1. to issue a promissory note for a purpose under
20 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
21 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
22 the resolution, but shall state the amount proposed to be borrowed, the method of
23 borrowing, the purpose thereof, that the resolution was adopted under this
24 subsection and the place where and the hours during which the resolution is
25 available for public inspection. If the amount proposed to be borrowed is for building

1 remodeling or improvement and does not exceed \$500,000 or is for movable
2 equipment, the district board need not submit the resolution to the electors for
3 approval unless, within 30 days after the publication or posting, a petition
4 conforming to the requirements of s. 8.40 is filed with the secretary of the district
5 board requesting a referendum ~~at a special election~~ to be called for that purpose.
6 Such petition shall be signed by electors from each county lying wholly or partially
7 within the district. The number of electors from each county shall equal at least 1.5%
8 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
9 in more than one district, the technical college system board shall apportion the
10 county's population as determined under s. 16.96 (2) (c) to the districts involved and
11 the petition shall be signed by electors equal to the appropriate percentage of the
12 apportioned population. ~~In lieu of a special election, the district board may specify~~
13 ~~that the referendum shall be held at the next succeeding spring primary or election~~
14 ~~or September primary or general election.~~ Any resolution to borrow amounts of
15 money in excess of \$500,000 for building remodeling or improvement shall be
16 submitted to the electors of the district for approval. Any referendum under this
17 subdivision shall be called at the next election authorized under s. 8.065 (2) or an
18 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing
19 of a petition or adoption of a resolution requiring the referendum. If a referendum
20 is held or required under this subdivision, no promissory note may be issued until
21 the issuance is approved by a majority of the district electors voting at such
22 referendum. The referendum shall be noticed, called and conducted under s. 67.05
23 (6a) insofar as applicable, except that the notice of ~~special election~~ referendum and
24 ballot need not embody a copy of the resolution and the question which shall appear
25 on the ballot shall be "Shall (name of district) be authorized to borrow the sum of

1 \$... for (state purpose) by issuing its general obligation promissory note (or notes)
2 under section 67.12 (12) of the Wisconsin Statutes?”.”.

3 **791.** Page 943, line 19: after that line insert:

4 “**SECTION 2227r.** 69.186 (1) (hm) of the statutes is created to read:

5 69.186 (1) (hm) Whether the abortion was a chemically induced abortion, a
6 surgical abortion or a surgical abortion following a failed or incomplete chemical
7 abortion.”.

8 **792.** Page 943, line 23: after that line insert:

9 “**SECTION 2230m.** 69.30 (1) (d) of the statutes is created to read:

10 69.30 (1) (d) “Wisconsin works agency” has the meaning given in s. 49.001 (9).

11 **SECTION 2230p.** 69.30 (2) of the statutes is amended to read:

12 69.30 (2) A financial institution, state agency, county department, Wisconsin
13 works agency or service office or an employe of a financial institution, state agency,
14 county department, Wisconsin works agency or service office is not subject to s. 69.24
15 (1) (a) for copying a certified copy of a vital record for use by the financial institution,
16 state agency, county department, Wisconsin works agency or service office, including
17 use under s. 45.36 (4m), if the copy is marked “FOR ADMINISTRATIVE USE”.”.

18 **793.** Page 944, line 11: after that line insert:

19 “**SECTION 2233d.** 70.11 (2m) of the statutes is created to read:

20 70.11 (2m) PROPERTY LEASED OR SUBLEASED TO SCHOOL DISTRICTS. All of the
21 property that is owned or leased by a corporation, organization or association that
22 is exempt from federal income taxation under section 501 (c) (3) of the Internal
23 Revenue Code if all of that property is leased or subleased to a school district for no

1 or nominal consideration for use by an educational institution that offers regular
2 courses for 6 months in a year.”.

3 **794.** Page 944, line 12: delete the material beginning with that line and
4 ending with page 945, line 20.

5 **795.** Page 946, line 2: after that line insert:

6 “SECTION 2233v. 70.11 (39) of the statutes is created to read:

7 70.11 (39) COMPUTERS. Computers and related property; including computer
8 mainframes, minicomputers, personal computers, networked personal computers,
9 central processing units, electronic peripheral equipment, terminals, monitors, disk
10 files, tape drives, printers, basic operational programs, systems software, prewritten
11 software and custom software but not including fax machines, copiers, telephone
12 systems and equipment with embedded computerized components.”.

13 **796.** Page 946, line 2: after that line insert:

14 “SECTION 2234b. 70.113 (1) of the statutes is renumbered 70.113 (1) (intro.) and
15 amended to read:

16 70.113 (1) (intro.) As soon after April 20 of each year as is feasible the
17 department of natural resources shall pay to the city, village, or town treasurer the
18 ~~sum of 80 cents per acre as a grant out of the appropriation made by s. 20.370 (5) (da)~~
19 ~~and (dq) on~~ all of the following amounts from the following appropriations for each
20 acre situated in the municipality of state forest lands, as defined in s. 28.02 (1), state
21 parks under s. 27.01 and state public shooting, trapping or fishing grounds and
22 reserves or refuges operated thereon, acquired at any time under s. 29.10, 1943
23 stats., s. 23.09 (2) (d) or 29.571 (1) or from the appropriations made by s. 20.866 (2)

1 (tp) by the department of natural resources or leased from the federal government
2 by the department of natural resources.:

3 **SECTION 2234c.** 70.113 (1) (a) and (b) of the statutes are created to read:

4 70.113 (1) (a) Eighty cents, to be paid from the appropriation under s. 20.370
5 (5) (da) or (dq).

6 (b) Eight cents, to be paid from the appropriation under s. 20.370 (5) (dq).”.

7 **797.** Page 961, line 15: after that line insert:

8 **“SECTION 2260t.** 71.05 (6) (a) 10. of the statutes is amended to read:

9 71.05 (6) (a) 10. For the taxable year, for a person who is not “actively engaged
10 in farming”, as that term is used in 7 CFR 1497.201, combined net losses, exclusive
11 of net gains from the sale or exchange of capital or business assets and exclusive of
12 net profits, from businesses, from rents, from partnerships, from limited liability
13 companies, from S corporations, from estates or from trusts, under section 165 of the
14 internal revenue code, except losses allowable under sections 1211 and 1231 of the
15 internal revenue code, otherwise includable in calculating Wisconsin income if those
16 losses are incurred in the operation of a farming business, as defined in section 464
17 (e) 1. of the internal revenue code to the extent that those combined net losses exceed
18 \$20,000 if nonfarm Wisconsin adjusted gross income exceeds \$55,000 but does not
19 exceed \$75,000, exceed \$17,500 if nonfarm Wisconsin adjusted gross income exceeds
20 \$75,000 but does not exceed \$100,000, exceed \$15,000 if nonfarm Wisconsin adjusted
21 gross income exceeds \$100,000 but does not exceed \$150,000, exceed \$12,500 if
22 nonfarm Wisconsin adjusted gross income exceeds \$150,000 but does not exceed
23 \$200,000, exceed \$10,000 if nonfarm Wisconsin adjusted gross income exceeds
24 \$200,000 but does not exceed \$250,000, exceed \$7,500 if nonfarm Wisconsin adjusted

1 gross income exceeds \$250,000 but does not exceed \$300,000, exceed \$5,000 if
2 nonfarm Wisconsin adjusted gross income exceeds \$300,000 but does not exceed
3 \$400,000 \$600,000 and exceed \$0 if nonfarm adjusted gross income exceeds \$400,000
4 \$600,000, except that the amounts applicable to married persons filing separately
5 are 50% of the amounts specified in this subdivision.”.

6 **798.** Page 961, line 22: after that line insert:

7 “**SECTION 2261ao.** 71.05 (6) (a) 20. of the statutes is created to read:

8 71.05 (6) (a) 20. The amount of any excess distribution, as that term is used in
9 section 1291 (b) of the Internal Revenue Code, from a passive foreign investment
10 company.”.

11 **799.** Page 963, line 8: after that line insert:

12 “**SECTION 2261e.** 71.06 (1) (intro.) of the statutes is amended to read:

13 71.06 (1) (title) FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; 1986
14 TO 1997. (intro.) The tax to be assessed, levied and collected upon the taxable incomes
15 of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve
16 funds, and single individuals for taxable years beginning on or after August 1, 1986,
17 and before January 1, 1994, and upon the taxable incomes of all fiduciaries, except
18 fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals
19 and heads of households for taxable years beginning ~~on or~~ after ~~January 1, 1994~~
20 December 31, 1993, and before January 1, 1998, shall be computed at the following
21 rates:

22 **SECTION 2261ee.** 71.06 (1m) of the statutes is created to read:

23 71.06 (1m) FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; AFTER
24 1997. The tax to be assessed, levied and collected upon the taxable incomes of all

1 fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and
2 single individuals and heads of households shall be computed at the following rates:

3 (a) For taxable years beginning after December 31, 1997, and before January
4 1, 1999:

5 1. On all taxable income from \$0 to \$7,500, 4.85%.

6 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.48%.

7 3. On all taxable income exceeding \$15,000, 6.87%.

8 (b) For taxable years beginning after December 31, 1998, and before January
9 1, 2000:

10 1. On all taxable income from \$0 to \$7,500, 4.80%.

11 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.42%.

12 3. On all taxable income exceeding \$15,000, 6.79%.

13 (c) For taxable years beginning after December 31, 1999, and before January
14 1, 2001:

15 1. On all taxable income from \$0 to \$7,500, 4.75%.

16 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.35%.

17 3. On all taxable income exceeding \$15,000, 6.72%.

18 (d) For taxable years beginning after December 31, 2000, and before January
19 1, 2002:

20 1. On all taxable income from \$0 to \$7,500, 4.70%.

21 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.29%.

22 3. On all taxable income exceeding \$15,000, 6.65%.

23 (e) For taxable years beginning after December 31, 2001:

24 1. On all taxable income from \$0 to \$7,500, 4.66%.

25 2. On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.22%.

1 3. On all taxable income exceeding \$15,000, 6.58%.

2 **SECTION 2261eg.** 71.06 (2) (intro.) of the statutes is amended to read:

3 71.06 (2) MARRIED PERSONS. (intro.) The tax to be assessed, levied and collected
4 upon the taxable incomes of all married persons ~~for calendar year 1987 and~~
5 ~~corresponding fiscal years and for calendar and fiscal years thereafter~~ shall be
6 computed at the following rates:

7 **SECTION 2261ei.** 71.06 (2) (a) (intro.) of the statutes is amended to read:

8 71.06 (2) (a) (intro.) For joint returns, for taxable years beginning after July
9 31, 1986, and before January 1, 1998:

10 **SECTION 2261ek.** 71.06 (2) (b) (intro.) of the statutes is amended to read:

11 71.06 (2) (b) (intro.) For married persons filing separately, for taxable years
12 beginning after July 31, 1986, and before January 1, 1998:

13 **SECTION 2261eL.** 71.06 (2) (c) of the statutes is created to read:

14 71.06 (2) (c) For joint returns:

15 1. For taxable years beginning after December 31, 1997, and before January
16 1, 1999:

17 a. On all taxable income from \$0 to \$10,000, 4.85%.

18 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.48%.

19 c. On all taxable income exceeding \$20,000, 6.87%.

20 2. For taxable years beginning after December 31, 1998, and before January
21 1, 2000:

22 a. On all taxable income from \$0 to \$10,000, 4.80%.

23 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.42%.

24 c. On all taxable income exceeding \$20,000, 6.79%.

1 3. For taxable years beginning after December 31, 1999, and before January
2 1, 2001:

3 a. On all taxable income from \$0 to \$10,000, 4.75%.

4 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.35%.

5 c. On all taxable income exceeding \$20,000, 6.72%.

6 4. For taxable years beginning after December 31, 2000, and before January
7 1, 2002:

8 a. On all taxable income from \$0 to \$10,000, 4.70%.

9 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.29%.

10 c. On all taxable income exceeding \$20,000, 6.65%.

11 5. For taxable years beginning after December 31, 2001:

12 a. On all taxable income from \$0 to \$10,000, 4.66%.

13 b. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.22%.

14 c. On all taxable income exceeding \$20,000, 6.58%.

15 **SECTION 2261em.** 71.06 (2) (d) of the statutes is created to read:

16 71.06 (2) (d) For married persons filing separately:

17 1. For taxable years beginning after December 31, 1997, and before January
18 1, 1999:

19 a. On all taxable income from \$0 to \$5,000, 4.85%.

20 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.48%.

21 c. On all taxable income exceeding \$10,000, 6.87%.

22 2. For taxable years beginning after December 31, 1998, and before January
23 1, 2000:

24 a. On all taxable income from \$0 to \$5,000, 4.80%.

25 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.42%.

1 c. On all taxable income exceeding \$10,000, 6.79%.

2 3. For taxable years beginning after December 31, 1999, and before January
3 1, 2001:

4 a. On all taxable income from \$0 to \$5,000, 4.75%.

5 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.35%.

6 c. On all taxable income exceeding \$10,000, 6.72%.

7 4. For taxable years beginning after December 31, 2000, and before January
8 1, 2002:

9 a. On all taxable income from \$0 to \$5,000, 4.70%.

10 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.29%.

11 c. On all taxable income exceeding \$10,000, 6.65%.

12 5. For taxable years beginning after December 31, 2001:

13 a. On all taxable income from \$0 to \$5,000, 4.66%.

14 b. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.22%.

15 c. On all taxable income exceeding \$10,000, 6.58%.

16 **SECTION 2261eo.** 71.06 (2m) of the statutes is amended to read:

17 71.06 (2m) RATE CHANGES. If a rate under sub. (1), (1m) or (2) changes during
18 a taxable year, the taxpayer shall compute the tax for that taxable year by the
19 methods applicable to the federal income tax under section 15 of the internal revenue
20 code.”.

21 **800.** Page 963, line 22: after that line insert:

22 “**SECTION 2261fm.** 71.06 (2s) of the statutes, as created by 1997 Wisconsin Act
23 (this act), is renumbered 71.06 (2s) (a) and amended to read:

1 71.06 (2s) (a) For taxable years beginning after December 31, 1996, and ending
2 before January 1, 1998, with respect to nonresident individuals, including
3 individuals changing their domicile into or from this state, the tax brackets under
4 subs. (1) and (2) shall be multiplied by a fraction, the numerator of which is
5 Wisconsin adjusted gross income and the denominator of which is federal adjusted
6 gross income. In this ~~subsection~~ paragraph, for married persons filing separately
7 “adjusted gross income” means the separate adjusted gross income of each spouse,
8 and for married persons filing jointly “adjusted gross income” means the total
9 adjusted gross income of both spouses. If an individual and that individual’s spouse
10 are not both domiciled in this state during the entire taxable year, the tax brackets
11 under subs. (1) and (2) on a joint return shall be multiplied by a fraction, the
12 numerator of which is their joint Wisconsin adjusted gross income and the
13 denominator of which is their joint federal adjusted gross income.

14 **SECTION 2261fn.** 71.06 (2s) (b) of the statutes is created to read:

15 71.06 (2s) (b) For taxable years beginning after December 31, 1997, with
16 respect to nonresident individuals, including individuals changing their domicile
17 into or from this state, the tax brackets under subs. (1m) and (2) (c) and (d) shall be
18 multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income
19 and the denominator of which is federal adjusted gross income. In this paragraph,
20 for married persons filing separately “adjusted gross income” means the separate
21 adjusted gross income of each spouse, and for married persons filing jointly “adjusted
22 gross income” means the total adjusted gross income of both spouses. If an individual
23 and that individual’s spouse are not both domiciled in this state during the entire
24 taxable year, the tax brackets under subs. (1m) and (2) (c) and (d) on a joint return
25 shall be multiplied by a fraction, the numerator of which is their joint Wisconsin

1 adjusted gross income and the denominator of which is their joint federal adjusted
2 gross income.”.

3 **801.** Page 973, line 20: after that line insert:

4 “**SECTION 2262ns.** 71.07 (6) (a) of the statutes is amended to read:

5 71.07 (6) (a) ~~Married~~ For taxable years beginning before January 1, 1998,
6 married persons filing a joint return, except those who reduce their gross income
7 under section 911 or 931 of the internal revenue code, may claim as a credit against,
8 but not to exceed the amount of, Wisconsin net income taxes otherwise due an
9 amount equal to 2% of the earned income of the spouse with the lower earned income,
10 but not more than \$300. In this paragraph, “earned income” means qualified earned
11 income, as defined in section 221 (b) of the internal revenue code as amended to
12 December 31, 1985, plus employe business expenses under section 62 (2) (B) to (D)
13 of that code, allocable to Wisconsin under s. 71.04, plus amounts received by the
14 individual for services performed in the employ of the individual’s spouse minus the
15 amount of disability income excluded under s. 71.05 (6) (b) 4. and minus any other
16 amount not subject to tax under this chapter. Earned income is computed
17 notwithstanding the fact that each spouse owns an undivided one-half interest in
18 the whole of the marital property. A marital property agreement or unilateral
19 statement under ch. 766 transferring income between spouses has no effect in
20 computing earned income under this paragraph.

21 **SECTION 2262nt.** 71.07 (6) (am) of the statutes is created to read:

22 71.07 (6) (am) 1. In this paragraph, “earned income” means qualified earned
23 income, as defined in section 221 (b) of the internal revenue code as amended to
24 December 31, 1985, plus employe business expenses under section 62 (2) (B) to (D)

1 of that code, allocable to Wisconsin under s. 71.04, plus amounts received by the
2 individual for services performed in the employ of the individual's spouse minus the
3 amount of disability income excluded under s. 71.05 (6) (b) 4. and minus any other
4 amount not subject to tax under this chapter. Earned income is computed
5 notwithstanding the fact that each spouse owns an undivided one-half interest in
6 the whole of the marital property. A marital property agreement or unilateral
7 statement under ch. 766 transferring income between spouses has no effect in
8 computing earned income under this paragraph.

9 2. Married persons filing a joint return, except those who reduce their gross
10 income under section 911 or 931 of the Internal Revenue Code, may claim as a credit
11 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount
12 equal to one of the following:

13 a. For taxable years beginning after December 31, 1997, and before January
14 1, 1999, 2.17% of the earned income of the spouse with the lower earned income, but
15 not more than \$304.

16 b. For taxable years beginning after December 31, 1998, and before January
17 1, 2000, 2.5% of the earned income of the spouse with the lower earned income, but
18 not more than \$350.

19 c. For taxable years beginning after December 31, 1999, and before January
20 1, 2001, 2.75% of the earned income of the spouse with the lower earned income, but
21 not more than \$385.

22 d. For taxable years beginning after December 31, 2000, 3% of the earned
23 income of the spouse with the lower earned income, but not more than \$420.

24 **SECTION 2262nu.** 71.07 (6) (b) of the statutes is amended to read:

1 71.07 (6) (b) A claimant who has filed a timely claim under ~~par. (a)~~ this
2 subsection may file an amended claim with the department of revenue within 4 years
3 of the last day prescribed by law for filing the original claim.”.

4 **802.** Page 976, line 17: delete “71.06 (1)” and substitute “71.06 (1), (1m)”.

5 **803.** Page 976, line 22: delete “71.06 (1)” and substitute “71.06 (1) or under
6 s. 71.06 (1m), whichever taxable year is applicable,”.

7 **804.** Page 1019, line 9: delete that line.

8 **805.** Page 1019, line 12: delete “(3s)” and substitute “(3)”.

9 **806.** Page 1019, line 17: after that line insert:

10 “**SECTION 2280ar.** 71.34 (1) (j) of the statutes is created to read:

11 71.34 (1) (j) An addition shall be made for credits computed under s. 71.28 (3)
12 in taxable years of the tax-option corporation that begin before January 1, 1998, if
13 the credits are passed through to shareholders.”.

14 **807.** Page 1047, line 19: delete that line and substitute “changes in dollar
15 amounts in s. 71.06 (1), (1m) and (2) resulting from statutory changes, except that
16 the department may not adjust the withholding tables to reflect the changes in rates
17 in s. 71.06 (1m) and (2) (c) and (d) for any taxable year that begins before January
18 1, 2000.”.

19 **808.** Page 1047, line 20: delete “(5m).” and substitute “(5m).”.

20 **809.** Page 1052, line 24: after that line insert:

21 “**SECTION 2302m.** 71.67 (4) (a) of the statutes is amended to read:

22 71.67 (4) (a) The administrator of the lottery division in the department under
23 ch. 565 shall withhold from any lottery prize of \$2,000 or more an amount determined

1 by multiplying the amount of the prize by the highest rate applicable to individuals
2 under s. 71.06 (1) or (1m). The administrator shall deposit the amounts withheld,
3 on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

4 **SECTION 2302no.** 71.67 (5) (a) of the statutes is amended to read:

5 71.67 (5) (a) *Wager winnings*. A person holding a license to sponsor and
6 manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any
7 payment of pari-mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount
8 determined by multiplying the amount of the payment by the highest rate applicable
9 to individuals under s. 71.06 (1) (a) to (c) or (1m) if the amount of the payment is more
10 than \$1,000.”.

11 **810.** Page 1058, line 4: after that line insert:

12 “**SECTION 2315m.** 71.75 (5) of the statutes is amended to read:

13 71.75 (5) A claim for refund may be made within ~~2~~ 4 years after the assessment
14 of a tax or an assessment to recover all or part of any tax credit, including penalties
15 and interest, under this chapter, assessed by office audit or field audit and paid if the
16 assessment was not protested by the filing of a petition for redetermination. No
17 claim may be allowed under this subsection for any tax, interest or penalty paid with
18 respect to any item of income, credit or deduction self-assessed or determined by the
19 taxpayer or assessed as the result of any assessment made by the department with
20 respect to which all the conditions specified in this subsection are not met. If a claim
21 is filed under this subsection, the department of revenue may make an additional
22 assessment in respect to any item of income or deduction that was a subject of the
23 prior assessment. No claim for refund may be made in respect to items that were not
24 adjusted in the notice of assessment or of refund. A person whose returns for more

1 than one year have been adjusted may make a claim under this subsection whether
2 or not the net result of the adjustments for those years is an assessment. This
3 subsection does not extend the time to file under s. 71.53 (2) or 71.59 (2), and it does
4 not extend the time period during which the department of revenue may assess, or
5 the taxpayer may claim a refund, in respect to any item of income or deduction that
6 was not a subject of the prior assessment.”.

7 **811.** Page 1061, line 20: after that line insert:

8 “**SECTION 2321m.** 71.78 (4) (p) of the statutes is created to read:

9 71.78 (4) (p) The secretary of revenue and employes of that department for the
10 purpose of calculating the penalty under s. 71.83 (1) (d).”.

11 **812.** Page 1066, line 23: after that line insert:

12 “**SECTION 2332v.** 71.83 (1) (d) of the statutes is created to read:

13 71.83 (1) (d) *Sale of certain business assets or assets used in farming.* 1. If a
14 person who purchases or otherwise receives business assets or assets used in
15 farming, of which the gains realized by the transferor on the sale or disposition of
16 such assets are exempt from taxation under s. 71.05 (6) (b) 25., sells or otherwise
17 disposes of the assets within 2 years after the person purchases or receives the assets,
18 the person shall pay a penalty that is calculated under subd. 2.

19 2. The penalty described under subd. 1. shall be equal to the sum of all of the
20 following:

21 a. The amount of the capital gains exclusion received by the transferor under
22 s. 71.05 (6) (b) 25. in the transaction described in subd. 1.

23 b. The amount calculated under subd. 2. a. multiplied by a fraction, the
24 denominator of which is 24 and the numerator of which is the difference between 24

1 and the number of months between the date on which the person who is liable for the
2 penalty purchased or otherwise received the assets described in subd. 1. and the
3 month in which the person sells or otherwise disposes of the assets.

4 3. The department of revenue shall assess, levy and collect the penalty under
5 this paragraph as it assesses, levies and collects taxes under this chapter.”.

6 **813.** Page 1069, line 19: after that line insert:

7 “SECTION 2342g. 71.935 (1) (a) of the statutes is amended to read:

8 71.935 (1) (a) “Debt” means a parking citation of at least \$20 that is unpaid and
9 for which there has been no court appearance by the date specified in the citation or,
10 if no date is specified, that is unpaid for at least 28 days and an unpaid fine, fee,
11 restitution or forfeiture of at least \$20.

12 SECTION 2342m. 71.935 (2) of the statutes is amended to read:

13 71.935 (2) A municipality or county may certify to the department any debt
14 owed to it. Not later than 5 days after certification, the municipality or county shall
15 notify the debtor in writing of its certification of the debt to the department, of the
16 basis of the certification and of the debtor’s right to appeal and, in the case of parking
17 citations, of the debtor’s right to contest the citation. At the time of certification, the
18 municipality or county shall furnish to the department the name and social security
19 number of each individual debtor and the name and federal employer identification
20 number of each other debtor.

21 SECTION 2342r. 71.935 (3) of the statutes is amended to read:

22 71.935 (3) If the debt remains uncollected and, in the case of a parking citation,
23 if the debtor has not contested the citation within 20 days after the notice under sub.
24 (2), the department shall set off the debt against any refund that is owed to the debtor

1 after the setoff under s. 71.93. Any legal action contesting a setoff shall be brought
2 against the municipality or county.”.

3 **814.** Page 1072, line 18: delete “\$5” and substitute “\$5 \$25”.

4 **815.** Page 1072, line 19: delete that line and substitute “the .”.

5 **816.** Page 1074, line 1: delete lines 1 and 2 and substitute “filing the petition,
6 the petitioner shall pay to the commission a \$25 filing fee. The”.

7 **817.** Page 1077, line 22: after that line insert:

8 “**SECTION 2360m.** 73.03 (51) of the statutes is created to read:

9 73.03 (51) To revoke all permits, licenses and certificates that the department
10 has issued to a person who fails timely to renew a certificate under sub. (50), and to
11 reissue those permits, licenses and certificates if the person renews the certificate
12 under sub. (50).”.

13 **818.** Page 1078, line 13: delete lines 13 to 22.

14 **819.** Page 1078, line 22: after that line insert:

15 “**SECTION 2371m.** 74.53 (1) (intro.) of the statutes is amended to read:

16 74.53 (1) RECOVERY OF TAXES AND COSTS AGAINST PERSONS. (intro.) Except as
17 provided in subs. (3) and (5), a county or a ~~city authorized to act under s. 74.87~~
18 municipality may bring a civil action against a person to recover any of the following
19 amounts that are included in the tax roll for collection and any of the amounts under
20 pars. (b) and (c) that are not included in the tax roll for collection:

21 **SECTION 2371p.** 74.53 (4) of the statutes is amended to read:

22 74.53 (4) RECOVERY LIMITED. A county or a ~~city authorized to act under s. 74.87~~
23 ~~which~~ municipality that proceeds against a property owner under this section may
24 not recover more than the amount owed plus interest and penalties.

1 **SECTION 2371s.** 74.53 (5) of the statutes is amended to read:

2 74.53 (5) PRIOR APPROVAL; NOTICE. No action may be commenced under sub. (1)
3 for the amounts under sub. (1) (a) unless it is approved by the county board or the
4 ~~common council of a city authorized to act under s. 74.87~~ governing body of the
5 municipality. The clerk shall mail, to the last-known address of the person against
6 whom an action is proposed to be commenced, advance written notice of the time and
7 place the county board will meet to consider approval of legal action. A county board
8 or the ~~common council of a city authorized to act under s. 74.87~~ governing body of the
9 municipality may abrogate its duty to approve and notice each action to be
10 commenced under sub. (1) by adopting an ordinance waiving the duty and specifying
11 procedures by which an action under sub. (1) may be commenced.

12 **SECTION 2371t.** 74.53 (6) of the statutes is amended to read:

13 74.53 (6) ACTION BY TAXING JURISDICTION. A taxing jurisdiction may bring a civil
14 action under this section against a person to recover special assessments as defined
15 in s. 75.36 (1) and special charges levied by it for which the county or ~~city authorized~~
16 ~~to act under s. 74.87~~ municipality did not settle in full ~~under s. 74.29~~ or which were
17 not fully paid by proceeds distributed under s. 75.05 or 75.36. Any amount recovered
18 in an action under this subsection shall be reported to the county or city treasurer,
19 who shall subtract it from the amount owed for purposes of sub. (4).”.

20 **820.** Page 1078, line 23: delete the material beginning with that line and
21 ending with page 1079, line 3.

22 **821.** Page 1079, line 16: delete lines 16 and 17 and substitute:

23 “(b) An environmental assessment has been conducted and concludes that the
24 property is contaminated by the discharge of a hazardous substance.”.

1 **822.** Page 1079, line 22: delete lines 22 to 24 and substitute:

2 “(d) The owner of the property or another person presents to the county or city
3 an agreement entered into with the department to investigate and clean up the
4 property.”.

5 **823.** Page 1080, line 11: after that line insert:

6 “**SECTION 2373m.** 76.03 (1) of the statutes is amended to read:

7 76.03 (1) The property, both real and personal, including all rights, franchises
8 and privileges used in and necessary to the prosecution of the business and including
9 property that is exempt from the property tax under s. 70.11 (39) of any company
10 enumerated in s. 76.02 shall be deemed personal property for the purposes of
11 taxation, and shall be valued and assessed together as a unit.”.

12 **824.** Page 1081, line 22: after that line insert:

13 “**SECTION 2376m.** 76.81 of the statutes is amended to read:

14 **76.81 Imposition.** There is imposed a tax on the real property of, and the
15 tangible personal property of, every telephone company, ~~except~~ including property
16 that is exempt from the property tax under s. 70.11 (39) but excluding motor vehicles
17 that are exempt under s. 70.112 (5) and treatment plant and pollution abatement
18 equipment that is exempt under s. 70.11 (21) (a). Except as provided in s. 76.815, the
19 rate for the tax imposed on each description of real property and on each item of
20 tangible personal property is the net rate for the prior year for the tax under ch. 70
21 in the taxing jurisdictions where the description or item is located.”.

22 **825.** Page 1084, line 11: after that line insert:

23 “**SECTION 2381m.** 77.51 (4) (a) 4. of the statutes is amended to read:

1 77.51 (4) (a) 4. Any tax included in or added to the purchase price, including
2 the taxes imposed by ss. s. 78.01, unless the tax is refunded, ss.78.40, 139.02, 139.03
3 and 139.31, the federal motor fuel tax unless the tax is refunded and any
4 manufacturers' or importers' excise tax; but not including any tax imposed by the
5 United States, any other tax imposed by this state or any tax imposed by any
6 municipality of this state upon or with respect to retail sales whether imposed upon
7 the retailer or the consumer if that federal, state or municipal tax is measured by a
8 stated percentage of sales price or gross receipts or the federal communications tax
9 imposed upon the services set forth in s. 77.52 (2) (a) 5. For purposes of the sales tax,
10 if a retailer establishes to the satisfaction of the department that the sales tax
11 imposed by this subchapter has been added to the total amount of the sales price and
12 has not been absorbed by the retailer, the total amount of the sales price shall be the
13 amount received exclusive of the sales tax imposed. For the purpose of this
14 subdivision, a tax shall be deemed "imposed upon or with respect to retail sales" only
15 if the retailer is the person who is required to make the payment of the tax to the
16 governmental unit levying the tax."

17 **826.** Page 1084, line 24: after that line insert:

18 "SECTION 2383g. 77.51 (4) (c) 6. of the statutes is amended to read:

19 77.51 (4) (c) 6. Charges associated with time-share property that is taxable
20 under s. 77.52 (2) (a) ~~1. or 2.~~"

21 **827.** Page 1085, line 8: after that line insert:

22 "SECTION 2383r. 77.51 (15) (a) 4. of the statutes is amended to read:

23 77.51 (15) (a) 4. Any tax included in or added to the purchase price including
24 the taxes imposed by ss. s. 78.01, unless the tax is refunded, ss. 78.40, 139.02, 139.03

1 and 139.31 and the federal motor fuel tax unless the tax is refunded and including
2 also any manufacturers' or importers' excise tax; but not including any tax imposed
3 by the United States, any other tax imposed by this state, or any tax imposed by any
4 municipality of this state upon or with respect to retail sales whether imposed on the
5 retailer or consumer, if that federal, state or municipal tax is measured by a stated
6 percentage of sales price or gross receipts, and not including the federal
7 communications tax imposed upon the services set forth in s. 77.52 (2) (a) 5. For the
8 purpose of this subdivision, a tax shall be deemed "imposed upon or with respect to
9 retail sales" only if the retailer is the person who is required to make the payment
10 of the tax to the governmental unit levying the tax."

11 **828.** Page 1086, line 4: after that line insert:

12 "SECTION 2386j. 77.51 (21m) of the statutes is amended to read:

13 77.51 (21m) "Telecommunications services" means sending messages and
14 information transmitted through the use of local, toll and wide-area telephone
15 service; channel services; telegraph services; teletypewriter; computer exchange
16 services; cellular mobile telecommunications service; specialized mobile radio;
17 stationary two-way radio; paging service; or any other form of mobile and portable
18 one-way or two-way communications; or any other transmission of messages or
19 information by electronic or similar means between or among points by wire, cable,
20 fiber optics, laser, microwave, radio, satellite or similar facilities.
21 "Telecommunications services" does not include sending collect telecommunications
22 that are received outside of the state. In this subsection, "computer exchange
23 services" does not include providing access to or use of the internet. In this

1 subsection, “internet” means interconnecting networks that are connected to
2 network access points by telecommunications services.”.

3 **829.** Page 1086, line 11: after that line insert:

4 **“SECTION 2386q.** 77.52 (2) (a) 1. of the statutes is amended to read:

5 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
6 motel operators and other persons furnishing accommodations that are available to
7 the public, irrespective of whether membership is required for use of the
8 accommodations, not including the furnishing of rooms or lodging through the sale
9 of a time-share property, as defined in s. 707.02 (32), ~~if the use of the rooms or lodging~~
10 ~~is not fixed at the time of sale as to the starting day or the lodging unit.~~ In this
11 subdivision, “transient” means any person residing for a continuous period of less
12 than one month in a hotel, motel or other furnished accommodations available to the
13 public. In this subdivision, “hotel” or “motel” means a building or group of buildings
14 in which the public may obtain accommodations for a consideration, including,
15 without limitation, such establishments as inns, motels, tourist homes, tourist
16 houses or courts, lodging houses, rooming houses, summer camps, apartment hotels,
17 resort lodges and cabins and any other building or group of buildings in which
18 accommodations are available to the public, except accommodations, including
19 mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more
20 than one month and accommodations furnished by any hospitals, sanatoriums, or
21 nursing homes, or by corporations or associations organized and operated
22 exclusively for religious, charitable or educational purposes provided that no part of
23 the net earnings of such corporations and associations inures to the benefit of any
24 private shareholder or individual.”.

1 **830.** Page 1086, line 17: before the period insert “, and the sale of
2 telecommunications services that are paid for before the services are rendered”.

3 **831.** Page 1086, line 23: after that line insert:

4 “**SECTION 2388m.** 77.52 (7) of the statutes is created to read:

5 77.52 (7) Every person desiring to operate as a seller within this state who
6 holds a valid certificate under s. 73.03 (50) shall file with the department an
7 application for a permit for each place of operations. Every application for a permit
8 shall be made upon a form prescribed by the department and shall set forth the name
9 under which the applicant intends to operate, the location of the applicant’s place of
10 operations, and the other information that the department requires. The application
11 shall be signed by the owner if a sole proprietor; in the case of sellers other than sole
12 proprietors, the application shall be signed by the person authorized to act on behalf
13 of such sellers. A nonprofit organization that has gross receipts taxable under s.
14 77.54 (7m) shall obtain a seller’s permit and pay taxes under this subchapter on all
15 taxable gross receipts received after it is required to obtain that permit. If that
16 organization becomes eligible later for the exemption under s. 77.54 (7m) except for
17 its possession of a seller’s permit, it may surrender that permit.

18 **SECTION 2388no.** 77.52 (9) of the statutes is repealed and recreated to read:

19 77.52 (9) After compliance with sub. (7) and s. 77.61 (2) by the applicant, the
20 department shall grant and issue to each applicant a separate permit for each place
21 of operations within the state. A permit is not assignable and is valid only for the
22 person in whose name it is issued and for the transaction of operations at the place
23 designated in it. It shall at all times be conspicuously displayed at the place for which
24 it was issued.

1 **SECTION 2388p.** 77.52 (12) of the statutes is amended to read:

2 77.52 (12) A person who operates as a seller in this state without a permit or
3 after a permit has been suspended, or revoked or has expired, unless the person has
4 a temporary permit under sub. (11), and each officer of any corporation, partnership
5 member, limited liability company member or other person authorized to act on
6 behalf of a seller who so operates, is guilty of a misdemeanor. Permits shall be held
7 only by persons actively operating as sellers of tangible personal property or taxable
8 services. Any person not so operating shall forthwith surrender that person's permit
9 to the department for cancellation. The department may revoke the permit of a
10 person found not to be actively operating as a seller of tangible personal property or
11 taxable services.”.

12 **832.** Page 1087, line 3: after that line insert:

13 “**SECTION 2391m.** 77.52 (17m) (b) 7. of the statutes is amended to read:

14 77.52 (17m) (b) 7. The applicant holds a ~~valid certificate under s. 73.03 (50)~~
15 permit under sub. (9) or is registered under s. 77.53 (9).”.

16 **833.** Page 1087, line 3: after that line insert:

17 “**SECTION 2391mn.** 77.525 of the statutes is created to read:

18 **77.525 Reduction to prevent double taxation.** Any person who is subject
19 to the tax under s. 77.52 (2) (a) 5. on telecommunications services that terminate in
20 this state and who has paid a similar tax on the same services to another state may
21 reduce the amount of the tax remitted to this state by an amount equal to the similar
22 tax properly paid to another state on those services or by the amount due this state
23 on those services, whichever is less. That person shall refund proportionally to the

1 persons to whom the tax under s. 77.52 (2) (a) 5. was passed on an amount equal to
2 the amounts not remitted.”.

3 **834.** Page 1087, line 22: after that line insert:

4 “**SECTION 2392mm.** 77.53 (9) of the statutes, as affected by 1997 Wisconsin Act
5 (this act), is amended to read:

6 77.53 (9) Every retailer selling tangible personal property or taxable services
7 for storage, use or other consumption in this state shall register with the department
8 and obtain a certificate under s. 73.03 (50) and give the name and address of all
9 agents operating in this state, the location of all distribution or sales houses or offices
10 or other places of business in this state, the standard industrial code classification
11 of each place of business in this state and ~~such~~ the other information as that the
12 department requires.

13 **SECTION 2392no.** 77.53 (9m) of the statutes is amended to read:

14 77.53 (9m) Any person who is not otherwise required to collect any tax imposed
15 by this subchapter and who makes sales to persons within this state of tangible
16 personal property or taxable services the use of which is subject to tax under this
17 subchapter may register with the department under the terms and conditions that
18 the department imposes and shall obtain a valid certificate under s. 73.03 (50) and
19 thereby be authorized and required to collect, report and remit to the department the
20 use tax imposed by this subchapter.”.

21 **835.** Page 1087, line 22: after that line insert:

22 “**SECTION 2392m.** 77.53 (9) of the statutes is amended to read:

23 77.53 (9) Every retailer selling tangible personal property or taxable services
24 for storage, use or other consumption in this state shall obtain a certificate under s.

1 73.03 (50) and give the name and address of all agents operating in this state, the
2 location of all distribution or sales houses or offices or other places of business in this
3 state, the standard industrial code classification of each place of business in this
4 state and such other information as the department requires.”.

5 **836.** Page 1088, line 25: delete the material beginning with “if” and ending
6 with “members” on page 1089, line 2, and substitute “to an undergraduate student,
7 a graduate student or a student enrolled in a professional school if the student is
8 enrolled for credit at that institution and if the goods are consumed by that student
9 and meals, food, food products or beverages furnished to a national football league
10 team under a contract or agreement entered into on or before January 1, 1998”.

11 **837.** Page 1089, line 2: after that line insert:

12 “**SECTION 2393nv.** 77.54 (30) (d) of the statutes is amended to read:

13 77.54 (30) (d) In this subsection “residential use” means use in a structure or
14 portion of a structure which is a person’s permanent residence, but does not include
15 use in transient accommodations, as specified in s. 77.52 (2) (a) 1.,; time-share
16 property, as defined in s. 707.02 (32); motor homes; or travel trailers or other
17 recreational vehicles.”.

18 **838.** Page 1089, line 7: after that line insert:

19 “**SECTION 2393t.** 77.54 (44) of the statutes is created to read:

20 77.54 (44) The gross receipts from the sale of and the storage, use or other
21 consumption of materials, supplies and fuel used in the maintenance of railroad
22 tracks.”.

23 **839.** Page 1092, line 18: delete “and (2dx)” and substitute “, (2dx) and (3s)”.

24 **840.** Page 1094, line 5: delete lines 5 to 23.

1 **841.** Page 1095, line 3: delete the material beginning with that line and
2 ending with page 1096, line 3.

3 **842.** Page 1096, line 9: delete “A” and substitute “Except as provided in sub.
4 (2), a”.

5 **843.** Page 1096, line 11: delete “or less”.

6 **844.** Page 1097, line 12: delete lines 12 to 15 and substitute:

7 “(2) Either a county or a municipality within that county, but not both, may
8 impose a tax under sub. (1).”.

9 **845.** Page 1097, line 20: delete lines 20 to 24.

10 **846.** Page 1098, line 4: after that line insert:

11 “(3m) The department of revenue may promulgate rules interpreting the
12 classifications under s. 77.994 (1) and specifying means of determining the
13 classifications of business. If there is a dispute whether a business is in one of the
14 classifications under s. 77.994 (1), the department of revenue’s decision is final.”.

15 **847.** Page 1098, line 6: delete “III” and substitute “V”.

16 **848.** Page 1098, line 9: delete that line and substitute “distribute 97% of the
17 taxes under this subchapter reported, for periods beginning before January 1, 2000,
18 for each municipality or county that has imposed the tax; and 98.7% of the taxes
19 reported, for periods beginning on or after January 1, 2000, for each municipality”.

20 **849.** Page 1099, line 6: delete “2%” and substitute “3%, or 5% for the rental
21 of limousines,”.

22 **850.** Page 1099, line 16: after “(9a).” insert “In this section, “limousine” means
23 a passenger automobile that has a capacity of 10 or fewer persons, excluding the

1 driver; that has a minimum of 5 seats behind the driver; that is operated for hire on
2 an hourly basis under a prearranged contract for the transportation of passengers
3 on public roads and highways along a route under the control of the person who hires
4 the vehicle and not over a defined regular route; but “limousine” does not include
5 taxicabs, hotel or airport shuttles or buses, buses employed solely in transporting
6 school children or teachers, vehicles owned and operated without charge or
7 remuneration by a business entity for its own purposes, vehicles used in carpools or
8 vanpools, public agency vehicles that are not operated as a commercial venture,
9 vehicles operated as part of the employment transit assistance program under s.
10 106.26, ambulances or any vehicle that is used exclusively in the business of funeral
11 directing.”.

12 **851.** Page 1102, line 15: after “(3)” insert “(a)”.

13 **852.** Page 1102, line 16: after “s. 25.48” insert “, except for revenue that it is
14 required under par. (b) to be deposited in the fund under s. 25.46”.

15 **853.** Page 1102, line 16: after that line insert:

16 “(b) Whenever the department of revenue receives a notice from the
17 department of natural resources under s. 292.65 (3) (cm) 2., the department of
18 revenue shall deposit 50% of the revenue that it collects under this subchapter in the
19 fund under s. 25.46 until the total amount deposited in the fund under s. 25.46 equals
20 the total amount stated in all notices under s. 292.65 (3) (cm) 2.”.

21 **854.** Page 1103, line 15: after that line insert:

22 “SECTION 2411m. 78.005 (13b) of the statutes is created to read:

1 78.005 (13b) “Pay” means mail or deliver funds to the department or, if the
2 department prescribes another method of payment or another destination, use that
3 other method or submit to that other destination.”.

4 **855.** Page 1104, line 20: delete the material beginning with that line and
5 ending with page 1105, line 6, and substitute:

6 “**SECTION 2414rm.** 78.015 (1) of the statutes is amended to read:

7 78.015 (1) Before April 1 the department shall recompute and publish the rate
8 for the tax imposed under s. 78.01 (1). The new rate per gallon shall be calculated
9 by multiplying the rate in effect at the time of the calculation by ~~an~~ the amount
10 obtained by multiplying the amount under sub. (2) by ~~the amount under sub. (3).~~

11 **SECTION 2414rn.** 78.015 (3) of the statutes is repealed.”.

12 **856.** Page 1105, line 8: delete “September” and substitute “November”.

13 **857.** Page 1105, line 21: after that line insert:

14 “**SECTION 2416m.** 78.10 (1) of the statutes is repealed and recreated to read:

15 78.10 (1) APPLICATION. Application for a license to receive motor vehicle fuel
16 under s. 78.07 shall be made upon a form prepared and furnished by the department
17 and, in the case of a supplier, the form shall be accompanied by a copy of the
18 applicant’s license under 26 USC 4101. The application shall be subscribed by the
19 applicant and shall contain the information that the department reasonably
20 requires for the administration of this subchapter. Only a person who holds a valid
21 certificate under s. 73.03 (50) may apply for a license under this subsection.

22 **SECTION 2416n.** 78.10 (2) of the statutes is created to read:

23 78.10 (2) INVESTIGATION. The department shall investigate each applicant
24 under sub. (1). No license shall be issued if the department deems that the applicant

1 does not hold a valid certificate under s. 73.03 (50), the application is not filed in good
2 faith, the applicant is not the real party in interest and the license of the real party
3 in interest has been revoked for cause, or other reasonable cause for nonissuance
4 exists.

5 **SECTION 2416p.** 78.10 (3) of the statutes is created to read:

6 78.10 (3) HEARING. Before refusing to issue a license, the department shall
7 grant the applicant a hearing, of which the applicant shall be given at least 5 days'
8 written notice.

9 **SECTION 2416q.** 78.10 (4) of the statutes is created to read:

10 78.10 (4) ISSUE. If the application and the bond under s. 78.11, if that bond is
11 required, are approved, the department shall issue a license.”.

12 **858.** Page 1106, line 11: after “is” insert “renumbered 78.12 (5) and”.

13 **859.** Page 1106, line 12: delete “78.12 (5) (a)” and substitute “78.12 (5)
14 PAYMENT OF TAX.”.

15 **860.** Page 1107, line 3: delete lines 3 to 6 and substitute:

16 “**SECTION 2420r.** 78.12 (5) (b) of the statutes is repealed.”.

17 **861.** Page 1109, line 14: after that line insert:

18 “**SECTION 2428g.** 78.405 of the statutes is repealed and recreated to read:

19 **78.405 Annual adjustment of the tax rate. (1)** Before April 1, the
20 department annually shall calculate the rate for the tax under s. 78.40 as follows:

21 (a) Determine the standard number of British thermal units per gallon
22 generated by gasoline.

23 (b) Determine the standard number of British thermal units per gallon
24 generated by each kind of alternate fuel that is sold in this state.

1 (c) For each kind of alternate fuel sold in this state, divide the result under par.
2 (b) by the result under par. (a).

3 (d) For each kind of alternate fuel sold in this state, multiply the result under
4 par. (c), expressed as a decimal, by the rate for the tax under s. 78.01 as adjusted for
5 the current year under s. 78.015.

6 (2) The rates determined under sub. (1) are effective on the April 1 after they
7 are calculated.”.

8 **862.** Page 1109, line 16: delete “September” and substitute “November”.

9 **863.** Page 1109, line 17: after that line insert:

10 “**SECTION 2428p.** 78.47 of the statutes is amended to read:

11 **78.47 Alternate fuels license.** No person may act as an alternate fuels dealer
12 in this state unless the person holds a valid alternate fuels license issued by the
13 department and a valid certificate under s. 73.03 (50). Except for alternate fuel
14 which is delivered by an alternate fuels dealer into a fuel supply tank of any motor
15 vehicle in this state, no person may use an alternate fuel in this state unless the
16 person holds a valid alternate fuel license issued by the department or unless the
17 alternate fuel has been delivered by a supplier who is authorized under s. 78.40 (1)
18 to report and pay the tax on behalf of the user or retailer.

19 **SECTION 2428r.** 78.48 (1) of the statutes is repealed and recreated to read:

20 78.48 (1) APPLICATION. Application for an alternate fuels license shall be made
21 upon a form prepared and furnished by the department. It shall be subscribed by the
22 applicant and shall contain the information that the department reasonably
23 requires for the administration of this subchapter. Only a person who holds a valid
24 certificate under s. 73.03 (50) may apply for a license under this subsection.

1 **SECTION 2428t.** 78.48 (2) of the statutes is created to read:

2 78.48 (2) INVESTIGATION. The department shall investigate each applicant
3 under sub. (1). No license may be issued if the department deems that the applicant
4 does not hold a valid certificate under s. 73.03 (50), the application is not filed in good
5 faith, the applicant is not the real party in interest and the license of the real party
6 in interest has been revoked for cause, or other reasonable cause for nonissuance
7 exists.

8 **SECTION 2428u.** 78.48 (3) of the statutes is created to read:

9 78.48 (3) HEARING. Before refusing to issue a license, the department shall
10 grant the applicant a hearing, of which the applicant shall be given at least 5 days'
11 written notice.

12 **SECTION 2428v.** 78.48 (4) of the statutes is created to read:

13 78.48 (4) ISSUE. If the application and the bond under sub. (9), if that bond is
14 required, are approved, the department shall issue a license in as many copies as the
15 licensee has places of business for which an alternate fuels license is required.”.

16 **864.** Page 1110, line 6: after that line insert:

17 **“SECTION 2429g.** 78.49 (1) (b) of the statutes is amended to read:

18 78.49 (1) (b) The department may allow alternate fuels licensees whose tax
19 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports
20 shall be ~~mailed~~ filed on or before the last day of the next month following the end of
21 each calendar quarter. The report shall contain the declaration, subscription and
22 information specified in par. (a).”.

23 **865.** Page 1110, line 13: after that line insert:

24 **“SECTION 2431m.** 78.55 (5m) of the statutes is created to read:

1 78.55 (5m) “Pay” means mail or deliver funds to the department or, if the
2 department prescribes another method of payment or another destination, use that
3 other method or submit to that other destination.”.

4 **866.** Page 1110, line 17: delete the material beginning with that line and
5 ending with page 1111, line 3.

6 **867.** Page 1111, line 3: after that line insert:

7 “**SECTION 2432p.** 78.56 of the statutes is amended to read:

8 **78.56 General aviation fuel license.** No person may act as a general
9 aviation fuel dealer in this state unless the person is the holder of a valid general
10 aviation fuel license issued to the person by the department and is the holder of a
11 valid certificate under s. 73.03 (50).

12 **SECTION 2432q.** 78.57 (1) of the statutes is repealed and recreated to read:

13 78.57 (1) APPLICATION. Application for a general aviation fuel license shall be
14 made on a form prepared and furnished by the department. It shall be subscribed
15 by the applicant and shall contain the information that the department reasonably
16 requires for the administration of this chapter. Only a person who holds a valid
17 certificate under s. 73.03 (50) may apply for a license under this subsection.

18 **SECTION 2432r.** 78.57 (2) of the statutes is created to read:

19 78.57 (2) INVESTIGATION. The department shall investigate each applicant
20 under sub. (1). No license may be issued if the department determines any of the
21 following:

22 (a) That the application was not filed in good faith.

23 (b) That the applicant is not the real party in interest and the license of the real
24 party in interest has been revoked for cause.

1 (c) That the applicant does not hold a valid certificate under s. 73.03 (50).

2 (d) That other reasonable cause for nonissuance exists.

3 **SECTION 2432s.** 78.57 (3) of the statutes is created to read:

4 78.57 (3) HEARING. Before refusing to issue a license, the department shall
5 grant the applicant a hearing, of which he or she shall be given at least 5 days'
6 advance written notice.

7 **SECTION 2432t.** 78.57 (4) of the statutes is created to read:

8 78.57 (4) ISSUE. If the application and the bond under sub. (9), if that bond is
9 required, are approved, the department shall issue a license in as many copies as the
10 licensee has places of business for which a general aviation fuel license is required.”.

11 **868.** Page 1111, line 18: after that line insert:

12 “**SECTION 2433c.** 78.58 (1) (b) of the statutes is amended to read:

13 78.58 (1) (b) The department may allow a licensee whose tax liability is less
14 than or equal to \$500 per quarter to file on a quarterly basis. The licensee shall mail
15 file the quarterly report for the next preceding quarter ~~to the department~~ on or before
16 the 20th day of each quarter.”.

17 **869.** Page 1111, line 19: delete the material beginning with that line and
18 ending with page 1112, line 4, and substitute:

19 “**SECTION 2434b.** 78.58 (3) of the statutes is repealed and recreated to read:”.

20 **870.** Page 1116, line 9: after that line insert:

21 “**SECTION 2444m.** 78.77 (1) of the statutes is amended to read:

22 78.77 (1) No person may transport motor vehicle fuel, general aviation fuel or
23 alternate fuels by truck, trailer, semitrailer or other vehicle on any highway in this
24 state from a point without this state to a point within this state, from a point within

1 this state to a point without this state or for hire, as defined in s. 194.01 (4), unless
2 each that person has a valid certificate under s. 73.03 (50) and is registered with the
3 department and unless the registration number furnished by the department for the
4 vehicle preceded by the letters W.D.R. is prominently displayed on the vehicle by
5 painting the registration number on each side and on the rear of the vehicle in
6 characters not less than 5 inches in height with a stroke not less than three-fourths
7 inch in width. The registration is valid until it is suspended, revoked for cause or
8 canceled. A registration is not transferable to another person or place of business.
9 Application for registration shall be upon forms prescribed by the department and
10 shall furnish such information concerning the applicant as the department requires.
11 The application shall show the name and address of the applicant, a description of
12 the truck, trailer, semitrailer or other vehicle, the license number and the state in
13 which issued, the name and address of the licensee, the capacity in gallons of the fuel
14 tank or tanks, the serial number of the trailer, semitrailer or other vehicle, and the
15 serial and motor number of any truck.”.

16 **871.** Page 1117, line 17: after that line insert:

17 “**SECTION 2447t.** 79.095 of the statutes is created to read:

18 **79.095 State aid; computers. (1) DEFINITIONS.** In this section:

19 (a) “Department” means the department of revenue.

20 (b) “Gross tax rate” means the property tax rate without consideration of the
21 credits under subch. II.

22 (c) “Taxing jurisdiction” means a municipality, county, school district or
23 technical college district.

1 **(2) REPORTING.** On or before April 1, 2000, each municipality shall report to the
2 department the value of the property under s. 70.11 (39), as determined in the
3 municipality's assessment as of January 1, 1999, in each taxing jurisdiction for
4 which the municipality assesses property.

5 **(3) PAYMENT.** Annually the department of revenue shall certify the amount
6 payable to each taxing jurisdiction to the department of administration. Annually,
7 on or before the first Monday in May, the department of administration shall pay to
8 each taxing jurisdiction an amount determined as follows:

9 (a) Add the amount under sub. (2) for the taxing jurisdiction, as equated to the
10 property's full value by the department of revenue, and the full value of the property
11 under s. 70.11 (39) in the taxing jurisdiction as determined by the department under
12 s. 70.995 in its assessment as of January 1, 1999.

13 (b) Multiply the amount under par. (a) by the taxing jurisdiction's gross tax rate
14 for taxes levied in 1999 and payable in 2000, as calculated by the department of
15 revenue.”.

16 **872.** Page 1120, line 9: after that line insert:

17 “**SECTION 2465hm.** 83.013 (2) of the statutes is amended to read:

18 83.013 **(2)** The department shall furnish each commission with traffic accident
19 data and uniform traffic citation data for the rural, federal, state, and county
20 highways in the jurisdictions represented in each commission, which shall identify
21 the accident rates and arrest rates on their highways, ~~in the form prescribed by the~~
22 ~~council on traffic law enforcement,~~ and shall also furnish a suitable map for use in
23 spotting accidents.”.

24 **873.** Page 1120, line 9: after that line insert:

1 **“SECTION 2465h.** 81.01 (3) (b) of the statutes is amended to read:

2 81.01 **(3)** (b) The town board by resolution submits to the electors of the town
3 as a referendum at a ~~general or special town~~ an election authorized under s. 8.065
4 the question of exceeding the \$10,000 limit set under this subsection. The board shall
5 abide by the majority vote of the electors of the town on the question. The question
6 shall read as follows:

7 Shall the town of ... spend \$... over the annual limit of \$10,000 for the
8 construction and repair of its highways and bridges?

9 FOR SPENDING - AGAINST SPENDING -”.

10 **874.** Page 1120, line 19: delete “86.312 (2) (a)”.

11 **875.** Page 1127, line 20: delete “\$1,327,858,100” and substitute
12 “\$1,348,058,900”.

13 **876.** Page 1127, line 22: delete “\$1,237,779,900” and substitute
14 “\$1,255,499,900”.

15 **877.** Page 1127, line 22: delete “\$1,327,858,100” and substitute
16 \$1,348,058,900”.

17 **878.** Page 1128, line 13: after that line insert:

18 **“SECTION 2475mg.** 85.01 (2m) of the statutes is created to read:

19 85.01 **(2m)** “Municipality” means a city, village or town.

20 **SECTION 2475mm.** 85.022 (3) of the statutes is amended to read:

21 85.022 **(3)** A recipient of funding under this section shall make the results of
22 its study available to any interested ~~city, village, town~~ municipality or county.

23 **SECTION 2475mr.** 85.024 (1) of the statutes is amended to read:

1 85.024 (1) In this section, “political subdivision” means a municipality or
2 county, ~~city, village or town.~~

3 **SECTION 2475r.** 85.024 (2) of the statutes is amended to read:

4 85.024 (2) The department shall administer a bicycle and pedestrian facilities
5 program to award grants of assistance to political subdivisions for the planning,
6 development or construction of bicycle and pedestrian facilities. Annually, the
7 department shall award from the appropriation under s. 20.395 (2) ~~(fx)~~ (nx) grants
8 to political subdivisions under this section. A political subdivision that is awarded
9 a grant under this section shall contribute matching funds equal to at least 25% of
10 the amount awarded under this section. The department shall select grant
11 recipients annually beginning in 1994 from applications submitted to the
12 department on or before April 1 of each year.”.

13 **879.** Page 1128, line 13: after that line insert:

14 “**SECTION 2475mh.** 85.021 of the statutes is created to read:

15 **85.021 Light rail transit systems; funding prohibition.** Notwithstanding
16 ss. 85.022 and 85.063, no state or federal funds may be expended by the department
17 for any purpose related to a light rail transit system.

18 **SECTION 2475mj.** 85.0215 of the statutes is created to read:

19 **85.0215 High-occupancy vehicle lanes; funding prohibition.**
20 Notwithstanding s. 85.022, the department may not expend any state or federal
21 funds for construction of a separate roadway designated for use by buses or other
22 high-occupancy modes of travel.”.

23 **880.** Page 1128, line 13: after that line insert:

24 “**SECTION 2475mn.** 85.0225 of the statutes is created to read:

1 **85.0225 Light rail transit systems; funding prohibition.** No funds may
2 be expended by Milwaukee County for any purpose related to a light rail transit
3 system unless the county board authorizes such expenditure by resolution and the
4 resolution is ratified in a referendum of the electors of Milwaukee County.”.

5 **881.** Page 1128, line 24: after that line insert:

6 “**SECTION 2476g.** 85.037 of the statutes is created to read:

7 **85.037 Certification of fees collected.** Annually, no later than October 1,
8 the secretary of transportation shall certify to the secretary of administration the
9 amount of fees collected under s. 342.14 (3m) during the previous fiscal year, for the
10 purpose of determining the amounts to be transferred under s. 20.855 (4) (f) during
11 the current fiscal year.”.

12 **882.** Page 1131, line 2: after that line insert:

13 “**SECTION 2481he.** 85.063 (1) (b) of the statutes is amended to read:

14 85.063 (1) (b) “Urban area” means any area that includes a ~~city, village or town~~
15 municipality having a population of 50,000 or more that is appropriate, in the
16 judgment of the department, for an urban rail transit system.

17 **SECTION 2481hh.** 85.065 (1) (a) (intro.) of the statutes is amended to read:

18 85.065 (1) (a) (intro.) Any municipality or county, ~~city, village, town or~~
19 combination thereof may apply to the department for a study of the cost and benefits
20 of the location and form of railroad lines, associated facilities, and railroad
21 operations within an urban area. Upon receiving such application, the department
22 may undertake or contract for a study to determine the extent to which the existing
23 location of such lines, facilities and operations serves the public interests in:

24 **SECTION 2481hp.** 85.08 (2) (i) of the statutes is amended to read:

1 85.08 (2) (i) To make and execute contracts with the federal government, any
2 other state or any municipality, county, city, ~~village, town,~~ railroad, or any transit
3 commission organized under s. 59.58 (3), 66.30 or 66.943, to ensure the continuance
4 and improvement of quality transportation service at reasonable rates or to provide
5 for rail service on rail property owned by the state.

6 **SECTION 2481ht.** 85.08 (4m) (b) 1. of the statutes is amended to read:

7 85.08 (4m) (b) 1. “Eligible applicant” means a county, or municipality ~~or town~~
8 or agency thereof, a railroad, a current or potential user of freight rail service or a
9 transit commission organized under s. 59.58 (3), 66.30 or 66.943.”.

10 **883.** Page 1131, line 2: after that line insert:

11 “**SECTION 2481hi.** 85.07 (8) of the statutes is created to read:

12 85.07 (8) INNOVATIVE SAFETY MEASURES PILOT PROGRAM. The department shall
13 develop and administer an innovative safety measures pilot program to improve the
14 safety of highways in this state, including USH 10. The department shall identify
15 those highways eligible for funding for safety improvements under s. 20.395 (3) (cq)
16 that have high motor vehicle accident rates. From the appropriation under s. 20.395
17 (3) (cq), the department shall expend \$250,000 in each fiscal year for any innovative
18 measures that improve safety on such highways, including safety lighting for
19 underpasses, and entrance and exit ramps; warning lights on dangerous curves;
20 speed detection signs; increasing the number of speed limit signs; rumble strips at
21 intersections; measures to alert approaching motorists to an intersection; and
22 increasing the patrolling of such highways by police. The department shall
23 promulgate rules to implement this subsection.”.

24 **884.** Page 1131, line 2: after that line insert:

1 “**SECTION 2481hc.** 85.062 of the statutes is repealed.”.

2 **885.** Page 1131, line 3: delete lines 3 to 14.

3 **886.** Page 1131, line 15: delete that line and substitute:

4 “**SECTION 2481jd.** 85.08 (4m) (e) 2. d. of the statutes is amended to read:

5 85.08 (4m) (e) 2. d. Relocation of a freight rail off-loading facility that has been
6 agreed to by the owner of the facility; the ~~city, village or town~~ municipality in which
7 the facility is located; and the ~~city, village or town~~ municipality in which the facility
8 will be relocated.

9 **SECTION 2481jg.** 85.08 (5) (a) 1. of the statutes is amended to read:

10 85.08 (5) (a) 1. A ~~city, town or village~~ municipality with a population of 4,000
11 or less.

12 **SECTION 2481jj.** 85.08 (5) (a) 2. of the statutes is amended to read:

13 85.08 (5) (a) 2. A ~~city, town or village~~ municipality that is located in a county
14 with a population density of less than 150 persons per square mile.

15 **SECTION 2481jm.** 85.09 (1) (b) of the statutes is repealed.

16 **SECTION 2481jp.** 85.095 (1) (a) of the statutes is amended to read:

17 85.095 (1) (a) “Eligible applicant” means a county, or ~~municipality, town~~ or
18 agency thereof or a board of harbor commissioners organized under s. 30.37.

19 **SECTION 2481js.** 85.095 (4) of the statutes is amended to read:

20 85.095 (4) HARBOR IMPROVEMENTS ON MISSISSIPPI RIVER. An eligible applicant
21 may receive a grant under this section for harbor improvements located on an island
22 in the Mississippi River regardless of the state in which the island is located if the
23 island is owned by a ~~city, village, town~~ municipality or county in this state.”.

24 **887.** Page 1132, line 7: after that line insert:

1 “**SECTION 2481mm.** 85.195 of the statutes is created to read:

2 **85.195 Coordination with land conservation committees.** (1) In this
3 section, “land conservation committee” means a committee established under s.
4 92.06 or its designated representative.

5 (2) Before commencing construction on a highway construction project, the
6 department shall consult with the local land conservation committee to determine
7 all of the following:

8 (a) The presence and extent of local practices to conserve soil and water
9 resources within the county, including surface and subsurface drainage systems.

10 (b) The downstream impacts of the increased rate and volume, if any, of storm
11 water runoff resulting from a highway project. This determination shall include an
12 analysis of storm water runoff before and after construction of the highway.

13 (3) Before commencing construction on a highway construction project, the
14 department shall submit water drainage plans associated with the project to the
15 local land conservation committee for review. The department shall reimburse the
16 land conservation committee from the appropriation under s. 20.395 (3) (cq) for its
17 review under this section.

18 (4) Decisions concerning the management of storm water runoff related to the
19 construction of a highway shall be made jointly between the department and the
20 local land conservation committee.”.

21 **888.** Page 1132, line 8: delete lines 8 to 16.

22 **889.** Page 1133, line 18: delete lines 18 to 24.

23 **890.** Page 1134, line 1: delete lines 1 to 25.

24 **891.** Page 1135, line 1: delete lines 1 and 2 and substitute:

1 **“SECTION 2481pg.** 85.20 (4m) (a) 6. of the statutes is created to read:

2 85.20 (4m) (a) 6. a. From the appropriation under s. 20.395 (1) (hq), the uniform
3 percentage for each eligible applicant in an urban area served by an urban mass
4 transit system with annual operating expenses in excess of \$20,000,000.

5 b. For the purpose of making allocations under subd. 6. a., the amounts for aids
6 are \$60,984,900 in calendar year 1998 and \$63,119,300 in calendar year 1999 and
7 thereafter. These amounts, to the extent practicable, shall be used to determine the
8 uniform percentage in the particular calendar year.

9 **SECTION 2481pgb.** 85.20 (4m) (a) 7. of the statutes is created to read:

10 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), the uniform
11 percentage for each eligible applicant served by an urban mass transit system
12 operating within an urbanized area having a population as shown in the 1990 federal
13 decennial census of at least 50,000 or receiving federal mass transit aid for such area,
14 and not specified in subd. 6.

15 b. For the purpose of making allocations under subd. 7. a., the amounts for aids
16 are \$17,799,600 in calendar year 1998 and \$18,422,500 in calendar year 1999 and
17 thereafter. These amounts, to the extent practicable, shall be used to determine the
18 uniform percentage in the particular calendar year.

19 **SECTION 2481pgd.** 85.20 (4m) (a) 8. of the statutes is created to read:

20 85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), the uniform
21 percentage for each eligible applicant served by an urban mass transit system
22 operating within an area having a population as shown in the 1990 federal decennial
23 census of less than 50,000 or receiving federal mass transit aid for such area.

24 b. For the purpose of making allocations under subd. 8. a., the amounts for aids
25 are \$4,807,600 in calendar year 1998 and \$4,975,900 in calendar year 1999 and

1 thereafter. These amounts, to the extent practicable, shall be used to determine the
2 uniform percentage in the particular calendar year.”.

3 **892.** Page 1135, line 6: delete “5. This subdivision” and substitute “5 8.”.

4 **893.** Page 1135, line 7: delete lines 7 to 24.

5 **894.** Page 1136, line 1: delete lines 1 and 2 and substitute:

6 “**SECTION 2481png.** 85.20 (4m) (em) 1. of the statutes, as affected by 1997
7 Wisconsin Act (this act), is amended to read:

8 85.20 (**4m**) (em) 1. An amount equal to the same percentage of the audited
9 operating expenses for the project year of the applicant’s urban mass transit system
10 that is specified for allocations to the applicant under par. (a) ~~1. 6.~~ to 8.”.

11 **895.** Page 1136, line 8: delete lines 8 to 11 and substitute “under s. 20.395 (1)
12 (dq), (dr), (ds), (dt) ~~or~~, (du), (hq), (hr) or (hs).”.

13 **896.** Page 1136, line 16: delete lines 16 to 21 and substitute “the payment of
14 the state aid allocation under sub. (4m) (a) for the last quarter of the state’s fiscal year
15 shall be provided from the following fiscal year’s appropriation under s. 20.395 (1)
16 ~~(dq), (dr), (ds), (dt), (du),~~ (hq), (hr) or (hs).”.

17 **897.** Page 1136, line 24: delete “5 and (ag) 1. to 3” and substitute “5 8.”.

18 **898.** Page 1137, line 8: delete “(a) ~~1. to 5~~ and (ag) 1. to 3” and substitute “(a)
19 ~~1. 6.~~ to 8”.

20 **899.** Page 1137, line 14: delete lines 14 to 20.

21 **900.** Page 1144, line 2: after that line insert:

22 “**SECTION 2485p.** 85.55 of the statutes is created to read:

1 **85.55 Safe-ride grant program.** The department may award grants to any
2 county or municipality to cover the costs of transporting persons suspected of having
3 a prohibited alcohol concentration, as defined in s. 340.01 (46m), from any premises
4 licensed under ch. 125 to sell alcohol beverages to their places of residence. The
5 amount of a grant under this section may not exceed 50% of the costs necessary to
6 provide the service. Grants awarded under this section shall be paid from the
7 appropriation under s. 20.395 (5) (er).”.

8 **901.** Page 1145, line 2: after that line insert:

9 “**SECTION 2486as.** 86.21 (2) (a) of the statutes is amended to read:

10 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
11 section, a resolution authorizing the construction or acquisition thereof, and
12 specifying the method of payment therefor, shall be adopted by a majority of the
13 members of the governing body of such county, town, village or city at a regular
14 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
15 resolution shall include a general description of the property it is proposed to acquire
16 or construct. Any county, town, village or city constructing or acquiring a toll bridge
17 under this section may provide for the payment of the same or any part thereof from
18 the general fund, from taxation, or from the proceeds of either municipal bonds,
19 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
20 until 15 days after its passage and publication. If within said 15 days a petition
21 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality
22 signed by at least 20% of the electors thereof requesting that the question of
23 acquiring such toll bridge be submitted to the said electors, such question shall be
24 submitted at ~~any general or regular municipal~~ the next election authorized under s.

1 ~~8.065 (2) or an election authorized under s. 8.065 (3) that may be is~~ held not less
2 ~~sooner~~ than 10 ~~nor more than 40~~ 45 days from the date of filing such petition. In case
3 ~~no such general or regular municipal election is to be held within such stated period,~~
4 ~~then the governing body of such municipality shall order a special election to be held~~
5 ~~within 30 days from the filing of such petition upon the question of whether such toll~~
6 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors
7 shall specify the method of payment for such toll bridge as provided in the resolution
8 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast
9 at such referendum election are in favor of the acquisition of such toll bridge, then
10 the resolution of the governing body for the acquisition of such toll bridge shall be in
11 effect.”.

12 **902.** Page 1145, line 2: after that line insert:

13 “**SECTION 2486ar.** 86.195 (2) (ag) 16m. of the statutes is created to read:

14 86.195 (2) (ag) 16m. STH 172 from I 43 southeast of Green Bay to STH 54 west
15 of Ashwaubenon.”.

16 **903.** Page 1145, line 7: delete “\$1,604” and substitute “\$1,596”.

17 **904.** Page 1145, line 8: delete lines 8 to 15.

18 **905.** Page 1145, line 20: delete that line and substitute “year 1997 and
19 \$78,744,300 in calendar year 1998 and thereafter. These amounts,”.

20 **906.** Page 1145, line 25: delete “and” and substitute “,”.

21 **907.** Page 1146, line 1: delete “\$248,925,900” and substitute “\$247,739,100”.

22 **908.** Page 1146, line 3: after that line insert:

23 “**SECTION 2486gy.** 86.303 (6) (e) of the statutes is amended to read:

1 86.303 (6) (e) Cost data shall not include state or federal contributions to the
2 work, all other public agency fund contributions, and all private contributions other
3 than local assessments or special assessments paid by governmental agencies.”.

4 **909.** Page 1146, line 3: after that line insert:

5 “**SECTION 2486hc.** 86.31 (2) (a) of the statutes is amended to read:

6 86.31 (2) (a) The department shall administer a local roads improvement
7 program to accelerate the improvement of seriously deteriorating local roads by
8 reimbursing political subdivisions for improvements. The selection of improvements
9 that may be funded under the program shall be performed by officials of each political
10 subdivision, consistent with the requirements of subs. (3), (3g) and (3m). The
11 department shall notify each county highway commissioner of any deadline that
12 affects eligibility for reimbursement under the program no later than 15 days before
13 such deadline.

14 **SECTION 2486he.** 86.31 (3) (b) (intro.) of the statutes is amended to read:

15 86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
16 deducting the funds allocated under ~~sub.~~ subs. (3g) and (3m), the department shall
17 allocate funds for entitlement as follows:

18 **SECTION 2486hg.** 86.31 (3g) of the statutes is created to read:

19 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation
20 under s. 20.395 (2) (fr), the department shall allocate \$5,000,000 in each fiscal year
21 to fund county trunk highway improvements with eligible costs totaling more than
22 \$250,000. The funding of improvements under this subsection is in addition to the
23 allocation of funds for entitlements under sub. (3).

24 **SECTION 2486hj.** 86.31 (6) (d) of the statutes is amended to read:

1 86.31 (6) (d) Procedures for reimbursements for county trunk highway
2 improvements under sub. (3g) and for town road improvements under sub. (3m).”.

3 **910.** Page 1146, line 4: delete lines 4 to 24.

4 **911.** Page 1147, line 1: delete lines 1 to 4.

5 **912.** Page 1148, line 7: delete lines 7 to 16.

6 **913.** Page 1149, line 11: after that line insert:

7 “**SECTION 2488h.** 92.05 (3) (k) of the statutes is created to read:

8 92.05 (3) (k) *Nutrient management rules.* The department shall promulgate
9 rules to improve agricultural nutrient management in this state. The rules shall be
10 consistent with rules promulgated under s. 281.16 (3) and shall include incentives,
11 educational and outreach provisions and compliance requirements.”.

12 **914.** Page 1149, line 23: after that line insert:

13 “**SECTION 2488im.** 92.07 (7m) of the statutes is created to read:

14 92.07 (7m) ASSISTANCE TO THE DEPARTMENT OF TRANSPORTATION. Each land
15 conservation committee shall cooperate with the department of transportation as
16 requested under s. 85.195.”.

17 **915.** Page 1153, line 10: after “(c)” insert “or (qd)”.

18 **916.** Page 1153, line 15: after that line insert:

19 “**SECTION 2490p.** 92.14 (3m) (intro.) of the statutes is amended to read:

20 92.14 (3m) SHORELAND MANAGEMENT GRANTS. (intro.) From the appropriation
21 under s. 20.115 (7) (c) or (qd), the department shall award grants to counties or
22 farmers for implementing best management practices required under a shoreland

1 management ordinance enacted under s. 92.17, including reimbursement for all of
2 the following:”.

3 **917.** Page 1153, line 16: delete lines 16 and 17 and substitute:

4 “**SECTION 2490qb.** 92.14 (4) (intro.) of the statutes is amended to read:

5 92.14 (4) (title) ~~OTHER SOIL LAND AND WATER RESOURCE GRANTS.~~ (intro.) From
6 the moneys remaining in s. 20.115 (7) (c) and (qd) after the department has awarded
7 all grants for a year under sub. (3) ~~or from the appropriation under s. 20.115 (7) (qd),~~
8 the department may award grants to any eligible county, including any county which
9 has received a grant under sub. (3) or (3m), for one or more of the following:”.

10 **918.** Page 1153, line 20: delete lines 20 and 21 and substitute “~~to manage~~
11 ~~animal waste and conserve soil approved in plans under s. 92.10 and under s. 92.15,~~
12 ~~1985 stats.~~”.

13 **919.** Page 1153, line 25: after that line insert:

14 “**SECTION 2490tm.** 92.14 (4m) of the statutes is repealed and recreated to read:

15 92.14 (4m) GRANT PRIORITY. The department shall give grants under sub. (4)
16 (c) priority over other grants under sub. (4) and grants under sub. (3m).”.

17 **920.** Page 1154, line 8: delete lines 8 to 10 and substitute:

18 “**SECTION 2491cm.** 92.14 (6) (a) of the statutes is amended to read:

19 92.14 (6) (a) The department shall ~~establish a priority list of funding needs~~
20 propose spending levels for soil land and water resource management activities
21 under this section. The department shall submit the proposed spending levels to the
22 board. The board shall review the proposed spending levels and shall approve,
23 approve with modifications or disapprove the spending levels. The board may modify

1 the spending levels if demand for grants under sub. (4) (c) is greater than was
2 anticipated when the spending levels were established.”.

3 **921.** Page 1154, line 13: after “plan” insert “, that is consistent with the
4 spending levels approved under par. (a).”.

5 **922.** Page 1154, line 14: delete “the categories of” and substitute “the
6 categories of”.

7 **923.** Page 1155, line 9: after that line insert:

8 “**SECTION 2491h.** 92.14 (10) of the statutes is amended to read:

9 92.14 (10) TRAINING. The county may use a grant under this section for training
10 required under s. 92.18 or for any other training necessary to prepare personnel to
11 perform job duties related to this section. The department may contract with any
12 person from the appropriation under s. 20.115 (7) (e) for services to administer or
13 implement this chapter, including information and education and training.”.

14 **924.** Page 1157, line 18: after that line insert:

15 “**SECTION 2501e.** 93.50 (1) (b) of the statutes is repealed.

16 **SECTION 2501f.** 93.50 (2) (title) and (a) to (b) of the statutes are amended to
17 read:

18 93.50 (2) (title) ~~BOARD, MEDIATORS~~ MEDIATORS AND ARBITRATORS. (a) *Selection of*
19 *mediators.* The ~~board~~ department shall select mediators who are residents of this
20 state, who have the character and ability to serve as mediators and who have
21 knowledge of financial or agricultural matters or of mediation processes. The ~~board~~
22 department shall ensure that each mediator receives sufficient training in mediation
23 processes, resolving conflicts, farm finance and management and the farm credit

1 system and practices to enable the mediator to perform his or her functions under
2 this section.

3 (am) *Selection of arbitrators.* The ~~board~~ department shall select arbitrators
4 who are residents of this state, who have the character and ability to serve as
5 arbitrators and who have knowledge of financial or agricultural matters or of
6 arbitration processes. The ~~board~~ department shall ensure that each arbitrator
7 receives sufficient training in arbitration processes, resolving conflicts, farm finance
8 and management and the farm credit system and practices to enable the arbitrator
9 to perform his or her functions under this section.

10 (b) *Compensation of mediators and arbitrators.* Mediators and arbitrators
11 shall be compensated for travel and other necessary expenses in amounts approved
12 by the ~~board~~ department.

13 **SECTION 2501g.** 93.50 (2) (d) to (f) of the statutes are amended to read:

14 93.50 (2) (d) *Forms and publicity.* The ~~board~~ department shall prepare all
15 forms necessary for the administration of this section and shall ensure that forms are
16 disseminated and that the availability of mediation and arbitration under this
17 section is publicized.

18 (e) *Exclusion from open records law.* All mediators and arbitrators shall keep
19 confidential all information and records obtained in conducting mediation and
20 arbitration. The ~~board~~ department shall keep confidential all information and
21 records that may serve to identify any party to mediation and arbitration under this
22 section. Any information required to be kept confidential under this paragraph may
23 be disclosed if the ~~board~~ department and the parties agree to disclosure.

24 (f) *Rule making.* The ~~board~~ department may promulgate rules necessary to
25 implement this section. The ~~board~~ department may promulgate rules defining

1 owners and creditors of agriculturally related businesses and permitting owners and
2 creditors of such businesses to participate in mediation and arbitration subject to the
3 same terms and conditions applicable to farmers and creditors under this section.
4 ~~The board may promulgate a rule under sub. (3) (am) 6. specifying a kind of dispute~~
5 ~~as eligible for mediation only with the approval of the department.~~

6 **SECTION 2501h.** 93.50 (3) (am) 6. of the statutes is amended to read:

7 93.50 (3) (am) 6. A kind of dispute specified as eligible for mediation by the
8 ~~board~~ department by rule.

9 **SECTION 2501i.** 93.50 (3) (b) of the statutes is amended to read:

10 93.50 (3) (b) *Request for mediation; agreement to mediate.* To participate in
11 mediation, the farmer or other party to a dispute described in par. (am) shall submit
12 a request for mediation to the ~~board~~ department on forms prepared by the ~~board~~
13 department. The ~~board~~ department may not proceed under this section until the
14 farmer and the other party have submitted an agreement to mediate.

15 **SECTION 2501j.** 93.50 (3) (e) of the statutes is amended to read:

16 93.50 (3) (e) *Selection of mediator.* If the ~~board~~ department has obtained the
17 agreement under par. (b), the farmer and the other party may request the ~~board~~
18 department to provide the names, mailing addresses and qualifications of up to 3
19 mediators located in the geographical area in which the agricultural property or
20 farmer is located. The parties shall select a mediator or, upon request of the parties,
21 the ~~board~~ department shall designate a mediator for the parties.

22 **SECTION 2501k.** 93.50 (4) (b) of the statutes is amended to read:

23 93.50 (4) (b) *Request for arbitration; agreement to arbitrate.* To participate in
24 arbitration, the farmer and other party under par. (a) shall submit a request for
25 arbitration to the ~~board~~ department on a form prepared by the ~~board~~ department.

1 After receipt of the request, if the parties wish to proceed to arbitration under this
2 subsection, the ~~board~~ department shall require the parties to enter into an
3 agreement to binding arbitration on a form prepared by the ~~board~~ department.

4 **SECTION 2501L.** 93.50 (4) (e) of the statutes is amended to read:

5 93.50 (4) (e) *Selection of arbitrator.* After the ~~board~~ department has obtained
6 the agreement under par. (b), the farmer and the other party may request the ~~board~~
7 department to provide the names, mailing addresses and qualifications of up to 3
8 arbitrators located in the geographical area in which the agricultural property or
9 farmer is located. The parties shall select an arbitrator or, upon request of the
10 parties, the ~~board~~ department shall designate an arbitrator for the parties.”.

11 **925.** Page 1168, line 11: delete “, coal tar creosote or inorganic arsenical wood”
12 and substitute “or coal tar creosote”.

13 **926.** Page 1168, line 12: delete “preservatives”.

14 **927.** Page 1171, line 20: after that line insert:

15 “**SECTION 2521m.** 94.69 (10) of the statutes is amended to read:

16 94.69 (10) The department shall promulgate rules when it determines that it
17 is necessary for the protection of persons or property from serious pesticide hazards
18 and that its enforcement is feasible and will substantially eliminate or reduce such
19 hazards. In making this determination the department shall consider the toxicity,
20 hazard, effectiveness and public need for the pesticides, and the availability of less
21 toxic or less hazardous pesticides or other means of pest control. ~~It shall obtain the~~
22 ~~recommendations of the pesticide review board and such rules, other than rules to~~
23 ~~protect groundwater adopted to comply with ch. 160, are not effective until approved~~
24 ~~by the pesticide review board. Such~~ These rules shall do not affect the application

1 of any other statutes or ~~rule adopted thereunder~~ rules promulgated under those
2 statutes.”.

3 **928.** Page 1173, line 11: after that line insert:

4 “**SECTION 2528g.** 94.705 (2) of the statutes is amended to read:

5 94.705 (2) CERTIFICATION STANDARDS. ~~Notwithstanding s. 250.09, the~~ The
6 department shall, by rule, adopt standards for the training and certification of
7 private and commercial applicators, at least equal to but not to exceed federal
8 standards adopted under the federal act. In the adoption of the standards, separate
9 categories of pesticide use and application may be established for certification
10 purposes depending on the specific types of pesticides used, the purposes for which
11 they are used, types of equipment required in their application, the degree of
12 knowledge and skill required and other factors which may warrant the creation of
13 different categories. The standards shall provide that individuals to be certified must
14 be competent with respect to the use and application of pesticides in the various
15 categories of pesticide use and application for which certification is desired. For
16 commercial applicators, competence in the use and handling of pesticides shall be
17 determined on the basis of written examinations.

18 **SECTION 2528r.** 94.708 (4) of the statutes is amended to read:

19 94.708 (4) EXCEPTION. The department shall promulgate rules establishing
20 standards for the sale, advertisement and use of pesticides for emergency bat control.
21 ~~The pesticide review board~~ department may issue a permit authorizing the use of a
22 pesticide in accordance with the rules ~~promulgated by the department~~ that it
23 promulgates only in the case of an individual bat colony after a determination that
24 there exists an outbreak of rabies that threatens public health or another situation

1 where the existence of a colony of bats threatens the health or welfare of any person.
2 The ~~pesticide review board~~ department may not base its determination on an
3 isolated individual instance of a rabid bat.”.

4 **929.** Page 1174, line 7: after that line insert:

5 “**SECTION 2530r.** 94.73 (1) (d) of the statutes is repealed.”.

6 **930.** Page 1176, line 3: delete the material beginning with that line and
7 ending with page 1177, line 11, and substitute:

8 “**SECTION 2537b.** 94.73 (6) (b) of the statutes is repealed and recreated to read:

9 94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall
10 reimburse a responsible person an amount equal to 80% of the corrective action costs
11 incurred for each discharge site that are greater than \$3,000 and less than \$400,000.

12 **SECTION 2537d.** 94.73 (6) (c) of the statutes is repealed and recreated to read:

13 94.73 (6) (c) Except as provided in par. (e), the department shall reimburse a
14 responsible person an amount equal to 80% of the corrective action costs incurred for
15 each discharge site that are greater than \$7,500 and less than \$400,000 if any of the
16 following applies:

17 1. The responsible person is required to be licensed under ss. 94.67 to 94.71.

18 2. The responsible person employs more than 25 persons.

19 3. The responsible person has gross annual sales of more than \$2,500,000.

20 **SECTION 2538c.** 94.73 (6) (d) of the statutes is repealed and recreated to read:

21 94.73 (6) (d) For the purposes for pars. (b) and (c), a discharge that occurs in
22 the course of transporting an agricultural chemical is considered to have occurred at
23 the site from which the agricultural chemical was being transported if the site from

1 which the agricultural chemical was being transported is under the ownership or
2 control of the person transporting the agricultural chemical.

3 **SECTION 2539c.** 94.73 (6) (e) of the statutes is repealed and recreated to read:

4 94.73 (6) (e) The department may not reimburse corrective action costs that
5 exceed \$100,000 for any one discharge for which groundwater remediation is not
6 ordered unless the criteria in rules promulgated under par. (f) are satisfied.”.

7 **931.** Page 1177, line 12: substitute “(f)” for “(g)”.

8 **932.** Page 1177, line 13: substitute “(f)” for “(g)”.

9 **933.** Page 1178, line 16: after that line insert:

10 “**SECTION 2541m.** 94.73 (10) of the statutes is repealed.”.

11 **934.** Page 1179, line 15: after that line insert:

12 “**SECTION 2543j.** 95.175 of the statutes is repealed.”.

13 **935.** Page 1179, line 16: delete the material beginning with that line and
14 ending with page 1180, line 12, and substitute:

15 “**SECTION 2543sm.** 95.60 of the statutes is created to read:

16 **95.60 Importing fish; fish farms. (1)** In this section:

17 (a) “Fish farm” means a facility at which a person hatches fish eggs or rears fish
18 for the purpose of introduction into the waters of the state, human or animal
19 consumption, permitting fishing, use as bait or fertilizer or any other purpose
20 specified by the department by rule or for sale to another person to rear for one of
21 those purposes.

22 (b) “Waters of the state” has the meaning given in s. 281.01 (18).

1 **(2)** (a) No person may bring any fish or fish eggs into this state for the purpose
2 of introduction into the waters of the state, of use as bait or of rearing in a fish farm
3 without an annual permit issued by the department.

4 (b) No person may bring any fish or fish eggs of the family salmonidae into this
5 state for the purpose of introduction into the waters of the state unless the fish are
6 certified, as provided in the rules promulgated under sub. (4s) (d), to be free of the
7 diseases specified under sub. (4s) (d).

8 (c) The department may require a person who is subject to par. (a) or (b) to notify
9 the department before bringing fish or fish eggs into this state.

10 (d) The department of natural resources is exempt from par. (a).

11 **(3)** A person who operates a fish farm shall obtain an annual health certificate
12 from a veterinarian licensed under ch. 453 or from a person who is qualified to issue
13 fish health certificates under sub. (4s) (c) for any fish eggs present or any fish reared
14 on the fish farm.

15 **(3m)** A person who operates a fish farm shall annually register the fish farm
16 with the department. The person registering the fish farm shall provide evidence of
17 the health certificate required under sub. (3) and shall identify the activities that will
18 be engaged in, the species of fish that will be used and the facilities that will be used
19 on the fish farm.

20 **(4)** (a) The department shall inspect a fish farm upon initial registration under
21 sub. (3m). The department may inspect a fish farm at any other time.

22 (b) The department may inspect fish and fish eggs subject to subs. (2) and (3)
23 and the rules under sub. (4s) (b) to ensure the health of the fish and fish eggs. The
24 inspection may include removal of reasonable samples of the fish and fish eggs for
25 biological examination.

1 (c) A person who operates a fish farm shall keep records on purchases, sales and
2 production of fish and fish eggs and any other records required by the department
3 by rule. The department may inspect these records upon request.

4 **(4m)** The department shall maintain a registry of fish farms.

5 **(4s)** The department shall do all of the following:

6 (a) In consultation with the department of natural resources, promulgate rules
7 specifying requirements for the labeling and identification, in commerce, of fish
8 reared in fish farms.

9 (b) In consultation with the department of natural resources, promulgate rules
10 specifying fish health standards and requirements for certifying that fish meet those
11 standards for the purpose of s. 29.53.

12 (c) In consultation with the department of natural resources, promulgate rules
13 specifying the qualifications that a person who is not a veterinarian must satisfy in
14 order to issue fish health certificates.

15 (d) In consultation with the department of natural resources, promulgate rules
16 specifying diseases and requirements for certifying that fish are free of those
17 diseases for the purposes of sub. (2) (b).

18 (e) Promulgate rules establishing the period for which a record required under
19 sub. (4) (c) must be retained.

20 **(5)** The department shall, by rule, specify the fees for permits, certificates,
21 registration and inspections under this section.

22 **(6)** (a) No person, except the department of natural resources, may rear lake
23 sturgeon in a fish farm.

24 (c) The department, in consultation with the department of natural resources,
25 shall study regulatory options that would enable commercial rearing of lake

1 sturgeon while protecting the wild lake sturgeon population. The department shall
2 submit the results of the study to the legislature under s. 13.172 (2) no later than
3 December 31, 2000.”.

4 **936.** Page 1187, line 5: delete lines 5 to 7 and substitute “The department shall
5 promulgate rules to require owners to register meters that are used to measure
6 amounts of liquefied petroleum gas the sale or delivery of which is subject to sub. (4)
7 (a).”.

8 **937.** Page 1189, line 5: after that line insert:

9 “**SECTION 2580m.** 101.14 (2) (cm) of the statutes is amended to read:

10 101.14 (2) (cm) In addition to the requirements of pars. (b) and (c), a fire
11 department shall provide public fire education services, ~~in consultation with the~~
12 ~~department and the fire prevention council.”.~~

13 **938.** Page 1189, line 23: delete “(ae), and (am) ~~and (as)”~~ and substitute “(ae),
14 (ah), (am) ~~and (as)~~ (ap)”.”.

15 **939.** Page 1190, line 4: delete lines 4 to 13.

16 **940.** Page 1190, line 15: delete “(ae), and (am)” and substitute “(ae), (ah),
17 (am)”.

18 **941.** Page 1190, line 16: delete “~~and (as)~~” and substitute “and (as) (ap)”.

19 **942.** Page 1190, line 22: delete the material beginning with that line and
20 ending with page 1191, line 5.

21 **943.** Page 1191, line 6: delete the material beginning with that line and
22 ending with page 1192, line 4, and substitute:

1 **“SECTION 2588b.** 101.143 (3) (ae) 1. of the statutes is renumbered 101.143 (3)
2 (ae) and amended to read:

3 101.143 **(3)** (ae) An owner or operator or a person owning a home oil tank
4 system is not eligible for an award under this section for costs incurred because of
5 a petroleum product discharge from a an underground petroleum product storage
6 tank system or a home oil tank system that meets the performance standards in 40
7 CFR 280.20 or in rules promulgated by the department relating to underground
8 petroleum product storage tank systems installed after December 22, 1988, except
9 as provided in subd. 2 if the discharge is confirmed after December 31, 1995.

10 **SECTION 2588d.** 101.143 (3) (ae) 2. of the statutes is repealed.”.

11 **944.** Page 1192, line 6: delete “1. An” and substitute “An”.

12 **945.** Page 1192, line 12: delete the material beginning with “except” and
13 ending with “2” on line 13 and substitute” if the discharge is confirmed after
14 December 22, 2001”.

15 **946.** Page 1192, line 14: delete the material beginning with that line and
16 ending with page 1193, line 2.

17 **947.** Page 1193, line 3: delete “of the statutes is” and substitute “(title), 1. and
18 2. of the statutes are”.

19 **948.** Page 1193, line 7: after “if” insert “the discharge is confirmed after
20 December 31, 1995, and”.

21 **949.** Page 1193, line 13: delete that line and substitute “in subds. subd. 2. to
22 4.”.

23 **950.** Page 1194, line 4: delete lines 4 to 24 and substitute:

24 **“SECTION 2590e.** 101.143 (3) (am) 3. of the statutes is repealed.

1 **SECTION 2590g.** 101.143 (3) (am) 4. of the statutes is repealed.”.

2 **951.** Page 1195, line 1: delete “1. An” and substitute “An”.

3 **952.** Page 1195, line 4: after “if” insert “the discharge is confirmed after
4 December 22, 2001, and”.

5 **953.** Page 1195, line 9: delete “, except as provided in subd. 2”.

6 **954.** Page 1195, line 10: delete lines 10 to 23.

7 **955.** Page 1196, line 20: before “the prime” insert “1% over”.

8 **956.** Page 1196, line 22: substitute “2%” for “1%”.

9 **957.** Page 1196, line 25: after “applicant” insert “that exceed 1% of the
10 principal amount of the loan.”.

11 **958.** Page 1201, line 18: after that line insert:

12 “**SECTION 2611m.** 101.575 (3) (a) 3. of the statutes is amended to read:

13 101.575 (3) (a) 3. Provides a training program prescribed by the department
14 by rule, ~~in consultation with the fire prevention council.~~”.

15 **959.** Page 1207, line 17: delete lines 17 to 25.

16 **960.** Page 1208, line 1: delete lines 1 to 3.

17 **961.** Page 1208, line 3: after that line insert:

18 “**SECTION 2639t.** 103.69 of the statutes is repealed.”.

19 **962.** Page 1208, line 13: after that line insert:

20 “**SECTION 2664k.** 106.05 of the statutes is repealed.

21 **SECTION 2664p.** 106.06 (3) of the statutes is amended to read:

1 106.06 (3) All gifts, grants, bequests and devises to the division for its use for
2 any of the purposes mentioned in s. 106.05 are valid and shall be used to carry out
3 the purposes for which made and received.”.

4 **963.** Page 1210, line 25: delete that line and substitute “\$600,000 in fiscal
5 year 1997-98 and \$300,000 in fiscal year 1998-99 for the payment of those grants.”.

6 **964.** Page 1211, line 10: after that line insert:

7 “**SECTION 2681m.** 106.215 (10) (c) of the statutes is amended to read:

8 106.215 (10) (c) *Wages.* Corps members shall be paid at the prevailing federal
9 minimum wage or the applicable state minimum wage established under ch. 104,
10 whichever is greater. Assistant crew leaders, crew leaders and regional crew leaders
11 may be paid more than the prevailing federal minimum wage or applicable state
12 minimum wage but may not be paid more than twice the hourly wage of a corps
13 member. The board may waive the wage limitation of a regional crew leader. Corps
14 enrollees shall receive their pay for the previous pay period on the last working day
15 of the current pay period.

16 **SECTION 2681r.** 106.215 (10) (cm) of the statutes is repealed.”.

17 **965.** Page 1212, line 3: after that line insert:

18 “**SECTION 2684m.** 106.26 (2) (d) of the statutes is amended to read:

19 106.26 (2) (d) “Project” means a project designed to improve access to jobs,
20 including part-time jobs and Wisconsin works employment positions, as defined in
21 s. 49.141 (1) (r), located in outlying suburban and sparsely populated and developed
22 areas that are not adequately served by a mass transit system and to develop
23 innovative transit service methods.

24 **SECTION 2684n.** 106.26 (3) (c) 2. of the statutes is amended to read:

1 106.26 (3) (c) 2. A grant may only be made to an eligible applicant that provides
2 access to nontemporary employment or to Wisconsin works employment positions,
3 as defined in s. 49.141 (1) (r).”

4 **966.** Page 1213, line 20: delete lines 20 to 25.

5 **967.** Page 1214, line 1: delete lines 1 to 16.

6 **968.** Page 1215, line 23: after that line insert:

7 “**SECTION 2691mm.** 110.99 of the statutes is repealed.

8 **SECTION 2692tm.** 111.70 (4) (n) of the statutes, as created by 1995 Wisconsin
9 Act 289, is repealed.

10 **SECTION 2692tp.** 111.91 (2) (k) of the statutes, as created by 1995 Wisconsin
11 Act 289, is amended to read:

12 111.91 (2) (k) Compliance with the health benefit plan requirements under ss.
13 ~~632.745 (1) to (3) and (5) and 632.746 (1) to (8) and (10), 632.747 and 632.748.~~”.

14 **969.** Page 1215, line 23: after that line insert:

15 “**SECTION 2692tc.** 111.70 (1) (a) of the statutes, as affected by 1995 Wisconsin
16 Act 289, is amended to read:

17 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
18 obligation of a municipal employer, through its officers and agents, and the
19 representative of its municipal employes in a collective bargaining unit, to meet and
20 confer at reasonable times, in good faith, with the intention of reaching an
21 agreement, or to resolve questions arising under such an agreement, with respect to
22 wages, hours and conditions of employment, and with respect to a requirement of the
23 municipal employer for a municipal employe to perform law enforcement and fire
24 fighting services under s. 61.66, except as provided in sub. (4) (m) ~~and (n)~~ to (o) and

1 s. 40.81 (3) and except that a municipal employer shall not meet and confer with
2 respect to any proposal to diminish or abridge the rights guaranteed to municipal
3 employes under ch. 164. The duty to bargain, however, does not compel either party
4 to agree to a proposal or require the making of a concession. Collective bargaining
5 includes the reduction of any agreement reached to a written and signed document.
6 The municipal employer shall not be required to bargain on subjects reserved to
7 management and direction of the governmental unit except insofar as the manner
8 of exercise of such functions affects the wages, hours and conditions of employment
9 of the municipal employes in a collective bargaining unit. In creating this subchapter
10 the legislature recognizes that the municipal employer must exercise its powers and
11 responsibilities to act for the government and good order of the jurisdiction which it
12 serves, its commercial benefit and the health, safety and welfare of the public to
13 assure orderly operations and functions within its jurisdiction, subject to those
14 rights secured to municipal employes by the constitutions of this state and of the
15 United States and by this subchapter.

16 **SECTION 2692tn.** 111.70 (4) (o) of the statutes is created to read:

17 111.70 (4) (o) *Permissive subjects of collective bargaining.* In a school district,
18 the municipal employer is not required to bargain collectively with respect to the
19 establishment of the school calendar. This paragraph shall not be construed to
20 eliminate a school district's duty to bargain collectively with the recognized or
21 certified representative of school district employes in a collective bargaining unit
22 concerning the total number of days of work and the number of those days which are
23 allocated to different purposes such as days on which school is taught, in-service
24 days, staff preparation days, convention days, paid holidays and parent-teacher

1 conference days, and to bargain collectively with that representative with regard to
2 the impact of the school calendar on wages, hours and conditions of employment.”.

3 **970.** Page 1215, line 23: after that line insert:

4 “**SECTION 2692td.** 111.70 (4) (jm) 5. of the statutes is repealed and recreated
5 to read:

6 111.70 (4) (jm) 5. In determining the proper compensation to be received by
7 members of the police department under subd. 4., the arbitrator shall consider the
8 following factors, with the greatest weight given to the factor specified under subd.
9 5. a., the next greatest weight given to the factor specified under subd. 5. b., the next
10 greatest weight given to the factor specified under subd. 5. c. and the next greatest
11 weight given to the factor specified under subd. 5. d.:

12 a. Comparison of all of the items of compensation specified in subd. 4. of the
13 municipal employes in the collective bargaining unit with such items of
14 compensation of other municipal law enforcement officers in the metropolitan area
15 in which the 1st class city is located.

16 b. Comparison of the respective crime rates, and workloads of and risks of
17 injury to law enforcement officers, in the 1st class city and any other jurisdiction with
18 which comparisons are made under subd. 5. a.

19 c. The increase in the average consumer prices for goods and services,
20 commonly known as the cost of living, during the term of the predecessor collective
21 bargaining agreement.

22 d. Comparison of all of the items of compensation specified in subd. 4. of the
23 municipal employes in the collective bargaining unit with such items of

1 compensation of other municipal law enforcement officers in comparable
2 communities in this state.”.

3 **971.** Page 1215, line 23: after that line insert:

4 “SECTION 2691f. 110.10 of the statutes is created to read:

5 **110.10 Ignition interlock device program. (1)** In this section:

6 (a) “Restricted operator” means a person whose operating privilege is restricted
7 to operating only motor vehicles equipped with an ignition interlock device.

8 (b) “Service provider” means a person who has contracted with the department
9 to provide services under this section.

10 **(2)** The department shall do all of the following:

11 (a) Develop and administer an ignition interlock device program that assists
12 a person in complying with a court order restricting the person’s operating privilege
13 to operating only motor vehicles equipped with an ignition interlock device.

14 (b) Contract with a person to provide services required under sub. (3). The
15 department shall contract only with a person who has at least 2 years’ full-time field
16 experience providing and servicing ignition interlock devices. The requirements of
17 s. 16.75 (1) to (5) do not apply to contracts made under this paragraph.

18 (c) Amend its vehicle registration records to reflect the installation or removal
19 of an ignition interlock device upon receiving notice under sub. (3) (g).

20 (d) Promulgate rules to implement this section.

21 **(3)** A contract under sub. (2) (b) shall require the service provider to do all of
22 the following:

1 (a) Use only ignition interlock devices approved by the department and
2 manufactured by a manufacturer that has 500 or more devices in service in the
3 United States or Canada.

4 (am) Create and implement a service delivery plan under which any restricted
5 operator may obtain routine service of an installed ignition interlock device within
6 a 60-mile radius of his or her place of residence. The service delivery plan shall make
7 installation of an ignition interlock device available to any restricted operator within
8 a 150-mile radius of his or her place of residence.

9 (b) Service at least once every 2 months each ignition interlock device installed
10 by the service provider.

11 (c) Provide a 24-hour toll-free telephone number for information and services
12 related to the contract.

13 (d) Return any telephone call requesting service of an ignition interlock device
14 installed by the service provider within 45 minutes after receiving the call and repair
15 or replace any defective ignition interlock device within 48 hours after receiving a
16 call requesting service of the device.

17 (e) Install devices within 15 days after receiving a request to install an ignition
18 interlock device.

19 (g) Provide the department, within 2 business days after installing or removing
20 an ignition interlock device, with notice of the installation or removal.

21 (h) Provide the department, within 2 business days after inspecting an
22 installed ignition interlock device, with notice of evidence of any tampering with,
23 circumventing, or bypassing an ignition interlock device or of resetting violations
24 recorded by the device.

1 (i) Provide the department with monthly reports summarizing electronic data
2 from the ignition interlock devices in a format that is agreed upon by the department
3 and the service provider.

4 (im) Provide the department with all of the software that is reasonably
5 required by the department to access and interpret the data collected by an ignition
6 interlock device or submitted under pars. (h) and (i) and with any technical support
7 that is necessary to use the software.

8 (j) Provide the department in a timely manner with any other information
9 reasonably requested by the department.

10 (k) Cooperate with any study by the department or the legislature of the
11 ignition interlock device program.

12 (L) Provide all required services and products at no cost to the state.

13 (m) Provide the owner of the vehicle with a program of instruction on the proper
14 use of the ignition interlock device.

15 (n) Refuse to install an ignition interlock device unless the person has
16 completed the program of instruction under par. (m).

17 **(4)** No service provider may do any of the following:

18 (a) Contract with any person to have that person provide any services that are
19 required to be performed by the service provider under sub. (3).

20 (b) Allow any business to be conducted from its service centers other than
21 business directly related to providing service required under this section.

22 **(5)** A service provider may charge a restricted operator a periodic fee for
23 services provided under this section. The amount of the fee shall be uniform
24 statewide. No service provider may increase the fee charged to any person while that
25 person is a restricted operator.”.

1 **972.** Page 1215, line 23: after that line insert:

2 “**SECTION 2691g.** 110.20 (1) (ar) of the statutes is created to read:

3 110.20 (1) (ar) “Fleet vehicle” means a common motor carrier, as defined in s.
4 194.01 (1), contract motor carrier, as defined in s. 194.01 (2), or private motor carrier,
5 as defined in s. 194.01 (11), registered in the name of a person whose name 3 or more
6 such vehicles are registered.

7 **SECTION 2691m.** 110.20 (9) (k) of the statutes is created to read:

8 110.20 (9) (k) Prescribe a procedure for the testing of stationary fleet vehicles,
9 using equipment brought to the fleet vehicles for testing purposes, to determine the
10 vehicles’ compliance with the emissions limitations promulgated under s. 285.30.”.

11 **973.** Page 1215, line 24: delete the material beginning with that line and
12 ending with page 1216, line 2.

13 **974.** Page 1216, line 11: delete “and (12)” and substitute “to (13)”.

14 **975.** Page 1219, line 18: after that line insert:

15 “**SECTION 2701p.** 115.28 (17) of the statutes is amended to read:

16 115.28 (17) AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION. (a) Establish
17 by rule, ~~in coordination with the American Indian language and culture education~~
18 ~~board,~~ standards for certifying the abilities of teachers participating in American
19 Indian language and culture education programs under subch. IV to read and write
20 or speak an American Indian language and to possess knowledge of American Indian
21 history and culture.

22 (b) Establish by rule, ~~in coordination with the American Indian language and~~
23 ~~culture education board,~~ standards for certifying the abilities of home school
24 coordinators, counselors and aides participating in American Indian language and

1 culture education programs under subch. IV to possess knowledge of American
2 Indian history and culture.

3 (c) Promulgate rules, ~~in coordination with the American Indian language and~~
4 ~~culture education board,~~ which further define "American Indian" under s. 115.71 (2)
5 (d).

6 (d) ~~In coordination with the American Indian language and culture education~~
7 ~~board,~~ develop Develop a curriculum for grades 4 to 12 on the Chippewa Indians'
8 treaty-based, off-reservation rights to hunt, fish and gather."

9 **976.** Page 1220, line 18: after that line insert:

10 "SECTION 2708e. 115.28 (27) of the statutes is amended to read:

11 115.28 (27) WISCONSIN GEOGRAPHY ALLIANCE. Annually allocate the amount in
12 the appropriation under s. 20.255 (3) (ec) to the Wisconsin geography alliance to train
13 teachers and develop curricula for primary and secondary education in geography.
14 ~~This subsection does not apply after June 30, 1996."~~

15 **977.** Page 1221, line 16: delete "(ef)" and substitute "(eg)".

16 **978.** Page 1221, line 18: after that line insert:

17 "SECTION 2709t. 115.28 (41) of the statutes is created to read:

18 115.28 (41) ELKS AND EASTER SEALS CENTER FOR RESPITE AND RECREATION.
19 Annually distribute the amount appropriated under s. 20.255 (3) (d) to the Elks and
20 Easter Seals Center for Respite and Recreation."

21 **979.** Page 1237, line 2: after that line insert:

22 "SECTION 2745p. 115.38 (1) (d) of the statutes is created to read:

23 115.38 (1) (d) The number and percentage of resident pupils attending a course
24 in a nonresident school district under s. 118.52, the number of nonresident pupils

1 attending a course in the school district under s. 118.52, and the courses taken by
2 those pupils.”.

3 **980.** Page 1237, line 2: after that line insert:

4 “**SECTION 2745pm.** 115.38 (1) (e) of the statutes is created to read:

5 115.38 (1) (e) The method of reading instruction used in the school district and
6 the textbook series used to teach reading in the school district.”.

7 **981.** Page 1246, line 1: delete lines 1 to 3 and substitute:

8 “115.71 (2) (d) Determined to be an Indian under rules promulgated by the
9 ~~department in coordination with the board~~ state superintendent under s. 115.28 (17)
10 (c).

11 **SECTION 2753u.** 115.71 (3) of the statutes is repealed.

12 **SECTION 2753v.** 115.74 (1) (intro.) of the statutes is amended to read:

13 115.74 (1) (intro.) On or before July 1 in every even-numbered year, the
14 ~~department, in coordination with the board,~~ state superintendent shall:

15 **SECTION 2753w.** 115.74 (2) (intro.) of the statutes is amended to read:

16 115.74 (2) (intro.) Annually, on or before July 1, the ~~department, in~~
17 ~~coordination with the board,~~ state superintendent shall evaluate all available
18 resources and programs which are or could be directed toward meeting the
19 educational needs of American Indian pupils. The evaluation shall include
20 information on:

21 **SECTION 2753x.** 115.74 (4) of the statutes is amended to read:

22 115.74 (4) The ~~department, in coordination with the board,~~ state
23 superintendent shall prepare a biennial report which shall be included as an
24 addendum to the department’s biennial report under s. 15.04 (1) (d). The report shall

1 include the results of the most recent assessment of needs and evaluation of
2 programs under sub. (1), the evaluation of resources under sub. (2) and
3 recommendations for legislation in the area of American Indian language and
4 culture education.”.

5 **982.** Page 1248, line 10: after that line insert:

6 “**SECTION 2758d.** 115.80 (1) (a) of the statutes is amended to read:

7 115.80 (1) (a) A parent or a physician, nurse, teacher at a state or county
8 residential facility, psychologist, social worker or administrator of a social agency
9 who has reasonable cause to believe that a child brought to him or her for services
10 has exceptional educational needs shall report the name of the child and any other
11 information required to the school board for the school district or governing body of
12 a state or county residential facility in which the child resides or to the division,
13 except as provided in par. (b). If the child is attending a public school in a nonresident
14 school district under s. 118.51, the school board shall provide the name of the child
15 and related information to the school board of the school district that the child is
16 attending.

17 **SECTION 2758g.** 115.80 (1) (b) of the statutes is amended to read:

18 115.80 (1) (b) A person who is required to be certified or licensed under s. 115.28
19 (7), who is employed by the school district in which a child attends public school and
20 who has reasonable cause to believe a child has exceptional educational needs shall
21 report such child and any other information required to the school board of that
22 school district. If the child is a nonresident who is attending public school in the
23 school district under s. 118.51, the school board shall provide the name of the child
24 and related information to the school board of the child's school district of residence.

1 **SECTION 2758k.** 115.80 (2) of the statutes is amended to read:

2 115.80 (2) SCHOOL DISTRICT SCREENING. Each school board is responsible for
3 screening each child who resides in the school district and has not graduated from
4 high school to determine if there is reasonable cause to believe that the child is a child
5 with exceptional educational needs. If the child is attending a public school in a
6 nonresident school district under s. 118.51 and the school board determines that
7 there is reasonable cause to believe that the child is a child with exceptional
8 educational needs, the school board shall provide the name of the child and related
9 information to the school board of the school district that the child is attending.”.

10 **983.** Page 1248, line 12: delete “The” and substitute “The Except as provided
11 in par. (am), the”.

12 **984.** Page 1249, line 3: after that line insert:

13 “**SECTION 2760b.** 115.80 (3) (am) of the statutes is created to read:

14 115.80 (3) (am) If a child is attending a public school in a nonresident school
15 district under s. 118.51, the school board of the school district that the child is
16 attending shall appoint the multidisciplinary team under par. (a).

17 **SECTION 2760e.** 115.80 (3) (b) of the statutes is amended to read:

18 115.80 (3) (b) Except as provided under s. 115.81 (1) (1m) (b), the
19 multidisciplinary team appointed under par. (a) or (am) shall, upon written parental
20 consent, evaluate each child reported to the school board under sub. (1) who resides
21 in the school district and has not graduated from high school and each child
22 identified under sub. (2). If the multidisciplinary team is appointed under par. (am),
23 as part of its evaluation of the child, the multidisciplinary team shall consult with

1 appropriate personnel designated by the school board of the child's school district of
2 residence.

3 **SECTION 2760h.** 115.80 (3) (d) of the statutes is amended to read:

4 115.80 (3) (d) The multidisciplinary team shall recommend a child ~~to the school~~
5 ~~board~~ for special education if it to the school board that appointed the
6 multidisciplinary team under par. (a) or (am) if the multidisciplinary team
7 determines that the child is a child with exceptional educational needs.

8 **SECTION 2760k.** 115.80 (4) (a) of the statutes is amended to read:

9 115.80 (4) (a) A school board shall appoint staff to develop an individualized
10 education program for each child recommended to it for special education under sub.
11 (3) (d) who is 3 years of age or older. An individualized education program establishes
12 the education program to be provided a child with exceptional educational needs.
13 School board staff shall review each child's individualized education program at least
14 annually. If the child is attending a public school in a nonresident school district
15 under s. 118.51, the school board of the school district that the child is attending shall
16 notify the school board of the school district in which the child resides and the
17 individualized education program for the child shall be developed, and reviewed at
18 least annually, by staff appointed by the school board of the school district that the
19 child is attending in collaboration with appropriate personnel designated by the
20 school board of the school district in which the child resides.

21 **SECTION 2760m.** 115.80 (4m) of the statutes is amended to read:

22 115.80 (4m) EDUCATIONAL PLACEMENT. A school board shall provide an
23 educational placement under s. 115.85 (2) for each child with exceptional educational
24 needs to implement the child's individualized education program. Except as
25 provided in s. 118.51 (12) (a) and (b) 2., if a child with exceptional educational needs

1 is attending a public school in a nonresident school district under s. 118.51, the school
2 board of the school district that the child is attending shall provide an educational
3 placement under s. 115.85 (2) for the child. Except as provided in s. 115.81 ~~(1)~~ (1m)
4 (b), a school board may not provide an educational placement for a child without the
5 consent of the child's parent.

6 **SECTION 2760p.** 115.80 (5) (b) 3. of the statutes is amended to read:

7 115.80 (5) (b) 3. This paragraph does not impair a parent's right to a hearing
8 under s. 115.81 ~~(1)~~ (1m) (a).

9 **SECTION 2760r.** 115.81 (1) of the statutes is renumbered 115.81 (1m).

10 **SECTION 2760t.** 115.81 (1) of the statutes is created to read:

11 115.81 (1) DEFINITION. In this section, except as otherwise provided, for a child
12 attending a public school in a nonresident school district under s. 118.51, "school
13 board" means the school board of the school district in which the child resides.

14 **SECTION 2760v.** 115.81 (2) of the statutes is amended to read:

15 115.81 (2) NOTICES. A school board, including the school board of a school
16 district that a child is attending under s. 118.51, shall fully inform the parent of any
17 action it plans to take regarding the parent's child and of all procedural safeguards
18 available to the parent.

19 **SECTION 2760x.** 115.81 (3) of the statutes is amended to read:

20 115.81 (3) STATUS DURING HEARING AND COURT PROCEEDING. The A school board,
21 including the school board of a school district that a child is attending under s. 118.51,
22 may not change the educational placement of a child with exceptional educational
23 needs who is the subject of a hearing or court proceeding conducted under this
24 subchapter during the pendency of the hearing or court proceeding unless the change
25 is made with the written consent of the child's parent. If the health or safety of the

1 child or of other persons would be endangered by delaying the change in assignment,
2 the change may be made earlier, upon order of the school board, but without
3 prejudice to any rights that the child or parent may have.

4 **SECTION 2760z.** 115.81 (6) of the statutes is amended to read:

5 115.81 (6) HEARING AND DECISION. Upon receipt of a written request for a
6 hearing under sub. ~~(1)~~ (1m), the department shall appoint an impartial hearing
7 officer who is not otherwise employed by the department from the list maintained
8 under sub. (4m). The hearing officer shall conduct the hearing and shall issue a
9 decision within 45 days of the receipt of the request for the hearing under sub. ~~(1)~~
10 (1m). The hearing officer may issue subpoenas, order an independent evaluation at
11 school board expense and grant specific extensions of time for cause at the request
12 of either party. If the hearing officer grants an extension of time, he or she shall
13 include that extension and the reason for the extension in the record of the
14 proceedings. The school board shall pay the cost of the hearing officer. Sections
15 227.44 to 227.50 do not apply to hearings conducted under this subsection.”

16 **985.** Page 1250, line 12: after that line insert:

17 “**SECTION 2762g.** 115.85 (1) (e) of the statutes is created to read:

18 115.85 (1) (e) Notwithstanding par. (a) and except as provided in s. 118.51 (12)
19 (a) and (b) 2., if a child with exceptional educational needs is attending a public school
20 in a nonresident school district under s. 118.51, the school board of the school district
21 that the child is attending shall ensure that appropriate special education programs
22 and related services are available to the child.

23 **SECTION 2762r.** 115.85 (2) (a) of the statutes is amended to read:

1 115.85 (2) (a) If the school district that the child attends, the county program
2 in which the child resides school district participates or the cooperative educational
3 service agency for the school district ~~in which the child resides~~ operates an
4 appropriate special education program, the child shall be placed in such program.”.

5 **986.** Page 1251, line 5: after that line insert:

6 “**SECTION 2765m.** 115.85 (2) (f) of the statutes is created to read:

7 115.85 (2) (f) If a child with exceptional educational needs is attending a public
8 school in a nonresident school district under s. 118.51, the school board of the school
9 district that the child is attending shall provide an appropriate educational
10 placement for the child under this subsection and shall pay tuition charges instead
11 of the school district in which the child resides if any of the placement options under
12 pars. (am) to (d) are utilized.”.

13 **987.** Page 1251, line 14: after that line insert:

14 “**SECTION 2766am.** 115.85 (3) (a), (c) and (d) of the statutes are amended to
15 read:

16 115.85 (3) (a) The total number of children who reside in the school district and
17 the total number of children who attend the school district under s. 118.51 who have
18 been placed in special education programs under s. 115.85 (2), the exceptional
19 educational needs of each such child and the school attended or special education
20 received by each such child. The report shall also specify the number of children with
21 exceptional educational needs who are known to the school district and who are
22 under the age of 3 years and the exceptional educational needs of each such child.

23 (c) A description of the special education programs in which children who reside
24 in the school district or who attend the school district under s. 118.51 have been

1 placed under sub. (2), the number of persons attending each pursuant to sub. (2) and
2 the qualifications of the staff of each such special education program.

3 (d) An evaluation, in terms of the goals identified under s. 115.78 (5), of the
4 progress made by each special education program in which children who reside in the
5 school district or who attend the school district under s. 118.51 are placed under sub.
6 (2).”.

7 **988.** Page 1251, line 20: delete that line and substitute “~~of the pupil’s~~
8 residence spent in county program classes in the previous school year”.

9 **989.** Page 1252, line 25: after that line insert:

10 “**SECTION 2767kg.** 115.87 (1) of the statutes is renumbered 115.87 (2).

11 **SECTION 2767kr.** 115.87 (1) of the statutes is created to read:

12 115.87 (1) In this section, if a child with exceptional educational needs is
13 attending a public school in a nonresident school district under s. 118.51, “school
14 district in which the child resides” and “school district of residence” mean the school
15 district that the child attends under s. 118.51.”.

16 **990.** Page 1255, line 5: delete “of residence” and substitute “of residence in
17 which the child resides or the school district attended by the child under s. 118.51”.

18 **991.** Page 1256, line 6: after that line insert:

19 “**SECTION 2768k.** 115.92 (1) of the statutes is amended to read:

20 115.92 (1) Any school board may establish a program for school age parents
21 who are residents of the school district. The program shall be designed to provide
22 services and instruction to meet the needs of school age parents, including education
23 on the skills required of a parent; family planning, as defined in s. 253.07 (1) (a),
24 including natural family planning; and information on adoption services. The

1 program shall be coordinated with existing vocational and job training programs in
2 the school district.”.

3 **992.** Page 1264, line 17: after that line insert:

4 “**SECTION 2780d.** 117.20 of the statutes is amended to read:

5 **117.20 Referendum procedures. (1)** If a referendum is required under ss.
6 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November
7 occurring not sooner than 45 days following receipt of the petition or adoption of the
8 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a).

9 **(2)** The clerk of each affected school district shall publish notice, as required
10 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for
11 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a
12 referendum held under this section. The school board and school district clerk of each
13 affected school district shall each perform, for that school district, the functions
14 assigned to the school board and the school district clerk, respectively, under those
15 subsections. The form of the ballot shall correspond to the form prescribed by the
16 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school
17 district shall file with the secretary of the board a certified statement prepared by
18 the school district board of canvassers of the results of the referendum in that school
19 district.”.

20 **993.** Page 1266, line 13: after that line insert:

21 “**SECTION 2782j.** 118.019 (2) (e) of the statutes is amended to read:

22 118.019 **(2)** (e) Human sexuality; reproduction; ~~contraception~~ family planning,
23 as defined in s. 253.07 (1) (a), including natural family planning; human
24 immunodeficiency virus and acquired immunodeficiency syndrome; prenatal

1 development; childbirth; adoption; available prenatal and postnatal support; and
2 male responsibility.”.

3 **994.** Page 1267, line 3: after that line insert:

4 “**SECTION 2783g.** 118.125 (2) (d) of the statutes is amended to read:

5 118.125 (2) (d) Pupil records shall be made available to persons employed by
6 the school district which the pupil attends who are required by the department under
7 s. 115.28 (7) to hold a license and other school district officials who have been
8 determined by the school board to have legitimate educational interests, including
9 safety interests, in the pupil records. Law enforcement officers’ records obtained
10 under s. 938.396 (1m) (a) shall be made available under this paragraph for the
11 purposes of as provided in s. 118.127 (2) to those employes of the school district who
12 have been designated by the school board to receive that information for the purpose
13 of providing alcohol and other drug abuse programs. Law enforcement officers’
14 records obtained under s. 938.396 (1m) (am) and (b) shall be made available under
15 this paragraph for the purposes of s. 118.127 (2m) and (3) to persons employed by the
16 school district which the pupil attends who are required by the department under s.
17 115.28 (7) to hold a license, to other school district officials who have been determined
18 by the school board to have legitimate educational interests, including safety
19 interests, in those records and to those employes of the school district who have been
20 designated by the school board to receive that information for the purpose of
21 providing treatment programs. A school board member or an employe of a school
22 district may not be held personally liable for any damages caused by the
23 nondisclosure of any information specified in this paragraph unless the member or
24 employe acted with actual malice in failing to disclose the information. A school

1 district may not be held liable for any damages caused by the nondisclosure of any
2 information specified in this paragraph unless the school district or its agent acted
3 with gross negligence or with reckless, wanton or intentional misconduct in failing
4 to disclose the information.

5 **SECTION 2785b.** 118.127 (2) of the statutes is amended to read:

6 118.127 (2) A school district shall use disclose information from law
7 enforcement officers' records obtained under s. 938.396 (1m) (a) to persons employed
8 by the school district who are required by the department under s. 115.28 (7) to hold
9 a license and to other school district officials who have been determined by the school
10 board to have legitimate educational interests, including safety interests, in that
11 information. In addition, if that information relates to a pupil of the school district,
12 the school district shall also disclose that information to those employes of the school
13 district who have been designated by the school board to receive that information for
14 the purpose of providing alcohol and other drug abuse treatment programs for pupils
15 enrolled in the school district. A school district shall ~~may~~ not use law enforcement
16 officers' records obtained under s. 938.396 (1m) (a) as the sole basis for expelling or
17 suspending a pupil ~~or as the sole basis for taking any other disciplinary action,~~
18 including action under the school district's athletic code, against a pupil.

19 **SECTION 2785bm.** 118.127 (2m) of the statutes is repealed.

20 **SECTION 2785c.** 118.127 (3) of the statutes is repealed.”.

21 **995.** Page 1267, line 24: after that line insert:

22 “**SECTION 2787b.** 118.145 (4) of the statutes is created to read:

23 118.145 (4) The school board of a school district operating high school grades
24 shall allow a pupil enrolled in a private school or a pupil enrolled in a home-based

1 educational program, who has met the standards for admission to high school under
2 sub. (1), to take up to 2 courses during each school semester if the pupil resides in
3 the school district in which the public school is located and if the school board
4 determines that there is sufficient space in the classroom.”.

5 **996.** Page 1280, line 16: delete the material beginning with “order,” and
6 ending with “committees” on line 18 and substitute “order under s. 14.23”.

7 **997.** Page 1280, line 21: after that line insert:

8 “118.30 (1g) (a) By August 1, 1998, each school board shall adopt pupil
9 academic standards in mathematics, science, reading and writing, geography and
10 history. If the governor has issued pupil academic standards as an executive order
11 under s. 14.23, the school board may adopt those standards.”.

12 **998.** Page 1280, line 22: delete “118.30 (1g)” and substitute “(b)”.

13 **999.** Page 1280, line 23: after “examination” insert “that is designed to
14 measure whether pupils meet the pupil academic standards adopted by the school
15 board under par. (a)”.

16 **1000.** Page 1280, line 24: delete that line and substitute “standards issued
17 as an executive order under s. 14.23”.

18 **1001.** Page 1280, line 25: delete “sub. (1) (b)”.

19 **1002.** Page 1281, line 13: delete “1999-2000” and substitute “2000-01”.

20 **1003.** Page 1281, line 14: after “(1g)” insert “(b)”.

21 **1004.** Page 1282, line 10: delete “2001” and substitute “2002”.

22 **1005.** Page 1282, line 17: after “from” insert “the”.

23 **1006.** Page 1284, line 24: delete that line.

1 **1007.** Page 1292, line 20: delete the material beginning with that line and
2 ending with page 1293, line 4, and substitute:

3 “118.40 **(3)** (b) A contract under par. (a) or under ~~sub.~~ subs. (2m) or (2r) may be
4 for any term not exceeding 5 school years and may be renewed for one or more terms
5 not exceeding 5 school years. The contract shall specify the amount to be paid ~~by the~~
6 ~~school board~~ to the charter school during each school year of the contract.”

7 **1008.** Page 1293, line 23: delete “subd. 2.” and substitute “subds. 2. and 3.”

8 **1009.** Page 1294, line 9: after that line insert:

9 “3. Notwithstanding subd. 2., if the city of Milwaukee contracts with an
10 individual or group operating for profit to operate a school as a charter school, the
11 charter school is an instrumentality of the school district operating under ch. 119 and
12 the board of the school district operating under ch. 119 shall employ all personnel for
13 the charter school.”

14 **1010.** Page 1294, line 18: delete lines 18 to 20.

15 **1011.** Page 1294, line 24: delete the material beginning with that line and
16 ending with page 1295, line 8.

17 **1012.** Page 1295, line 17: after that line insert:

18 “**SECTION 2843g.** 118.51 of the statutes is created to read:

19 **118.51 Full-time open enrollment. (1) DEFINITIONS.** In this section:

20 (a) “Child with exceptional educational needs” has the meaning given in s.
21 115.76 (3).

22 (b) “Nonresident school board” means the school board of a nonresident school
23 district.

1 (c) "Nonresident school district" means a school district, other than a pupil's
2 resident school district, that the pupil is attending or has applied to attend under this
3 section.

4 (d) "Parent" includes a guardian.

5 (e) "Resident school board" means the school board of a resident school district.

6 (f) "Resident school district" means the school district in which a pupil resides.

7 **(2) APPLICABILITY.** Beginning in the 1998-99 school year, a pupil may attend
8 a public school, including a prekindergarten, early childhood or school-operated day
9 care program, in a nonresident school district under this section, except that a pupil
10 may attend a prekindergarten, early childhood or school-operated day care program
11 in a nonresident school district only if the pupil's resident school district offers the
12 same type of program that the pupil wishes to attend and the pupil is eligible to
13 attend that program in his or her resident school district.

14 **(3) APPLICATION PROCEDURES.** (a) *Submission and acceptance or rejection.* 1.
15 The parent of a pupil who wishes to attend a public school in a nonresident school
16 district under this section shall submit an application, on a form provided by the
17 department under sub. (15) (a), to the school board of the nonresident school district
18 that the pupil wishes to attend, not earlier than the first Monday in February and
19 not later than the 3rd Friday in February of the school year immediately preceding
20 the school year in which the pupil wishes to attend. On the 4th Monday in February,
21 the nonresident school board shall send a copy of the application to the pupil's
22 resident school board and the department. The application may include a request
23 to attend a specific school or program offered by the nonresident school district.

24 2. A nonresident school board may not act on any application received under
25 subd. 1. until after the 3rd Friday in February. If a nonresident school board receives

1 more applications for a particular grade or program than there are spaces available
2 in the grade or program, the nonresident school board shall determine which pupils
3 to accept on a random basis.

4 3. On or before the first Friday following the first Monday in April following
5 receipt of the application, the nonresident school board shall notify the applicant, in
6 writing, whether it has accepted the application. If the nonresident school board
7 rejects an application, it shall include in the notice the reason for the rejection.

8 4. On or before the first Friday following the first Monday in April following
9 receipt of a copy of the application, if a resident school board denies a pupil's
10 enrollment in a nonresident school district under sub. (6), (7) or (12) (b) 1., the
11 resident school board shall notify the applicant and the nonresident school board, in
12 writing, that the application has been denied and include in the notice the reason for
13 the denial.

14 5. If an application is accepted, on or before the 2nd Friday following the first
15 Monday in May following receipt of the application, the nonresident school board
16 shall notify the applicant, in writing, of the specific school or program that the pupil
17 may attend in the following school year.

18 6. If an application is accepted, on or before the first Friday following the first
19 Monday in June following receipt of a notice of acceptance, the pupil's parent shall
20 notify the nonresident school board of the pupil's intent to attend school in that school
21 district in the following school year.

22 (b) *Notice to resident school district.* Annually by June 30, each nonresident
23 school board that has accepted a pupil under this section for attendance in the
24 following school year shall report the name of the pupil to the pupil's resident school
25 board.

1 (c) *Subsequent reapplication; when required.* 1. If a pupil's parent notifies a
2 nonresident school board, under par. (a) 6., that the pupil intends to attend school
3 in that school district in the following school year, the pupil may attend that school
4 district in the following school year and may continue to attend that school district
5 in succeeding school years without reapplying, except that the nonresident school
6 board may require that the pupil reapply, no more than once, when the pupil enters
7 middle school, junior high school or high school.

8 2. If at any time a pupil who is attending school in a nonresident school district
9 under this section wishes to attend school in a different nonresident school district
10 under this section, the pupil's parent shall follow the application procedures under
11 par. (a).

12 **(4) ADOPTION OF POLICIES AND CRITERIA.** (a) By December 1, 1997, each school
13 board shall adopt a resolution specifying all of the following:

- 14 1. Its reapplication requirements, if any, under sub. (3) (c) 1.
- 15 2. Its acceptance and rejection criteria under sub. (5) (a) and (b).
- 16 3. A statement of the preference required under sub. (5) (c).
- 17 4. Its transfer limitations, if any, under sub. (6).
- 18 5. If the school district is eligible for aid under subch. VI of ch. 121, the
19 limitation on transfers into or out of the school district imposed by the school board
20 under sub. (7).
- 21 6. Whether it will provide transportation under s. 121.54 (10) for some or all
22 of the pupils who reside in the school district and attend school in a nonresident
23 school district under this section for some or all of the pupils who reside in other
24 school districts and attend its schools under this section, and the means, under s.
25 121.55, by which it will provide such transportation.

1 (b) If the school board revises its criteria or policies under par. (a), it shall do
2 so by resolution.

3 (5) NONRESIDENT SCHOOL DISTRICT ACCEPTANCE CRITERIA. (a) *Permissible criteria.*

4 Except as provided in par. (c), the criteria for accepting and rejecting applications
5 from nonresident pupils under sub. (3) (a) may include only the following:

6 1. The availability of space in the schools, programs, classes or grades within
7 the nonresident school district, including any class size limits, pupil-teacher ratios,
8 pupils attending the school district for whom tuition is paid under s. 121.78 (1) (a)
9 or enrollment projections established by the nonresident school board.

10 2. Whether the pupil has been expelled from school by any school district
11 during the current or 2 preceding school years for any of the following reasons or
12 whether a disciplinary proceeding involving the pupil, which is based on any of the
13 following reasons, is pending:

14 a. Conveying or causing to be conveyed any threat or false information
15 concerning an attempt or alleged attempt being made or to be made to destroy any
16 school property by means of explosives.

17 b. Engaging in conduct while at school or while under supervision of a school
18 authority that endangered the health, safety or property of others.

19 c. Engaging in conduct while not at school or while not under the supervision
20 of a school authority that endangered the health, safety or property of others at
21 school or under the supervision of a school authority or of any employe of the school
22 district or member of the school board.

23 d. Possessing a dangerous weapon, as defined in s. 939.22 (10), while at school
24 or while under the supervision of a school authority.

1 4. Whether the special education program or related services described in the
2 child's individualized education program under s. 115.80 (4) are available in the
3 nonresident school district or whether there is space available in the special
4 education program identified in the child's individualized education program,
5 including any class size limits, pupil-teacher ratios or enrollment projections
6 established by the nonresident school board.

7 5. Whether the child has been screened by his or her resident school board
8 under s. 115.80 (2) to determine if there is reasonable cause to believe that the child
9 is a child with exceptional educational needs.

10 6. Whether the child has been reported to his or her resident school board under
11 s. 115.80 (1) or identified by his or her resident school board under s. 115.80 (2) but
12 not yet evaluated by a multidisciplinary team appointed by his or her resident school
13 board under s. 115.80 (3).

14 (b) *Rejection after initial acceptance.* The criteria under par. (a) may provide
15 that, notwithstanding the nonresident school board's acceptance of an application
16 under sub. (3) (a) 3., at any time prior to the beginning of the school year in which
17 the pupil will first attend school in the school district under this section, the school
18 board may notify the pupil that he or she may not attend school in the school district
19 if the school board determines that any of the criteria under par. (a) 2. are met.

20 (c) *Required preference.* A nonresident school board shall give preference in
21 accepting applications under sub. (3) (a) to pupils and to siblings of pupils who are
22 already attending public school in the nonresident school district.

23 **(6) RESIDENT SCHOOL DISTRICT TRANSFER LIMITATIONS.** A school board may limit
24 the number of its resident pupils attending public school in other school districts
25 under this section in the 1998-99 school year to 3% of its membership. In each of the

1 7 succeeding school years, a school board may limit the number of its resident pupils
2 attending public school in other school districts to an additional 1% of its
3 membership. If more than the maximum allowable number of resident pupils apply
4 to attend public school in other school districts in any school year under this section,
5 the school board shall determine which pupils will be allowed to attend public school
6 in other school districts on a random basis, except that the school board shall give
7 preference to pupils who are already attending public school in the school district to
8 which they are applying under this section and to siblings of such pupils.

9 (7) RACIAL BALANCE. (a) The school board of a school district that is eligible for
10 aid under subch. VI of ch. 121 shall reject any application for transfer into or out of
11 the school district made under this section if the transfer would increase racial
12 imbalance in the school district. A pupil who transfers out of a school district under
13 subch. VI of ch. 121 shall not be counted in that school district's membership, as
14 defined in s. 121.004 (5), for the purpose of determining the school district's racial
15 balance under this paragraph.

16 (b) The school board of a school district that receives applications for transfer
17 into the school district under subch. VI of ch. 121 and this section may not accept
18 applications made under this section until it has accepted or rejected all applications
19 made under subch. VI of ch. 121.

20 (8) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, the resident school
21 board shall provide to the nonresident school board to which a pupil has applied
22 under this section, upon request by that school board, a copy of any expulsion
23 findings and orders pertaining to the pupil, a copy of records of any pending
24 disciplinary proceeding involving the pupil, a written explanation of the reasons for

1 the expulsion or pending disciplinary proceeding and the length of the term of the
2 expulsion or the possible outcomes of the pending disciplinary proceeding.

3 **(9) APPEAL OF REJECTION.** If the nonresident school board rejects an application
4 under sub. (3) (a) or (7) or the resident school board prohibits a pupil from attending
5 public school in a nonresident school district under sub. (6), (7) or (12) (b) 1., the
6 pupil's parent may appeal the decision to the department within 30 days after the
7 decision. The department shall affirm the school board's decision unless the
8 department finds that the decision was arbitrary or unreasonable.

9 **(10) PUPIL ASSIGNMENT.** A nonresident school board may assign pupils accepted
10 to attend public school in the school district under this section to a school or program
11 within the school district. The school board may give preference in attendance at a
12 school, program, class or grade to residents of the school district who live outside the
13 school's attendance area.

14 **(12) SPECIAL EDUCATION PROGRAM OR RELATED SERVICES.** (a) *Unavailable after*
15 *enrollment.* If the individualized education program for a pupil, developed or revised
16 under s. 115.80 (4) after a child begins attending public school in a nonresident school
17 district under this section, requires a special education program or related service
18 that is not available in the nonresident school district or if there is no space available
19 in the special education program identified in the child's individualized education
20 program, including any class size limits, pupil-teacher ratios or enrollment
21 projections established by the nonresident school board, the nonresident school
22 board may notify the child's parent and the child's resident school board that the
23 program or service is not available in the nonresident school district. If such notice
24 is provided, the child shall be transferred to his or her resident school district, which

1 shall provide an educational placement for the child under ss. 115.80 (4m) and 115.85
2 (2).

3 (b) *Undue financial burden.* 1. If the costs of the special education program
4 or services required in the individualized education program under s. 115.80 (4) for
5 a child with exceptional educational needs whose parent has submitted an
6 application under sub. (3) (a), as proposed to be implemented by the nonresident
7 school district, would impose upon the child's resident school district an undue
8 financial burden in light of the resident school district's total economic
9 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
10 pay tuition costs for the pupil and the per pupil special education program or services
11 costs for children with exceptional educational needs continuing to be served by the
12 resident school district, the child's resident school board may notify the child's parent
13 and the nonresident school board by the first Friday following the first Monday in
14 April that the pupil may not attend the nonresident school district to which the child
15 has applied.

16 2. If the costs of the special education program or services required in an
17 individualized education program for a pupil, developed or revised under s. 115.80
18 (4) after a child begins attending public school in a nonresident school district under
19 this section, as implemented or proposed to be implemented by the nonresident
20 school district, would impose upon the child's resident school district an undue
21 financial burden in light of the resident school district's total economic
22 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
23 pay tuition costs for the pupil and the per pupil special education program or services
24 costs for children with exceptional educational needs continuing to be served by the
25 resident school district, the child's resident school board may notify the pupil's

1 parent and the nonresident school board that the program or services impose such
2 an undue financial burden on the resident school district. If such notice is provided,
3 the child shall be transferred to his or her resident school district, which shall provide
4 an educational placement for the child under ss. 115.80 (4m) and 115.85 (2). The
5 pupil's parent may appeal a required transfer under this subdivision to the
6 department within 30 days after receipt of the notice. The department shall affirm
7 the resident school board's determination unless the department finds that the
8 determination was arbitrary or unreasonable.

9 **(13) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS.** A pupil attending a public
10 school in a nonresident school district under this section has all of the rights and
11 privileges of pupils residing in that school district and is subject to the same rules
12 and regulations as pupils residing in that school district.

13 **(13m) PARTICIPATION IN CERTAIN PROGRAMS.** A pupil attending a public school in
14 a nonresident school district under this section shall be considered a resident of the
15 nonresident school district for the purposes of participating in programs of a
16 cooperative educational service agency or a county handicapped children's education
17 board.

18 **(14) TRANSPORTATION.** (a) *Responsibility.* 1. Except as provided in subd. 2., the
19 parent of a pupil attending public school in a nonresident school district under this
20 section is responsible for transporting the pupil to and from school in the nonresident
21 school district attended by the pupil.

22 2. If the pupil is a child with exceptional educational needs and transportation
23 of the pupil is required in the individualized education program developed for the
24 child under s. 115.80 (4) or is required under s. 121.54 (3), the nonresident school
25 district shall provide such transportation for the child.

1 (b) *Low-income assistance.* The parent of a pupil who is eligible for a free or
2 reduced-price lunch under 42 USC 1758 (b) and who will be attending public school
3 in a nonresident school district in the following school year under this section may
4 apply to the department, on the form prepared under sub. (15) (a), for the
5 reimbursement of costs incurred by the parent for the transportation of the pupil to
6 and from the pupil's residence and the school that the pupil will be attending. The
7 department shall determine the reimbursement amount and shall pay the amount
8 from the appropriation under s. 20.255 (2) (cy). The reimbursement amount may not
9 exceed the actual transportation costs incurred by the parent or 3 times the
10 statewide average per pupil transportation costs, whichever is less. If the
11 appropriation under s. 20.255 (2) (cy) in any one year is insufficient to pay the full
12 amount of approved claims under this paragraph, payments shall be prorated among
13 the parents entitled thereto. By the 2nd Friday following the first Monday in May
14 following receipt of the parent's application under sub. (3) (a), the department shall
15 provide to each parent requesting reimbursement under this paragraph an estimate
16 of the amount of reimbursement that the parent will receive if the pupil attends
17 public school in the nonresident school district in the following school year.

18 **(15) DEPARTMENT DUTIES.** The department shall do all of the following:

19 (a) *Application form.* Prepare, distribute to school districts and make available
20 to parents an application form to be used by parents under sub. (3) (a). The form shall
21 include provisions that permit a parent to apply for transportation reimbursement
22 under sub. (14) (b).

23 (b) *Information and assistance.* Develop and implement an outreach program
24 to educate parents about the open enrollment program under this section, including
25 activities specifically designed to educate low-income parents, and services to

1 answer parents' questions about the program and assist them in exercising the open
2 enrollment option provided under this section.

3 (c) *Annual report.* Annually submit a report to the governor, and to the
4 appropriate standing committees of the legislature under s. 13.172 (3), on the
5 number of pupils who applied to attend public school in a nonresident school district
6 under this section, the number of applications denied and the bases for the denials,
7 and the number of pupils attending public school in a nonresident school district
8 under this section.

9 **(16) STATE AID ADJUSTMENTS.** (a) Annually, the department shall determine all
10 of the following:

11 1. For each school district, the number of nonresident pupils attending public
12 school in the school district under this section, other than pupils for whom tuition is
13 paid under sub. (17).

14 2. For each school district, the number of resident pupils attending public
15 school in a nonresident school district under this section, other than pupils for whom
16 tuition is paid under sub. (17).

17 3. The statewide average per pupil school district cost for regular instruction,
18 cocurricular activities, instructional support services and pupil support services in
19 the previous school year.

20 (b) 1. If the number determined in par. (a) 1. is greater than the number
21 determined in par. (a) 2. for a school district, the department shall increase that
22 school district's state aid payment under s. 121.08 by an amount equal to the
23 difference multiplied by the amount determined under par. (a) 3.

24 2. If the number determined in par. (a) 1. is less than the number determined
25 in par. (a) 2. for a school district, the department shall decrease that school district's

1 state aid payment under s. 121.08 by an amount equal to the difference multiplied
2 by the amount determined under par. (a) 3. If the state aid payment under s. 121.08
3 is insufficient to cover the reduction, the department shall decrease other state aid
4 payments made by the department to the school district by the remaining amount.
5 If the state aid payment under s. 121.08 and other state aid payments made by the
6 department to the school district are insufficient to cover the reduction, the
7 department shall use the moneys appropriated under s. 20.255 (2) (cg) to pay the
8 balance to school districts under subd. 1.

9 (c) If a pupil attends public school in a nonresident school district under this
10 section for less than a full school term, the department shall prorate the state aid
11 adjustments under this subsection based on the number of days that school is in
12 session and the pupil attends public school in the nonresident school district.

13 (d) The department shall ensure that the aid adjustment under par. (b) does
14 not affect the amount determined to be received by a school district as state aid under
15 s. 121.08 for any other purpose.

16 **(17) SPECIAL EDUCATION TUITION.** The resident school board shall pay to the
17 nonresident school board, for each child who is attending public school in the
18 nonresident school district under this section and is enrolled in a program for
19 children with exceptional educational needs, tuition calculated using the daily
20 tuition rate under s. 121.83 for children enrolled in such programs in the nonresident
21 school district, or an amount agreed to by the school boards of the 2 school districts.

22 **SECTION 2843r.** 118.52 of the statutes is created to read:

23 **118.52 Part-time open enrollment. (1) DEFINITIONS.** In this section:

24 (a) "Nonresident school board" means the school board of a nonresident school
25 district.

1 (b) "Nonresident school district" means a school district, other than a pupil's
2 resident school district, in which the pupil is attending a course or has applied to
3 attend a course under this section.

4 (c) "Parent" includes a guardian.

5 (d) "Resident school board" means the school board of a resident school district.

6 (e) "Resident school district" means the school district in which a pupil resides.

7 **(2) APPLICABILITY.** Beginning in the 1998-99 school year, a pupil enrolled in a
8 public school in the high school grades may attend public school in a nonresident
9 school district under this section for the purpose of taking a course offered by the
10 nonresident school district. A pupil may attend no more than 2 courses at any time
11 in nonresident school districts under this section.

12 **(3) APPLICATION PROCEDURES.** (a) The parent of a pupil who wishes to attend
13 public school in a nonresident school district for the purpose of taking a course under
14 this section shall submit an application, on a form provided by the department, to the
15 school board of the nonresident school district in which the pupil wishes to attend a
16 course not later than 6 weeks prior to the date on which the course is scheduled to
17 commence. The application shall specify the course that the pupil wishes to attend
18 and may specify the school or schools at which the pupil wishes to attend the course.
19 The nonresident school board shall send a copy of the application to the pupil's
20 resident school board.

21 (b) If a nonresident school board receives more applications for a particular
22 course than there are spaces available in the course, the nonresident school board
23 shall determine which pupils to accept on a random basis.

24 (c) No later than one week prior to the date on which the course is scheduled
25 to commence, the nonresident school board shall notify the applicant and the

1 resident school board, in writing, whether the application has been accepted and, if
2 the application is accepted the school at which the pupil may attend the course. The
3 acceptance applies only for the following semester, school year or other session in
4 which the course is offered. If the nonresident school board rejects an application,
5 it shall include in the notice the reason for the rejection.

6 (d) No later than one week prior to the date on which the course is scheduled
7 to commence, the resident school board shall do all of the following:

8 1. If it denies an application to attend public school in a nonresident school
9 district under sub. (6), notify the applicant and the nonresident school board, in
10 writing, that the application has been denied and include in the notice the reason for
11 the rejection.

12 2. If it determines that the course does not satisfy high school graduation
13 requirements under s. 118.33 in the resident school district, notify the applicant in
14 writing.

15 (e) Following receipt of a notice of acceptance but prior to the date on which the
16 course is scheduled to commence, the pupil's parent shall notify the resident school
17 board and nonresident school board of the pupil's intent to attend the course in the
18 nonresident school district.

19 **(4) ADOPTION OF POLICIES AND CRITERIA.** By December 1, 1997, each school board
20 shall adopt a resolution specifying the criteria and policies described in subs. (5) and
21 (6). If the school board wishes to revise the criteria or policies, it shall do so by
22 resolution.

23 **(5) NONRESIDENT SCHOOL DISTRICT ACCEPTANCE AND REJECTION CRITERIA.** School
24 board policies and criteria for accepting and rejecting applications under sub. (3)
25 from pupils who reside in another school district shall be the same as the policies and

1 criteria for entry into the course that apply to pupils who reside in the school district,
2 except that the school board may give preference in attendance in a course to
3 residents of the school district.

4 **(6) RESIDENT SCHOOL DISTRICT REJECTION CRITERIA.** (a) *Individualized education*
5 *program requirements.* The school board of a pupil's resident school district shall
6 reject a pupil's application to attend a course in a public school in a nonresident
7 school district if the resident school board determines that the course conflicts with
8 the individualized education program for the pupil under s. 115.80 (4).

9 (b) *Undue financial burden.* The school board of a pupil's resident school
10 district may reject an application to attend a course in a public school in a
11 nonresident school district if the cost of the course would impose upon the resident
12 school district an undue financial burden in light of the resident school district's total
13 economic circumstances, including its revenue limit under subch. VII of ch. 121, its
14 ability to pay tuition costs for the pupil and the per pupil costs for children continuing
15 to be served by the resident school district.

16 **(8) APPEAL OF REJECTION.** If an application is rejected under sub. (5) or a pupil
17 is prohibited from attending a course in a public school in a nonresident school
18 district under sub. (6), the pupil's parent may appeal the decision to the department
19 within 30 days after the decision. The department shall affirm the school board's
20 decision unless the department finds that the decision was arbitrary or
21 unreasonable. The department's decision is final and is not subject to judicial review
22 under subch. III of ch. 227.

23 **(9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS.** A pupil attending a course
24 in a public school in a nonresident school district under this section has all of the

1 rights and privileges of pupils residing in that school district and is subject to the
2 same rules and regulations as pupils residing in that school district.

3 (10) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, the resident school
4 board shall provide to the nonresident school board to which a pupil has applied
5 under this section, upon request by that school board, a copy of any expulsion
6 findings and orders, a copy of records of any pending disciplinary proceeding
7 involving the pupil, a written explanation of the reasons for the expulsion or pending
8 disciplinary proceeding and the length of the term of the expulsion or the possible
9 outcomes of the pending disciplinary proceeding.

10 (11) TRANSPORTATION. (a) *Responsibility*. The parent of a pupil attending a
11 course in a public school in a nonresident school district under this section is
12 responsible for transporting the pupil to and from the course that the pupil is
13 attending.

14 (b) *Low-income assistance*. The parent of a pupil who is attending a course in
15 a public school in a nonresident school district under this section may apply to the
16 department for reimbursement of the costs incurred by the parent for the
17 transportation of the pupil to and from the pupil's residence or school in which the
18 pupil is enrolled and the school at which the pupil is attending the course if the pupil
19 and parent are unable to pay the cost of such transportation. The department shall
20 determine the reimbursement amount and shall pay the amount from the
21 appropriation under s. 20.255 (2) (cw). The department shall give preference under
22 this paragraph to those pupils who are eligible for a free or reduced-price lunch
23 under 42 USC 1758 (b).

24 (12) TUITION. The resident school board shall pay to the nonresident school
25 board for each pupil attending a course in a public school in the nonresident school

1 district under this section an amount equal to the cost of providing the course to the
2 pupil, calculated in a manner determined by the department.”.

3 **1013.** Page 1297, line 4: delete “For” and substitute “1. Except as provided
4 in par. (dg), for”.

5 **1014.** Page 1297, line 7: delete “1.” and substitute “a.”.

6 **1015.** Page 1297, line 11: delete “2.” and substitute “b.”.

7 **1016.** Page 1297, line 16: delete the material beginning with “If” and ending
8 with “district.” on line 19.

9 **1017.** Page 1297, line 21: delete “subdivision” and substitute “subd. 1. b”.

10 **1018.** Page 1297, line 21: after that line insert:

11 “2. Notwithstanding subd. 1., if the pupil is attending the technical college for
12 less than 10 credits during any semester, the school board is not responsible for
13 payment for any courses that are comparable to courses offered in the school district.
14 If the pupil is attending the technical college for 10 or more credits during any
15 semester, the school board is responsible for payment for courses that are comparable
16 to courses offered in the school district for one-half of the credits taken but no more
17 than 6 credits.”.

18 **1019.** Page 1297, line 21: after that line insert:

19 “(dg) 1. If, by September 15, 1997, or within 30 days after the effective date of
20 this subdivision [revisor inserts date], whichever is later, the technical college
21 system board, the Wisconsin Association of School Boards and the School
22 Administrators Alliance agree on a different method than the method under par. (d)
23 for determining the amount that a school board must pay a technical college district
24 board for each pupil attending a technical college under this subsection, they shall

1 submit it to the department by September 15, 1997, or within 30 days after the
2 effective date of this subdivision [revisor inserts date], whichever is later.

3 2. Within 30 days after receiving the recommended method under subd. 1., the
4 department shall approve or reject it. If the department approves the method it shall
5 immediately submit the method to the cochairpersons of the joint committee on
6 finance. If the cochairpersons of the joint committee on finance do not notify the
7 department that the committee has scheduled a meeting for the purpose of reviewing
8 the method within 14 working days after the date that the method was submitted,
9 the method is approved. If, within 14 working days after the date that the method
10 was submitted, the cochairpersons of the committee notify the department that the
11 committee has scheduled a meeting for the purpose of reviewing the method, the
12 method is not approved until the committee approves it.

13 3. If the method is approved by the department and by the joint committee on
14 finance under subd. 2., the department shall promulgate rules implementing the
15 method beginning with pupils attending a technical college in the 1998 spring
16 semester.”.

17 **1020.** Page 1298, line 15: after “118.14,” insert “118.145 (4).”

18 **1021.** Page 1298, line 16: before “118.55” insert “118.51, 118.52.”

19 **1022.** Page 1301, line 25: after that line insert:

20 “**SECTION 2850b.** 119.48 (4) (b) of the statutes is amended to read:

21 119.48 (4) (b) The communication shall state the purposes for which the funds
22 from the increase in the levy rate will be used and shall request the common council
23 to submit to the voters of the city the question of exceeding the levy rate specified in

1 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.
2 8.065.

3 **SECTION 2851b.** 119.48 (4) (c) of the statutes is amended to read:

4 119.48 (4) (c) Upon receipt of the communication, the common council shall
5 cause the question of exceeding the levy rate specified under s. 65.07 (1) (f) to be
6 submitted to the voters of the city at the ~~September election or at a special~~ next
7 election authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) to
8 be held not sooner than 45 days after receipt of the communication. The question of
9 exceeding the levy rate specified under s. 65.07 (1) (f) shall be submitted upon a
10 separate ballot or in some other manner so that the vote upon exceeding the levy rate
11 specified in s. 65.07 (1) (f) is taken separately from any other question submitted to
12 the voters. If a majority of the electors voting on the question favors exceeding the
13 levy rate specified under s. 65.07 (1) (f), the common council shall approve the
14 increase in the levy rate and shall levy and collect a tax equal to the amount of money
15 approved by the electors.”.

16 **1023.** Page 1302, line 13: after that line insert:

17 **“SECTION 2852b.** 119.49 (1) (b) of the statutes is amended to read:

18 119.49 (1) (b) The communication shall state the amount of funds needed under
19 par. (a) and the purposes for which the funds will be used and shall request the
20 common council to submit to the voters of the city at the next election authorized
21 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city
22 not sooner than 45 days after receipt of the communication the question of issuing
23 school bonds in the amount and for the purposes stated in the communication.

24 **SECTION 2853b.** 119.49 (2) of the statutes is amended to read:

1 119.49 (2) Upon receipt of the communication, the common council shall cause
2 the question of issuing such school bonds in the stated amount and for the stated
3 school purposes to be submitted to the voters of the city at the next election ~~held in~~
4 the city authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) that
5 occurs not sooner than 45 days after the date of receipt of the communication. The
6 question of issuing such school bonds shall be submitted upon a separate ballot or
7 in some other manner so that the vote upon issuing such school bonds is taken
8 separately from any other question submitted to the voters. If a majority of the
9 electors voting on the school bond question favors issuing such school bonds, the
10 common council shall cause the school bonds to be issued immediately or within the
11 period permitted by law, in the amount requested by the board and in the manner
12 other bonds are issued.”.

13 **1024.** Page 1304, line 19: after that line insert:

14 “**SECTION 2854y.** 120.115 of the statutes is created to read:

15 **120.115 Report on debt service.** (1) Within 10 days after holding a
16 referendum that would authorize the school district to incur debt or that would
17 authorize the common council of a 1st class city to incur debt on behalf of the school
18 district operating under ch. 119, the school board shall notify the department of the
19 approval or rejection of the referendum.

20 (2) (a) Within 10 days after adopting or revising a schedule for the payment of
21 debt service, the school board shall submit the schedule to the department.

22 (b) Within 10 days after adopting or revising a schedule for the payment of debt
23 service on debt issued on behalf of the school district operating under ch. 119, the
24 common council of a 1st class city shall submit the schedule to the department.

1 **(3)** Monthly, the department shall submit to the department of administration
2 and the legislative fiscal bureau a report that aggregates all debt service payment
3 schedules submitted under sub. (2).”.

4 **1025.** Page 1304, line 22: after that line insert:

5 “**SECTION 2855m.** 120.12 (15) of the statutes is amended to read:

6 120.12 **(15)** SCHOOL HOURS. Establish rules scheduling the hours of a normal
7 school day. The school board may differentiate between the various elementary and
8 high school grades in scheduling the school day. The equivalent of 180 such days, as
9 defined in s. 115.01 (10), shall be held during the school term. ~~This subsection shall~~
10 ~~not be construed to eliminate a school district’s duty to bargain with the employe’s~~
11 ~~collective bargaining representative over any calendaring proposal which is~~
12 ~~primarily related to wages, hours and conditions of employment.”.~~

13 **1026.** Page 1306, line 22: delete the material beginning with that line and
14 ending with page 1307, line 2, and substitute:

15 “**SECTION 2860c.** 120.13 (2) (g) of the statutes, as affected by 1995 Wisconsin
16 Act 289, is amended to read:

17 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
18 49.493 (3) (d), 631.89, 631.90, 631.93 (2), ~~632.745 (2), (3) and (5)~~ 632.746 (10) (a) 2.
19 and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) and (10), 632.896, 767.25 (4m)
20 (d) and 767.51 (3m) (d).

21 **SECTION 2860f.** 120.13 (2) (g), as affected by 1997 Wisconsin Act (this act),
22 of the statutes is amended to read:

23 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
24 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),

1 632.87 (4) and (5), 632.895 (9) ~~and (10)~~ to (13), 632.896, 767.25 (4m) (d) and 767.51
2 (3m) (d).”.

3 **1027.** Page 1309, line 19: after that line insert:

4 “**SECTION 2865m.** 121.004 (7) (a) of the statutes is amended to read:

5 121.004 (7) (a) “Pupils enrolled” is the total number of pupils, as expressed by
6 official enrollments, in all schools of the school district, except as provided in pars.
7 (b) to ~~(d)~~ (e). If such total contains a fraction, it shall be expressed as the nearest
8 whole number. The same method shall be used in computing the number of pupils
9 enrolled for resident pupils, nonresident pupils or both.

10 **SECTION 2865r.** 121.004 (7) (e) of the statutes is created to read:

11 121.004 (7) (e) A pupil attending public school under s. 118.145 (4) shall be
12 counted as the result obtained by dividing the number of hours of direct pupil
13 instruction scheduled for the pupil at the public school during the school year by the
14 number of hours of direct pupil instruction that the school district scheduled for a
15 pupil in the same grade during the school year.”.

16 **1028.** Page 1310, line 23: after that line insert:

17 “**SECTION 2870d.** 121.02 (1) (m) of the statutes is amended to read:

18 121.02 (1) (m) Provide access to an education for employment program
19 approved by the ~~department~~ state superintendent. Beginning in the 1997-98 school
20 year, the program shall incorporate applied curricula; guidance and counseling
21 services under par. (e); technical preparation under s. 118.34; college preparation;
22 youth apprenticeship under s. 106.13 or other job training and work experience; and
23 instruction in skills relating to employment. ~~The department~~ state superintendent
24 shall assist school boards in complying with this paragraph.”.

1 **1029.** Page 1312, line 7: after that line insert:

2 “**SECTION 2872gd.** 121.05 (1) (a) 11. of the statutes is created to read:

3 121.05 (1) (a) 11. Pupils residing in the school district but attending a public
4 school in another school district under s. 118.51.”.

5 **1030.** Page 1312, line 7: after that line insert:

6 “**SECTION 2872gm.** 121.05 (1) (a) 12. of the statutes is created to read:

7 121.05 (1) (a) 12. Pupils attending public school under s. 118.145 (4).”.

8 **1031.** Page 1314, line 1: delete “\$50,000,000” and substitute “\$45,000,000”.

9 **1032.** Page 1316, line 22: delete “\$50,000,000” and substitute “\$45,000,000”.

10 **1033.** Page 1316, line 23: delete “\$150,000,000” and substitute
11 “\$145,000,000”.

12 **1034.** Page 1317, line 12: delete “amount appropriated under s. 20.255 (2)
13 (cv)” and substitute “amounts appropriated under s. 20.255 (2) (bi) and (cv)”.

14 **1035.** Page 1317, line 13: after “districts” insert “, less the amount of any
15 revenue limit increase under s. 121.91 (4) (a) 2. due to a school board’s increasing the
16 services that it provides by adding responsibility for providing a service transferred
17 to it from another school board and less the amount of any revenue limit increase
18 under s. 121.91 (4) (a) 3”.

19 **1036.** Page 1318, line 2: after that line insert:

20 “**SECTION 2879m.** 121.15 (3m) (c) of the statutes is amended to read:

21 121.15 (3m) (c) By June 30, ~~1996~~ 1998, and annually by June 30 thereafter, the
22 joint committee on finance shall determine the amount appropriated under s. 20.255
23 (2) (ac) in the following school year.”.

1 **1037.** Page 1320, line 19: after that line insert:

2 “**SECTION 2882g.** 121.54 (2) (c) of the statutes is amended to read:

3 121.54 (2) (c) An annual or special meeting of a common or union high school
4 district, or the school board of a unified school district, may elect to provide
5 transportation for pupils who are not required to be transported under this section,
6 including pupils attending public school under s. 118.145 (4). Transportation may
7 be provided for all or some of the pupils who reside in the school district to and from
8 the public school they are entitled to attend or the private school, within or outside
9 the school district, within whose attendance area they reside. If transportation is
10 provided for less than all such pupils there shall be reasonable uniformity in the
11 minimum distance that pupils attending public and private schools will be
12 transported. Except for elementary school districts electing to furnish
13 transportation under par. (b) 2., this paragraph does not permit a school district
14 operating only elementary grades to provide transportation for pupils attending
15 private schools.”.

16 **1038.** Page 1323, line 6: after that line insert:

17 “**SECTION 2883m.** 121.54 (10) of the statutes is created to read:

18 121.54 (10) FULL-TIME OPEN ENROLLMENT. Subject to s. 118.51 (14) (a) 2., a school
19 board may elect to provide transportation, including transportation to and from
20 summer classes, for nonresident pupils who are attending public school in the school
21 district under s. 118.51, or its resident pupils who are attending public school in
22 another school district under s. 118.51, or both, except that a school board may not
23 provide transportation under this subsection for a nonresident pupil to or from a
24 location within the boundaries of the school district in which the pupil resides.”.

1 **1039.** Page 1323, line 23: after that line insert:

2 “**SECTION 2885g.** 121.58 (2) (a) of the statutes is amended to read:

3 121.58 **(2)** (a) A school district which provides transportation to and from a
4 school under ss. 121.54 (1) to (3), (5) and (6) and 121.57, and the nonresident school
5 district that a pupil attends under s. 118.51 which elects to provide transportation
6 under s. 121.54 (10), shall be paid state aid for such transportation at the rate of \$30
7 per school year per pupil so transported whose residence is at least 2 miles and not
8 more than 5 miles from the school attended, \$45 per school year per pupil so
9 transported whose residence is at least 5 miles and not more than 8 miles from the
10 school attended, \$60 per school year per pupil so transported whose residence is at
11 least 8 miles and not more than 12 miles from the school attended, \$68 per school year
12 per pupil so transported whose residence is at least 12 miles and not more than 15
13 miles from the school attended, \$75 per school year per pupil so transported whose
14 residence is at least 15 miles and not more than 18 miles from the school attended,
15 and \$85 per school year per pupil so transported whose residence is more than 18
16 miles from the school attended. Such state aid shall be reduced proportionately in
17 the case of a pupil transported for less than a full school year because of
18 nonenrollment. State aid for transportation shall not exceed the actual cost thereof.
19 No state aid of any kind may be paid to a school district which charges the pupil
20 transported or his or her parent or guardian any part of the cost of transportation
21 provided under ss. 121.54 (1) to (3), (5) ~~and~~, (6) and (10) and 121.57 or which wilfully
22 or negligently fails to transport all pupils for whom transportation is required under
23 s. 121.54.

24 **SECTION 2885r.** 121.58 (4) of the statutes is amended to read:

1 121.58 (4) STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before
2 October 1 of the year in which transportation is provided under s. 121.54 (4), or under
3 s. 121.54 (10) if the transportation is provided by the nonresident school district that
4 a pupil attends under s. 118.51, the school district clerk shall file with the
5 department a report, containing such information as the department requires, on
6 transportation provided by the school board to and from summer classes. Upon
7 receipt of such report and if the summer classes meet the requirements of s. 121.14
8 (1), state aid shall be paid for such transportation. A school district which provides
9 such transportation shall be paid state aid for such transportation at the rate of \$4
10 per pupil transported to and from public school whose residence is at least 2 miles
11 and not more than 5 miles by the nearest traveled route from the public school
12 attended, and \$6 per pupil transported to and from public school whose residence is
13 more than 5 miles by the nearest traveled route from the public school attended, if
14 the pupil is transported 30 days or more. The state aid shall be reduced
15 proportionately if the pupil is transported less than 30 days.”.

16 **1040.** Page 1324, line 11: after that line insert:

17 “**SECTION 2888p.** 121.77 (1) of the statutes is amended to read:

18 121.77 (1) (a) Every elementary school and high school shall be free to all pupils
19 who reside in the school district.

20 (b) If facilities are adequate, a school board, board of control of a cooperative
21 educational service agency or county handicapped children’s education board may
22 admit nonresident pupils who meet its entrance requirements. Nonresident pupils
23 shall have all of the rights and privileges of resident pupils and shall be subject to

1 the same rules and regulations as resident pupils. The agency of service shall charge
2 tuition for each nonresident pupil.”.

3 **1041.** Page 1324, line 20: after that line insert:

4 “**SECTION 2889s.** 121.77 (3) of the statutes is created to read:

5 121.77 (3) Subsections (1) (b) and (2) do not apply to a pupil attending a public
6 school in a nonresident school district under s. 118.51.”.

7 **1042.** Page 1325, line 3: after that line insert:

8 “**SECTION 2891m.** 121.84 (1) (a) of the statutes is amended to read:

9 121.84 (1) (a) A school board ~~may~~ shall permit a pupil who is enrolled in a school
10 under its jurisdiction and is a resident of the school district at the beginning of the
11 school year to complete the school year at the school without payment of tuition, even
12 though the pupil is no longer a resident of the school district.”.

13 **1043.** Page 1326, line 3: after “~~119.23~~” insert “, including pupils identified in
14 s. 121.05 (1) (a) 1. to 11”.

15 **1044.** Page 1326, line 3: before the plain period insert “, except that “number
16 of pupils enrolled” excludes the number of pupils attending public school under s.
17 118.145 (4)”.

18 **1045.** Page 1327, line 19: after that line insert:

19 “**SECTION 2902b.** 121.91 (3) (a) of the statutes is amended to read:

20 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (1), (2) or
21 (2m) otherwise applicable to the school district in any school year, it shall promptly
22 adopt a resolution supporting inclusion in the final school district budget of an
23 amount equal to the proposed excess revenue. The resolution shall specify whether
24 the proposed excess revenue is for a recurring or nonrecurring purpose, or, if the

1 proposed excess revenue is for both recurring and nonrecurring purposes, the
2 amount of the proposed excess revenue for each purpose. The school board shall call
3 a ~~special referendum~~ in accordance with s. 8.065 for the purpose of submitting the
4 resolution to the electors of the school district for approval or rejection. ~~In lieu of a~~
5 ~~special referendum, the school board may specify that the referendum be held at the~~
6 ~~next succeeding spring primary or election or September primary or general election,~~
7 ~~if such election is,~~ to be held not earlier sooner than 35 days after the adoption of the
8 resolution of the school board.”.

9 **1046.** Page 1328, line 8: delete “(a) of the statutes is” and substitute “(a) 1.
10 and 2. of the statutes are”.

11 **1047.** Page 1328, line 19: delete lines 19 to 23 and substitute:

12 **“SECTION 2902p.** 121.91 (4) (a) 3. of the statutes is repealed and recreated to
13 read:

14 121.91 (4) (a) 3. Notwithstanding subd. 2., if a school board increases the
15 services that it provides by adding responsibility for providing a service that is
16 transferred to it from another governmental unit for a child with exceptional
17 educational needs, as defined in s. 115.76 (3), or for a limited-English speaking pupil,
18 as defined in s. 115.955 (7), the limit otherwise applicable under sub. (2m) in the
19 current school year is increased by an amount equal to the estimated cost of
20 providing the service less the estimated amount of aid that the school district will
21 receive for the child or pupil in the following school year under s. 115.88 (1) to (6) and
22 (8), 115.995 or 118.255, as determined by the state superintendent. A school board
23 that transfers or receives responsibility for providing a service under this
24 subdivision shall notify the state superintendent. A school board that transfers

1 responsibility for providing a service under this subdivision shall provide the state
2 superintendent with an estimate of the reduction in cost attributable to the transfer,
3 even if that estimate is zero. The state superintendent shall notify the transferring
4 school district when a receiving school district notifies the state superintendent that
5 it has received responsibility for providing a service transferred to it under this
6 subdivision.”.

7 **1048.** Page 1331, line 9: after that line insert:

8 “**SECTION 2903rm.** 125.039 of the statutes is created to read:

9 **125.039 Civil liability exemption for retaining proofs of age.** No person
10 who holds a license or permit and no employe of such a person is civilly liable for
11 retaining a document presented as proof of age for a reasonable length of time in a
12 good faith effort to determine whether the person who presented the document is an
13 underage person or to notify a law enforcement authority of a suspected violation of
14 s. 125.085 (3) (a) or (b).

15 **SECTION 2905g.** 125.085 (3) (a) 1. of the statutes is amended to read:

16 125.085 (3) (a) 1. No person may make, alter or duplicate an official
17 identification card, provide an official identification card to an underage person or
18 knowingly provide other documentation to an underage person purporting to show
19 that the underage person has attained the legal drinking age. No person may possess
20 an official identification card or other documentation used for proof of age with the
21 intent of providing it to an underage person. Except as provided in subds. 2. and 3.,
22 any person who violates this subdivision may be fined not less than \$100 \$300 nor
23 more than ~~\$500~~ \$1,250 or imprisoned for not less than 10 days nor more than 30 days
24 or both.

1 **SECTION 2905m.** 125.085 (3) (bd) of the statutes is amended to read:

2 125.085 (3) (bd) Any underage person who violates par. (b) is subject to a
3 forfeiture of not less than \$100 \$300 nor more than \$500 \$1,250, suspension of the
4 person's operating privilege under s. 343.30 (6) (bm), participation in a supervised
5 work program or other community service work under par. (bh) or any combination
6 of these penalties.”.

7 **1049.** Page 1332, line 10: delete lines 10 to 21 and substitute:

8 “125.10 (1) AUTHORIZATION. Any municipality may enact regulations
9 incorporating any part of this chapter and may prescribe additional regulations for
10 the sale of alcohol beverages, not in conflict with this chapter. The municipality may
11 prescribe forfeitures or license suspension or revocation for violations of any such
12 regulations. Regulations providing forfeitures or license suspension or revocation
13 must be adopted by ordinance. No municipality may enact or enforce any regulation
14 relating to providing alcohol beverages to an underage or intoxicated person, to an
15 underage person's presence on premises or to an underage person's possession of
16 alcohol beverages unless the regulation strictly conforms with s. 125.07.”.

17 **1050.** Page 1334, line 22: after that line insert:

18 “**SECTION 2906r.** 125.17 (1) of the statutes is amended to read:

19 125.17 (1) AUTHORIZATION. Every municipal governing body ~~may~~ shall issue
20 operators' licenses an operator's license to any applicant who is qualified under s.
21 125.04 (5). Operators' licenses may not be required other than for the purpose of
22 complying with ss. 125.32 (2) and 125.68 (2). Operators' licenses may be issued only
23 upon written application.”.

24 **1051.** Page 1336, line 1: delete that line.

1 **1052.** Page 1336, line 3: before “issued” insert “granted or”.

2 **1053.** Page 1336, line 4: delete “July 1, 1997” and substitute “the first day of
3 the 2nd month beginning after the effective date of this subdivision [revisor
4 inserts date]”.

5 **1054.** Page 1336, line 11: before “issued” insert “granted or”.

6 **1055.** Page 1336, line 13: delete that line and substitute “on the first day of
7 the 2nd month beginning after the effective date of this subdivision [revisor
8 inserts date].”.

9 **1056.** Page 1336, line 20: after “record” insert “the municipality’s population,
10 as defined in par. (a) 2., and”.

11 **1057.** Page 1336, line 22: delete “July 1, 1997” and substitute “the first day
12 of the 2nd month beginning after the effective date of this subdivision [revisor
13 inserts date]”.

14 **1058.** Page 1337, line 2: delete “The” and substitute “1. Except as provided
15 in subd. 2., the”.

16 **1059.** Page 1337, line 3: delete lines 3 to 5 and substitute “by a municipality
17 shall be determined as follows:

18 a. Subtract 3 from the number recorded under par. (bm) 1.

19 b. Subtract the number recorded under par. (bm) 2. b. from the result under
20 subd. 1.

21 c. Divide the result under subd. 2. b. by 2, except that if the result is not a whole
22 number round the quotient down to the nearest whole number.

23 d. Add 3 to the result under subd. 2. c.

1 e. Add one license per each increase of 500 population or fraction thereof to the
2 population recorded under par. (bm).”.

3 **1060.** Page 1337, line 5: after that line insert:

4 “2. Notwithstanding subd. 1., if the difference between the number of licenses
5 determined under par. (b) 1g. and under par. (bm) 1. is 3 or fewer, the number of
6 reserve “Class B” licenses authorized to be issued by that municipality is the
7 difference between the number of licenses determined under par. (b) 1g. and under
8 par. (bm) 1., plus one per each increase of 500 population or fraction thereof to the
9 population recorded under par. (bm).”.

10 **1061.** Page 1337, line 7: before “issued” insert “granted or”.

11 **1062.** Page 1337, line 13: after that line insert:

12 “**SECTION 2910e.** 134.67 (2) (a) (intro.) of the statutes is amended to read:

13 134.67 (2) (a) (intro.) In the event of the outbreak of an epidemic disease of
14 humans or animals spread by insects which it is known can be controlled by DDT but
15 cannot be adequately controlled by any other known pesticide, the pesticide review
16 board department of agriculture, trade and consumer protection may authorize the
17 use of DDT in controlling the epidemic upon a finding that:

18 **SECTION 2910m.** 134.67 (2) (b) (intro.) of the statutes is amended to read:

19 134.67 (2) (b) (intro.) In the event of the outbreak of a plant disease of epidemic
20 proportions which threatens a significant portion of the affected crop and which is
21 caused or spread by an insect which it is known can be controlled by DDT but cannot
22 be adequately controlled by any other known pesticide, the pesticide review board
23 department of agriculture, trade and consumer protection may authorize the use of
24 DDT in controlling the epidemic upon a finding that:

1 **SECTION 2910r.** 134.67 (2) (c) of the statutes is amended to read:

2 134.67 (2) (c) The pesticide review board department of agriculture, trade and
3 consumer protection also may authorize the use of DDT or its isomers or metabolites
4 for specified research by educational institutions if it finds that no ecologically
5 significant residues of DDT or its isomers or metabolites will be allowed to escape
6 into the environment.”.

7 **1063.** Page 1338, line 4: after that line insert:

8 “**SECTION 2923p.** 138.09 (4a) of the statutes is repealed.”.

9 **1064.** Page 1338, line 4: after that line insert:

10 “**SECTION 2923m.** 138.09 (3) (e) of the statutes is renumbered 138.09 (3) (e) 1.
11 (intro.) and amended to read:

12 138.09 (3) (e) 1. (intro.) ~~A~~ Except as provided in subd. 2., a licensee may
13 conduct, and permit others to conduct, at the location specified in its license, any one
14 or more of the following businesses not subject to this section:

15 a. A business engaged in making loans for business or agricultural purposes
16 or exceeding \$25,000 in principal amount, except that all such loans having terms
17 of 49 months or more are subject to sub. (7) (gm) 2. or 4.,~~a~~

18 b. A business engaged in making first lien real estate mortgage loans under ss.
19 138.051 to 138.06,~~a.~~

20 c. A loan, finance or discount business under s. 218.01,~~or an.~~

21 d. An insurance business,~~or a.~~

22 e. A currency exchange under s. 218.05,~~or a.~~

23 f. A seller of checks business under ch. 217;~~but.~~

1 2. A licensee may not sell merchandise shall not be sold at such location; and
2 no or conduct other business shall be conducted at such at the location specified in
3 the license unless written authorization is granted to the licensee by the division.

4 **SECTION 2926e.** 138.10 (2) of the statutes is amended to read:

5 138.10 (2) MAXIMUM LOAN. ~~A~~ Unless made by a person licensed under s. 138.09,
6 a pawnbroker's loan shall may not exceed \$150.

7 **SECTION 2926m.** 138.10 (2m) of the statutes is created to read:

8 138.10 (2m) PAWNBROKING BY LICENSED LENDERS. The division of banking may
9 promulgate rules regulating the conduct of pawnbroking by persons licensed under
10 s. 138.09.

11 **SECTION 2926s.** 138.10 (3) of the statutes is renumbered 138.10 (1), and 138.10
12 (1) (intro.), as renumbered, is amended to read:

13 138.10 (1) DEFINITIONS. (intro.) ~~The following terms in In~~ this section shall be
14 construed to have the following meanings:".

15 **1065.** Page 1339, line 3: after that line insert:

16 **"SECTION 2939m.** 139.03 (2x) (d) of the statutes is amended to read:

17 139.03 (2x) (d) *Late filing fee.* Any person who fails to file a floor tax return
18 when due shall pay a late filing fee of \$10. A return that is mailed shall be considered
19 filed in time if it is mailed in a properly addressed envelope with 1st class postage
20 duly prepaid, if the envelope is officially postmarked on the date due and if the return
21 is actually received by the department or at the destination that the department
22 prescribes within 5 days of the due date. A return that is not mailed is timely if it
23 is received on or before the due date by the department or at the destination that the
24 department prescribes."

1 **1066.** Page 1341, line 21: after that line insert:

2 “**SECTION 2950m.** 139.09 of the statutes is amended to read:

3 **139.09 Registration.** Every brewer, bottler, manufacturer, rectifier,
4 wholesaler or retailer liable for payment of the occupational tax imposed in ss. 139.01
5 to 139.25 shall ~~apply for~~ hold a valid certificate under s. 73.03 (50). The secretary
6 shall assign the person a registration number.”.

7 **1067.** Page 1343, line 10: delete “30” and substitute “29.5”.

8 **1068.** Page 1343, line 13: delete “60” and substitute “59”.

9 **1069.** Page 1344, line 25: after that line insert:

10 “**SECTION 2962j.** 139.323 (intro.) of the statutes is amended to read:

11 **139.323 Refunds to Indian tribes.** (intro.) The department shall refund
12 ~~70%~~ 50%, unless this state and the tribe agree to a lower percentage, of the taxes
13 collected under s. 139.31 (1) in respect to sales on reservations or trust lands of an
14 Indian tribe to the tribal council of the tribe having jurisdiction over the reservation
15 or trust land on which the sale is made if all the following conditions are fulfilled:”.

16 **1070.** Page 1348, line 8: delete lines 8 to 20 and substitute:

17 “**SECTION 2977c.** 139.81 (1) of the statutes is amended to read:

18 139.81 (1) No person may sell or take orders for tobacco products for resale in
19 this state for any manufacturer or permittee ~~without first obtaining~~ unless the
20 person has filed an application for and obtained a valid certificate under s. 73.03 (50)
21 and a salesperson’s permit from the department. No manufacturer or permittee
22 shall authorize any person to sell or take orders for tobacco products in this state
23 ~~without first having such person secure~~ unless the person has filed an application
24 for and obtained a valid certificate under s. 73.03 (50) and a salesperson’s permit.

1 The fee for the permit is \$2. Each application for a permit shall disclose the name
2 and address of the employer and shall remain effective only while the salesperson
3 represents the named employer. If the salesperson is thereafter employed by another
4 manufacturer or permittee the salesperson shall obtain a new salesperson's permit.
5 Each manufacturer and permittee shall notify the department within 10 days after
6 the resignation or dismissal of any salesperson holding a permit.”.

7 **1071.** Page 1349, line 11: after that line insert:

8 “**SECTION 2979m.** 139.91 of the statutes is renumbered 139.91 (1) and amended
9 to read:

10 139.91 (1) The department may not reveal facts obtained in administering this
11 subchapter, except that the department may publish statistics that do not reveal the
12 identities of dealers. Dealers

13 (2) The department may not be required require dealers to provide any
14 identifying information in connection with the purchase of stamps.

15 (3) No information obtained by the department from a dealer as a result of the
16 dealer's compliance with this subchapter may be used against a the dealer in any
17 criminal proceeding unless that information has been independently obtained,
18 except in connection with a proceeding involving possession of schedule I controlled
19 substances or schedule II controlled substances on which the tax has not been paid
20 or in connection with taxes due under s. 139.88 from the dealer.

21 **SECTION 2979mt.** 139.95 (4) of the statutes is created to read:

22 139.95 (4) Any person who violates s. 139.91 (1) may be fined not more than
23 \$1,000 or imprisoned for not more than 60 days or both.

1 **SECTION 2979p.** 139.96 of the statutes is renumbered 139.96 (1) and amended
2 to read:

3 139.96 (1) If taxes, penalties and interest are collected under this subchapter
4 as a result of an arrest, the department of revenue shall pay the taxes, penalties and
5 interest, less the charge for administrative costs under sub. (2), to the state or local
6 law enforcement agency that made the arrest associated with the revenue.

7 **SECTION 2979q.** 139.96 (2) of the statutes is created to read:

8 139.96 (2) The department shall retain a portion of taxes, penalties and
9 interest collected under sub. (1) that is equal to the actual costs related to the
10 administration of this subchapter. No later than November 1 of each year, the
11 department shall review the costs of administering this subchapter incurred in the
12 previous fiscal year and shall adjust its charge under sub. (1) to reflect those costs.”.

13 **1072.** Page 1350, line 8: after that line insert:

14 “**SECTION 2986g.** 146.19 (3) of the statutes is repealed.”.

15 **1073.** Page 1351, line 17: after that line insert:

16 “**SECTION 3009m.** 146.89 (2) (a) 1. of the statutes is renumbered 146.89 (2) (a)
17 and amended to read:

18 146.89 (2) (a) A volunteer health care provider may participate under this
19 section only if he or she submits a joint application with a nonprofit agency in a
20 county that is specified under sub. (3) (a) 1. to the department of administration and
21 that department approves the application. The department of administration shall
22 provide application forms for use under this ~~subdivision~~ paragraph.

23 **SECTION 3009n.** 146.89 (2) (a) 2. of the statutes is repealed.

24 **SECTION 3009p.** 146.89 (3) (a) 1. of the statutes is repealed.

1 **SECTION 3009qs.** 146.89 (3) (a) 2. of the statutes is renumbered 146.89 (3) (a)
2 and amended to read:

3 146.89 (3) (a) The volunteer health care provider shall provide services under
4 par. (b) without charge in any county, other than those counties specified in subd. 1.,
5 at the nonprofit agency, if the joint application of the volunteer health care provider
6 and the nonprofit agency in that county has received approval under sub. (2) (a) 2.”.

7 **1074.** Page 1354, line 6: after that line insert:

8 “**SECTION 3019c.** 149.10 (8b) of the statutes is created to read:

9 149.10 (8b) “Plan administrator” means the fiscal agent specified in s. 149.16
10 (1).”.

11 **1075.** Page 1355, line 7: delete “DISCOUNTED PAYMENT” and substitute
12 “PAYMENT”.

13 **1076.** Page 1355, line 7: delete “A provider” and substitute “Except for
14 copayments, coinsurance or deductibles required or authorized under the plan, a
15 provider”.

16 **1077.** Page 1355, line 9: delete “discounted reimbursement” and substitute
17 “payment”.

18 **1078.** Page 1355, line 9: delete “(2) (a) 3. and (3)”.

19 **1079.** Page 1355, line 12: delete “(2) (a) 3. or (3)”.

20 **1080.** Page 1355, line 15: delete “, administrative and subsidy” and
21 substitute “and administrative”.

22 **1081.** Page 1355, line 18: delete the material beginning with that line and
23 ending with page 1357, line 17, and substitute:

1 “1. A total of 60% from the following sources, calculated as follows:

2 a. First, from premiums from eligible persons with coverage under s. 149.14 set
3 at 150% of the rate that a standard risk would be charged under an individual policy
4 providing substantially the same coverage and deductibles as are provided under the
5 plan, including amounts received for premium and deductible subsidies under ss.
6 20.435 (5) (ah) and 149.144, and from premiums collected from eligible persons with
7 coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

8 b. Second, from the appropriation under s. 20.435 (5) (gh), to the extent that
9 the amounts under subd. 1. a. are insufficient to pay 60% of plan costs.

10 c. Third, by increasing premiums from eligible persons with coverage under s.
11 149.14 to more than 150% but not more than 200% of the rate that a standard risk
12 would be charged under an individual policy providing substantially the same
13 coverage and deductibles as are provided under the plan, including amounts received
14 for premium and deductible subsidies under ss. 20.435 (5) (ah) and 149.144, and by
15 increasing premiums from eligible persons with coverage under s. 149.146 in
16 accordance with s. 149.146 (2) (b), to the extent that the amounts under subd. 1. a.
17 and b. are insufficient to pay 60% of plan costs.

18 d. Fourth, notwithstanding subd. 2., by increasing insurer assessments,
19 excluding assessments under s. 149.144, and adjusting provider payment rates,
20 excluding adjustments to those rates under ss. 149.144 and 149.15 (3) (e), in equal
21 proportions and to the extent that the amounts under subd. 1. a. to c. are insufficient
22 to pay 60% of plan costs.

23 2. A total of 40% as follows:

24 a. Fifty percent from insurer assessments, excluding assessments under s.
25 149.144.

1 b. Fifty percent from adjustments to provider payment rates, excluding
2 adjustments to those rates under ss. 149.144 and 149.15 (3) (e).

3 **(2)** (a) Prior to each plan year, the department shall estimate the operating and
4 administrative costs of the plan and the costs of the premium reductions under s.
5 149.165 and the deductible reductions under s. 149.14 (5) (a) for the new plan year
6 and do all of the following:

7 1. a. Estimate the amount of enrollee premiums that would be received in the
8 new plan year if the enrollee premiums were set at a level sufficient, when including
9 amounts received for premium and deductible subsidies under ss. 20.435 (5) (ah) and
10 149.144 and from premiums collected from eligible persons with coverage under s.
11 149.146 set in accordance with s. 149.146 (2) (b), to cover 60% of the estimated plan
12 costs for the new plan year, after deducting from the estimated plan costs the amount
13 available in the appropriation under s. 20.435 (5) (af) for that plan year.

14 b. Estimate the amount of enrollee premiums that will be received under sub.
15 (1) (b) 1. a.

16 c. If the amount estimated to be received under subd. 1. a. is less than the
17 amount estimated to be received under subd. 1. b., direct the plan administrator to
18 provide to the department, prior to the beginning of the plan year and according to
19 procedures specified by the department, the amount of the difference. The
20 department shall deposit all amounts received under this subd. 1. c. in the
21 appropriation account under s. 20.435 (5) (gh).

22 2. After making the determinations under subd. 1., by rule set premium rates
23 for the new plan year, including the rates under s. 149.146 (2) (b), in the manner
24 specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage under s. 149.14
25 is not less than 150% nor more than 200% of the rate that a standard risk would be

1 charged under an individual policy providing substantially the same coverage and
2 deductibles as are provided under the plan.

3 3. By rule set the total insurer assessments under s. 149.13 for the new plan
4 year by estimating and setting the assessments at the amount necessary to equal the
5 amounts specified in sub. (1) (b) 1. d. and 2. a. and notify the commissioner of the
6 amount.

7 4. By the same rule as under subd. 3. adjust the provider payment rate for the
8 new plan year by estimating and setting the rate at the level necessary to equal the
9 amounts specified in sub. (1) (b) 1. d. and 2. b. and as provided in s. 149.145.

10 (b) In setting the premium rates under par. (a) 2., the insurer assessment
11 amount under par. (a) 3. and the provider payment rate under par. (a) 4. for the new
12 plan year, the department shall include any increase or decrease necessary to reflect
13 the amount, if any, by which the rates and amount set under par. (a) for the current
14 plan year differed from the rates and amount which would have equaled the amounts
15 specified in sub. (1) (b) in the current plan year.

16 **(3)** (a) If, during a plan year, the department determines that the amounts
17 estimated to be received as a result of the rates and amount set under sub. (2) (a) 2.
18 to 4. and any adjustments in insurer assessments and the provider payment rate
19 under s. 149.144 will not be sufficient to cover plan costs, the department may by rule
20 increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year,
21 subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., by rule
22 increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year,
23 subject to sub. (1) (b) 2. a., and by the same rule under which assessments are
24 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder
25 of the plan year, subject to sub. (1) (b) 2. b.

1 (b) If, after increasing premium rates and insurer assessments and adjusting
2 the provider payment rate under par. (a), the department determines that there will
3 still be a deficit and that premium rates have been increased to the maximum extent
4 allowable under par. (a), the department shall further adjust, in equal proportions,
5 assessments set under sub. (2) (a) 3. and the provider payment rate set under sub.
6 (2) (a) 4., without regard to sub. (1) (b) 2.

7 **(3m)** Subject to s. 149.14 (4m), insurers and providers may recover in the
8 normal course of their respective businesses without time limitation assessments or
9 provider payment rate adjustments used to recoup any deficit incurred under the
10 plan.”.

11 **1082.** Page 1357, line 24: delete “discount” and substitute “payment”.

12 **1083.** Page 1358, line 2: after that line insert:

13 “**SECTION 3026p.** 149.145 of the statutes is created to read:

14 **149.145 Program budget.** The department, in consultation with the board,
15 shall establish a program budget for each plan year. The program budget shall be
16 based on the provider payment rates specified in s. 149.15 (3) (e) and in the most
17 recent provider contracts that are in effect and on the funding sources specified in
18 s. 149.143 (1), including the methodologies specified in ss. 149.143, 149.144 and
19 149.146 for determining premium rates, insurer assessments and provider payment
20 rates. Except as otherwise provided in s. 149.143 (3) (a) and (b), from the program
21 budget the department shall derive the actual provider payment rate for a plan year
22 that reflects the providers’ proportional share of the plan costs, consistent with ss.
23 149.143 and 149.144.”.

24 **1084.** Page 1358, line 6: after that line insert:

1 **“SECTION 3027r.** 149.15 (3) (f) of the statutes is created to read:
2 149.15 (3) (f) Advise the department on the choice of coverage under s.
3 149.146.”.

4 **1085.** Page 1358, line 10: delete lines 10 and 11 and substitute:
5 “149.16 (1) The fiscal agent under s. 49.45 (2) (b) 2. shall administer the plan.

6 **SECTION 3031m.** 149.20 of the statutes is created to read:
7 **149.20 Rule-making in consultation with board.** In promulgating any
8 rules under this chapter, the department shall consult with the board.”.

9 **1086.** Page 1372, line 7: after that line insert:

10 **“SECTION 3087m.** 154.17 (1) of the statutes is amended to read:
11 154.17 (1) “Do-not-resuscitate bracelet” means a standardized identification
12 bracelet of uniform size, color, and design, approved by the department, that bears
13 the inscription “Do Not Resuscitate” and signifies that the wearer is a qualified
14 patient who has obtained a do-not-resuscitate order and that ~~the wearer has not~~
15 ~~revoked the request for the order~~ has not been revoked.

16 **SECTION 3087n.** 154.19 (1) (b) of the statutes is amended to read:
17 154.19 (1) (b) ~~The Except as provided in s. 154.225 (2), the patient requests the~~
18 order.

19 **SECTION 3087p.** 154.19 (1) (bm) of the statutes is created to read:
20 154.19 (1) (bm) Except as provided in s. 154.225 (2), the patient consents to the
21 order after being provided the information specified in sub. (2) (a).

22 **SECTION 3087q.** 154.19 (1) (d) of the statutes is amended to read:
23 154.19 (1) (d) ~~The Except as provided in s. 154.225 (2), the patient signs the~~
24 order.

1 **SECTION 3087qm.** 154.19 (2) (a) of the statutes is amended to read:

2 154.19 (2) (a) ~~Upon issuing the do-not-resuscitate order, the~~ The attending
3 physician, or a person directed by the attending physician, shall provide the patient
4 with written information about the resuscitation procedures that the patient has
5 chosen to forego and the methods by which the patient may revoke the
6 do-not-resuscitate order.

7 **SECTION 3087r.** 154.19 (3) (b) 1. of the statutes is amended to read:

8 154.19 (3) (b) 1. The patient has revoked the order is revoked under s. 154.21
9 or 154.225 (2).

10 **SECTION 3087s.** 154.225 of the statutes is created to read:

11 **154.225 Guardians and health care agents. (1)** In this section:

12 (a) “Guardian” has the meaning given in s. 51.40 (1) (f).

13 (b) “Health care agent has the meaning given in s. 155.01 (4).

14 (c) “Incapacitated” has the meaning given in s. 50.06 (1).

15 **(2)** The guardian or health care agent of an incapacitated qualified patient may
16 request a do-not-resuscitate order on behalf of that incapacitated qualified patient
17 and consent to the order and sign it after receiving the information specified in s.
18 154.19 (2) (a). The guardian or health care agent of an incapacitated qualified
19 patient may revoke a do-not-resuscitate order on behalf of the incapacitated
20 qualified patient by any of the following methods:

21 (a) The guardian or health care agent directs an emergency medical technician,
22 first responder or a person who serves as a member of an emergency health care
23 facility’s personnel to resuscitate the patient. The emergency medical technician,
24 first responder or the member of the emergency health care facility shall promptly
25 remove the do-not-resuscitate bracelet.

1 (b) The guardian or health care agent defaces, burns, cuts or otherwise destroys
2 the do-not-resuscitate bracelet.

3 (c) The guardian or health care agent removes the do-not-resuscitate bracelet.

4 **SECTION 3087t.** 154.25 (6) of the statutes is amended to read:

5 154.25 (6) VALID DO-NOT-RESUSCITATE BRACELET. A do-not-resuscitate bracelet
6 that has not been removed, altered or tampered with in any way shall be presumed
7 valid, unless the patient, the patient's guardian or the patient's health care agent
8 expresses to the emergency medical technician, first responder or emergency health
9 care facility personnel the patient's desire to be resuscitated.

10 **SECTION 3092c.** 165.08 of the statutes is amended to read:

11 **165.08 Power to compromise.** Any civil action prosecuted by the
12 department by direction of any officer, department, board or commission, shall be
13 compromised or discontinued when so directed by such officer, department, board or
14 commission. Any civil action prosecuted by the department on the initiative of the
15 attorney general, or at the request of any individual may be compromised or
16 discontinued with the approval of the governor, except that a civil action prosecuted
17 by the department under s. 165.251 may be compromised or discontinued only with
18 the approval of the person who requested legal representation from the department.

19 In any criminal action prosecuted by the attorney general, the department shall have
20 the same powers with reference to such action as are vested in district attorneys.”.

21 **1087.** Page 1372, line 12: after that line insert:

22 “**SECTION 3094g.** 165.251 of the statutes is created to read:

23 **165.251 Actions to clear title. (1) DEFINITIONS.** In this section:

1 (a) “Family corporation” means a corporation qualifying under s. 182.001 (1)

2 (a).

3 (b) “Immediate family” means persons related as spouses, as siblings or as
4 parent and child.

5 (c) “Instrument relating to title” includes a deed, mortgage, lien, claim of lien,
6 judgment or lis pendens.

7 (d) “Local public office” has the meaning given in s. 19.42 (7w).

8 (e) “Public office” means local public office or state public office.

9 (f) “Public official” means a person holding a public office.

10 (g) “Qualifying property” means real property owned in whole or in part by a
11 public official, by a member of a public official’s immediate family or by a family
12 corporation in which a public official is a shareholder during the period of time public
13 office was held.

14 (h) “State public office” has the meaning given in s. 19.42 (13).

15 **(2) REPRESENTATION UPON REQUEST.** The department of justice may provide legal
16 representation to any person who requests the legal representation and who does all
17 of the following:

18 (a) Claims that title to qualifying property has been clouded by the false,
19 fraudulent or frivolous filing, entry or recordation of any instrument relating to title
20 during the period the affected real property was qualifying property.

21 (b) Claims to be an owner in the qualifying property or a shareholder in a family
22 corporation, if any, that owns the qualifying property.

23 (c) Agrees to the conditional payment of the costs of legal representation under
24 sub. (5).

1 **(3) ACTIONS TO CLEAR TITLE.** If it decides to provide legal representation under
2 sub. (2), the department of justice shall bring the actions that are necessary to clear
3 clouds upon title to qualifying property from false, fraudulent or frivolous filings,
4 entries or recordations of instruments relating to title.

5 **(4) REQUIRED FINDING.** As part of any action brought under this section, the
6 court shall make a finding of whether the instrument relating to title that is claimed
7 to create a cloud upon the title was filed, entered or recorded with the authorization,
8 consent or approval of the owner of the qualifying property or of any creditor having
9 an interest in the qualifying property.

10 **(5) CONDITIONAL PAYMENT OF COSTS OF REPRESENTATION.** Each person making a
11 request under sub. (2) shall, as part of that request, agree to pay the costs of legal
12 representation provided by the department of justice, if the court makes a finding
13 under sub. (4) that the instrument relating to title was filed, entered or recorded with
14 the authorization, consent or approval of the owner of the qualifying property or of
15 any creditor having an interest in the qualifying property. If the court does not make
16 such a finding, the person may not be required to pay any of the costs of the legal
17 representation.

18 **(6) IF PAYMENT REQUIRED.** If, upon the completion of all proceedings, the person
19 who made the request under sub. (2) is subject to conditional payment of the costs
20 of legal representation provided by the department of justice under sub. (5), the
21 department of justice may charge the person an amount not exceeding the total cost
22 of the legal representation provided. All payments collected by the department
23 under this subsection shall be deposited in the general fund.

24 **(7) LIMITATION ON REPRESENTATION.** The department of justice may represent
25 persons under this section at the trial level only.”

1 **1088.** Page 1373, line 2: after “1997,” insert “or on the effective date of this
2 paragraph [revisor inserts date], whichever is later.”.

3 **1089.** Page 1374, line 10: after that line insert:

4 “**SECTION 3101g.** 165.80 of the statutes is amended to read:

5 **165.80 Cooperation with other state departments.** For the purpose of
6 coordinating the work of the crime laboratories with the research departments
7 located in the university of Wisconsin, the attorney general and the university of
8 Wisconsin may agree for the use of university laboratories and university physical
9 facilities and the exchange and utilization of personnel between the crime
10 laboratories and the university. ~~The university and crime laboratories cooperation~~
11 ~~council shall act in an advisory capacity to the attorney general.”.~~

12 **1090.** Page 1374, line 10: after that line insert:

13 “**SECTION 3103j.** 165.83 (1) (c) of the statutes is renumbered 165.83 (1) (c)
14 (intro.) and amended to read:

15 165.83 (1) (c) (intro.) “Offense” means ~~an~~ any of the following:

16 1. An act which that is committed by a person who has attained the age of 17
17 and that is a felony; or a misdemeanor or,

18 3. An act that is committed by any person and that is a violation of a city, county,
19 village or town ordinance.

20 **SECTION 3103k.** 165.83 (1) (c) 2. of the statutes is created to read:

21 165.83 (1) (c) 2. An act that is committed by a person who has attained the age
22 of 10 but who has not attained the age of 17 and that would be a felony or
23 misdemeanor if committed by an adult.

24 **SECTION 3103L.** 165.83 (2) (a) 1. of the statutes is amended to read:

1 165.83 (2) (a) 1. For an offense which is a felony or which would be a felony if
2 committed by an adult.

3 **SECTION 3103m.** 165.83 (2) (a) 2. of the statutes is amended to read:

4 165.83 (2) (a) 2. For an offense which is a misdemeanor, which would be a
5 misdemeanor if committed by an adult or which is a violation of an ordinance
6 involving, and the offense involves burglary tools, commercial gambling, dealing in
7 gambling devices, contributing to the delinquency of a child, dealing in stolen
8 property, controlled substances or controlled substance analogs under ch. 961,
9 firearms, dangerous weapons, explosives, pandering, prostitution, sex offenses
10 where children are victims, or worthless checks.

11 **SECTION 3103n.** 165.83 (2) (a) 3. of the statutes is amended to read:

12 165.83 (2) (a) 3. For an offense charged or alleged as disorderly conduct but
13 which relates to an act connected with one or more of the offenses under subd. 2.”.

14 **1091.** Page 1374, line 10: after that line insert:

15 “**SECTION 3110m.** 165.85 (2) (f) of the statutes is amended to read:

16 165.85 (2) (f) “Secure detention officer” means any person employed by any
17 political subdivision of the state or by any private entity contracting under s. 938.222
18 to supervise, control or maintain a secure detention facility or the persons confined
19 in a secure detention facility. “Secure detention officer” includes officers regardless
20 of whether they have been sworn regarding their duties or whether they serve on a
21 full-time basis.”.

22 **1092.** Page 1374, line 18: after that line insert:

23 “**SECTION 3116p.** 166.20 (1) (a) of the statutes is repealed.

24 **SECTION 3116r.** 166.20 (2) (intro.) of the statutes is amended to read:

1 166.20 (2) (title) DUTIES OF THE BOARD DIVISION. (intro.) The board division
2 shall:”.

3 **1093.** Page 1374, line 22: after that line insert:

4 “**SECTION 3116tc.** 166.20 (4) (a) of the statutes is amended to read:

5 166.20 (4) (a) Upon receipt of a notification under sub. (5) (a) 2. or s. 292.11 (2)
6 of the release of a hazardous substance, provide all information contained in the
7 notification to the board division.

8 **SECTION 3116td.** 166.20 (4) (b) of the statutes is amended to read:

9 166.20 (4) (b) Have the same powers and duties at the time of a release of a
10 hazardous substance as are given to it under s. 292.11, including the investigation
11 of releases of hazardous substances, the repair of any environmental damage which
12 results from the release and the recovery of costs from responsible parties. The
13 department of natural resources may also, at the time of a release of a hazardous
14 substance, identify and recommend to the board division and the committee
15 measures to lessen or mitigate anticipated environmental damage resulting from the
16 release.

17 **SECTION 3116tf.** 166.20 (4m) of the statutes is amended to read:

18 166.20 (4m) COOPERATION. A state agency or local governmental unit may
19 assist the board division or a committee in the performance of its duties and may
20 enter into an agreement with the board division or a committee.

21 **SECTION 3116th.** 166.20 (5) (a) 2. of the statutes is amended to read:

22 166.20 (5) (a) 2. All facilities in this state covered under 42 USC 11004 shall
23 comply with the notification requirements of 42 USC 11004. Notification of the
24 department of natural resources of the discharge of a hazardous substance under s.

1 292.11 (2) shall constitute the notification of the ~~board~~ division required under 42
2 USC 11004 if the notification contains the information specified in 42 USC 11004 (b)
3 (2) or (c).

4 **SECTION 3116tm.** 166.20 (5) (a) 5. of the statutes is amended to read:

5 166.20 (5) (a) 5. The reporting procedures for trade secrets under 42 USC 11042
6 shall apply to all facilities in this state subject to the requirements under subd. 1.,
7 3. or 4. For the purposes of applying this subdivision to public agencies and private
8 agencies, the ~~board~~ division shall have the powers and duties granted to the
9 administrator of the U.S. environmental protection agency under 42 USC 11042.

10 **SECTION 3116ts.** 166.20 (5m) of the statutes is amended to read:

11 166.20 (5m) FURNISHING INFORMATION. If the ~~board~~ division or a committee
12 requests, in writing, information relating to the federal act or to this section, a facility
13 shall furnish the information in the manner requested.”.

14 **1094.** Page 1375, line 3: after that line insert:

15 “**SECTION 3117bg.** 166.20 (7) (a) (intro.) of the statutes, as affected by 1997
16 Wisconsin Act (this act), is repealed and recreated to read:

17 166.20 (7) (a) (intro.) The division shall establish, by rule, the following fees at
18 levels designed to fund the division’s administrative expenses and the grants under
19 s. 166.21:

20 **SECTION 3117bm.** 166.20 (7) (b) of the statutes is amended to read:

21 166.20 (7) (b) The operator of a facility subject to the requirements of sub. (5)
22 (a) 1. or 3. shall pay the fees under par. (a). The ~~board~~ division may establish, by rule,
23 a surcharge to be paid by the operator of a facility if the operator fails to pay the fees

1 under par. (a) in a timely manner. The surcharge under this paragraph shall not
2 exceed 20% of the original fee.

3 **SECTION 3117bp.** 166.20 (7g) (a) of the statutes is amended to read:

4 166.20 (7g) (a) The ~~board~~ division shall establish, by rule, fees to be paid
5 annually to the department of transportation by persons that are required to file
6 hazardous materials transportation registration statements with the federal
7 department of transportation under 49 USC Appendix 1805 (c).

8 **SECTION 3117br.** 166.20 (7g) (e) of the statutes is amended to read:

9 166.20 (7g) (e) The ~~board~~ division may, by rule, establish exemptions from the
10 fees under par. (a).

11 **SECTION 3117bt.** 166.20 (7m) (a) of the statutes is amended to read:

12 166.20 (7m) (a) An authorized inspector of the ~~board~~ division or the committee
13 for the county in which a facility is located may enter and inspect any facility or any
14 pertinent record relating to the facility at any reasonable time for the purpose of
15 determining whether the facility is complying with this section and rules
16 promulgated under this section. The ~~board~~ division or committee, if requested, shall
17 furnish to the operator of the facility a report setting forth all facts found which relate
18 to compliance with this section and rules promulgated under this section.

19 **SECTION 3117bu.** 166.20 (7m) (b) of the statutes is amended to read:

20 166.20 (7m) (b) The ~~board~~ division shall promulgate rules to specify how the
21 ~~board~~ division or a committee may authorize inspectors for the purposes of par. (a).
22 The rules shall include requirements for experience or training of individuals
23 authorized to conduct inspections.

24 **SECTION 3117bw.** 166.20 (8) (a) of the statutes is amended to read:

1 166.20 (8) (a) The department of justice, at its own discretion or at the request
2 of the ~~board~~ division or the committee or district attorney for the county in which the
3 violation is alleged to have occurred, shall enforce subs. (2) to (7) and rules
4 promulgated under subs. (2) to (7). In any action commenced under this paragraph,
5 the department of justice may request the assistance of the district attorney for the
6 county in which the violation is alleged to have occurred and the district attorney
7 shall provide the requested assistance.

8 **SECTION 3117cd.** 166.20 (9) (a) 1. c. of the statutes is amended to read:

9 166.20 (9) (a) 1. c. The ~~board~~ division for failure to render a decision in response
10 to a petition under 42 USC 11042 (d), as applied under sub. (5) (a) 5., within 9 months
11 after receipt of the petition.

12 **SECTION 3117cf.** 166.20 (9) (a) 1. d. of the statutes is amended to read:

13 166.20 (9) (a) 1. d. The ~~board~~ division for failure to provide a mechanism for
14 public availability of information in accordance with 42 USC 11044 (a), as applied
15 under sub. (2) (a).

16 **SECTION 3117ch.** 166.20 (9) (a) 1. e. of the statutes is amended to read:

17 166.20 (9) (a) 1. e. The ~~board~~ division for failure to respond to a request for
18 information under 42 USC 11022 (e) (3), as applied under sub. (2) (a).

19 **SECTION 3117cj.** 166.20 (9) (a) 2. (intro.) of the statutes is amended to read:

20 166.20 (9) (a) 2. (intro.) The ~~board~~ division or any county, city, village or town
21 may commence a civil action against any person for failure to do any of the following:

22 **SECTION 3117ck.** 166.20 (9) (a) 2. a. of the statutes is amended to read:

23 166.20 (9) (a) 2. a. Provide notification to the ~~board~~ division under 42 USC
24 11002 (c), as applied under sub. (5) (a) 1.

25 **SECTION 3117cm.** 166.20 (9) (a) 3. of the statutes is amended to read:

1 166.20 (9) (a) 3. The ~~board~~ division or any committee may commence an action
2 against any person for failure to provide the information required under 42 USC
3 11003 (d), as applied under sub. (5) (a) 1. or any information required under 42 USC
4 11022 (e) (1), as applied under sub. (5) (a) 3.

5 **SECTION 3117cp.** 166.20 (9) (b) 1. (intro.) of the statutes is amended to read:

6 166.20 (9) (b) 1. (intro.) No action may be commenced against any person other
7 than the ~~board~~ division under this subsection under any of the following
8 circumstances:

9 **SECTION 3117cq.** 166.20 (9) (b) 1. a. of the statutes is amended to read:

10 166.20 (9) (b) 1. a. If fewer than 60 days have elapsed since the plaintiff gave
11 notice of the alleged violation to the ~~board~~ division and to the alleged violator.

12 **SECTION 3117cr.** 166.20 (9) (b) 2. of the statutes is amended to read:

13 166.20 (9) (b) 2. No action may be commenced against the ~~board~~ division under
14 this subsection if fewer than 60 days have elapsed since the plaintiff gave notice of
15 the action to the ~~board~~ division.

16 **SECTION 3117ct.** 166.20 (11) (dg) of the statutes is amended to read:

17 166.20 (11) (dg) Except as provided in this paragraph, any person who
18 negligently makes a false statement or representation in any document provided by
19 the operator of a facility or required to be maintained by the operator of a facility
20 under the federal act, this section or rules promulgated under this section shall
21 forfeit not less than \$100 nor more than \$25,000. This penalty does not apply to the
22 ~~board~~ division, a committee or a member of the ~~board~~ division or a committee.

23 **SECTION 3117cw.** 166.21 (1) (b) of the statutes is amended to read:

1 166.21 (1) (b) Any committee may apply annually to the ~~board~~ division for an
2 emergency planning grant. Applications shall be made in the manner specified by
3 the ~~board~~ division.”.

4 **1095.** Page 1375, line 10: after that line insert:

5 “**SECTION 3117g.** 166.21 (2) (e) of the statutes is amended to read:

6 166.21 (2) (e) The portion of a previous year’s costs that was approved by the
7 ~~board~~ division but not paid because of insufficient funds.”.

8 **1096.** Page 1375, line 15: after that line insert:

9 “**SECTION 3117kc.** 166.21 (2m) (intro.) of the statutes, as affected by 1997
10 Wisconsin Act (this act), is repealed and recreated to read:

11 166.21 (2m) STRATEGIC PLAN. (intro.) A committee is eligible for grant funds
12 under sub. (2) (br) for emergency response equipment only if it submits to the division
13 a strategic plan for emergency response to hazardous substance releases that
14 includes all of the following:

15 **SECTION 3117ke.** 166.21 (3) (a) 1. of the statutes is amended to read:

16 166.21 (3) (a) 1. The costs of each new facility plan completed by the committee
17 and approved by the ~~board~~ division in the period covered by the grant.

18 **SECTION 3117kf.** 166.21 (3) (a) 3. of the statutes is amended to read:

19 166.21 (3) (a) 3. The portion of a previous year’s costs that was approved by the
20 ~~board~~ division but not paid because of insufficient funds.

21 **SECTION 3117kj.** 166.21 (3) (b) of the statutes is amended to read:

22 166.21 (3) (b) The ~~board~~ division shall reduce the grant amount calculated
23 under par. (a) by the amount of any other gifts or grants received by the committee

1 in the period covered by the grant for costs incurred by the committee related to sub.
2 (2).

3 **SECTION 3117km.** 166.21 (3) (c) of the statutes is amended to read:

4 166.21 (3) (c) Notwithstanding sub. (2), the board division shall deny that
5 portion of a grant calculated under par. (a) 2. if the board division determines that
6 the committee has failed to meet grant obligations, including the development,
7 review, exercise or implementation of local emergency response plans as required
8 under s. 166.20 or the federal act.

9 **SECTION 3117kp.** 166.21 (3) (e) of the statutes is amended to read:

10 166.21 (3) (e) Annually, the board division shall establish a formula to
11 determine the amount of emergency planning grant funds available to each county.

12 **SECTION 3117kr.** 166.21 (4) of the statutes is amended to read:

13 166.21 (4) PAYMENT OF GRANTS. Annually, the board division shall review all
14 applications received under this section and make grants to committees from the
15 appropriations under s. 20.465 (3) (jm) and (r). If insufficient funds are available to
16 pay all approved grants, the board division shall prorate the available funds among
17 the eligible applicants in proportion to the approved grant amounts. A prorated
18 payment shall be deemed full payment of the grant.

19 **SECTION 3117ks.** 166.21 (5) of the statutes is amended to read:

20 166.21 (5) PAYMENT IN ADVANCE. (a) The board division may pay a portion of a
21 grant before the end of the period covered by the grant if a committee requests the
22 advance payment and if the board division determines that the necessary funds are
23 available and that the advance payment will not result in insufficient funds to pay
24 other grants.

1 (b) The ~~board~~ division may pay an amount up to 50% of anticipated eligible
2 costs covered by a grant up to 12 months before the end of the period covered by the
3 grant. The ~~board~~ division may pay an additional amount up to 25% of anticipated
4 eligible costs up to 6 months before the end of the period covered by the grant. The
5 ~~board~~ division shall determine anticipated eligible costs from a budget submitted by
6 the committee at the time that the committee requests payment in advance.

7 (c) If a committee receives advance payments under this subsection which
8 exceed the total grant amount calculated under sub. (3), the ~~board~~ division shall
9 subtract the amount of the overpayment from the amount of a grant paid to that
10 committee in the next year that the committee receives a grant.”.

11 **1097.** Page 1376, line 3: after that line insert:

12 “**SECTION 3117mc.** 166.215 (1) of the statutes, as affected by 1997 Wisconsin
13 Act (this act), is repealed and recreated to read:

14 166.215 (1) The division shall contract with no fewer than 7 and no more than
15 9 regional emergency response teams, each of which will assist in the emergency
16 response to level A releases in a region of this state designated by the division. The
17 division shall contract with at least one regional emergency response team in each
18 area designated under s. 166.03 (2) (b) 1. The division may only contract with a local
19 agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional
20 emergency response team shall meet the standards for a hazardous materials
21 specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire protection association
22 standards NFPA 471 and 472. Payments to regional emergency response teams
23 under this subsection shall be made from the appropriation account under s. 20.465
24 (3) (dd).”.

1 **1098.** Page 1376, line 14: after that line insert:

2 “**SECTION 3117qh.** 166.215 (2) of the statutes, as affected by 1997 Wisconsin Act
3 (this act), is repealed and recreated to read:

4 166.215 (2) The division shall reimburse a regional emergency response team
5 for costs incurred by the team in responding to a level A release under sub. (1).
6 Reimbursement under this subsection is limited to amounts collected under sub. (3)
7 and the amounts appropriated under s. 20.465 (3) (dr). Reimbursement is available
8 under s. 20.465 (3) (dr) only if the regional emergency response team has made a good
9 faith effort to identify the person responsible under sub. (3) and that person cannot
10 be identified, or, if that person is identified, the team has received reimbursement
11 from that person to the extent that the person is financially able or has determined
12 that the person does not have adequate money or other resources to reimburse the
13 regional emergency response team.

14 **SECTION 3117qm.** 166.215 (3) of the statutes is amended to read:

15 166.215 (3) A person who possessed or controlled a hazardous substance that
16 was released or who caused the release of a hazardous substance shall reimburse the
17 board division for costs incurred by a regional emergency response team in
18 responding to the release under sub. (1).”.

19 **1099.** Page 1377, line 20: after that line insert:

20 “**SECTION 3117w.** 166.22 (3m) of the statutes, as affected by 1997 Wisconsin Act
21 (this act), is repealed and recreated to read:

22 166.22 (3m) The division shall reimburse a local emergency response team for
23 costs incurred by the team in responding to a hazardous substance discharge under
24 sub. (3). Reimbursement under this subsection is limited to the amount

1 appropriated under s. 20.465 (3) (dr). Reimbursement is available under s. 20.465
2 (3) (dr) only if the local emergency response team has made a good faith effort to
3 identify the person responsible under sub. (4) and that person cannot be identified,
4 or, if that person is identified, the team has received reimbursement from that person
5 to the extent that the person is financially able or has determined that the person
6 does not have adequate money or other resources to reimburse the local emergency
7 response team.”.

8 **1100.** Page 1381, line 13: after that line insert:

9 “**SECTION 3121c.** 168.12 (7) of the statutes is amended to read:

10 168.12 (7) No person may ship petroleum products into this state unless that
11 person has a valid certificate under s. 73.03 (50) and either has a license under s.
12 78.09 or obtains a petroleum products shipper license from the department of
13 revenue by filing with that department an application prescribed and furnished by
14 that department and verified by the owner of the business if the owner is an
15 individual, by a member if the owner is an unincorporated association, by a partner
16 if the owner is a partnership or by the president and secretary if the owner is a
17 corporation.”.

18 **1101.** Page 1400, line 3: delete lines 3 to 15 and substitute:

19 “**SECTION 3133c.** 185.981 (4t) of the statutes, as affected by 1995 Wisconsin Act
20 289, is amended to read:

21 185.981 (4t) A sickness care plan operated by a cooperative association is
22 subject to ss. 252.14, 631.89, 632.72 (2), 632.745, ~~632.747~~, to 632.749, 632.87 (2m),
23 (3), (4) and (5), 632.895 (10) and 632.897 (10) and ch. 155.

1 **SECTION 3133m.** 185.981 (4t) of the statutes, as affected by 1997 Wisconsin Act
2 (this act), is amended to read:

3 185.981 (4t) A sickness care plan operated by a cooperative association is
4 subject to ss. 252.14, 631.89, 632.72 (2), 632.745 to 632.749, 632.87 (2m), (3), (4) and
5 (5), 632.895 (10) to (13) and 632.897 (10) and ~~ch. chs. 149 and~~ 155.

6 **SECTION 3134c.** 185.983 (1) (intro.) of the statutes, as affected by 1995
7 Wisconsin Act 289, is amended to read:

8 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
9 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
10 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
11 (2), 632.745, ~~632.747,~~ to 632.749, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and
12 (5), 632.895 (5), (9) and (10), 632.896 and 632.897 (10), subch. II of ch. 619 and chs.
13 609, 630, 635, 645 and 646, but the sponsoring association shall:

14 **SECTION 3134m.** 185.983 (1) (intro.) of the statutes, as affected by 1997
15 Wisconsin Act (this act), is amended to read:

16 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
17 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
18 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
19 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and (5),
20 632.895 (5), ~~(9) and (10)~~ and (9) to (13), 632.896 and 632.897 (10), ~~subch. II of ch. 619~~
21 and chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:”.

22 **1102.** Page 1400, line 15: after that line insert:

23 “**SECTION 3134mi.** 196.04 (4) of the statutes is amended to read:

1 196.04 (4) If the parties cannot agree and the commission finds that public
2 convenience and necessity or the rendition of reasonably adequate service to the
3 public requires that a public utility ~~or~~, telecommunications provider or cable
4 operator, as defined in s. 66.082 (2) (b), be permitted to extend its lines on, over or
5 under the right-of-way of any railroad, or requires that the tracks of any railroad
6 be extended on, over or under the right-of-way of any public utility ~~or~~,
7 telecommunications provider or cable operator, the commission may order the
8 extension by the public utility, telecommunications provider, cable operator or
9 railroad on, over or under the right-of-way of the other if it will not materially impair
10 the ability of the railroad, telecommunications provider, cable operator or public
11 utility, on, over or under whose right-of-way the extension would be made, to serve
12 the public. The commission shall prescribe lawful conditions and compensation
13 which the commission deems equitable and reasonable in light of all the
14 circumstances.”.

15 **1103.** Page 1404, line 3: after that line insert:

16 “2m. “Private school” has the meaning given in s. 115.001 (3r).”.

17 **1104.** Page 1404, line 7: after “school districts,” insert “private schools,”.

18 **1105.** Page 1404, line 10: on lines 10, 17 and 24, after “school district,” insert
19 “private school,”.

20 **1106.** Page 1405, line 1: on lines 1 and 3, after “school district,” insert “private
21 school,”.

22 **1107.** Page 1405, line 4: after “(b)” insert “, except that the charge may not
23 exceed \$100 per month for each data line or video link that relies on a transport
24 medium that operates at a speed of 1.544 megabits per second”.

1 **1108.** Page 1405, line 13: after “districts,” insert “private schools.”

2 **1109.** Page 1406, line 2: delete “May 1, 1997” and substitute “the effective
3 date of this paragraph [revisor inserts date]”.

4 **1110.** Page 1408, line 4: after “person” insert “shows to the satisfaction of the
5 commission that the person”.

6 **1111.** Page 1409, line 4: after that line insert:

7 “**SECTION 3158g.** 196.85 (1m) of the statutes is renumbered 196.85 (1m) (a).

8 **SECTION 3158r.** 196.85 (1m) (b) of the statutes is created to read:

9 196.85 (1m) (b) For the purpose of direct assessment under sub. (1) of expenses
10 incurred by the commission in connection with its activities under s. 196.04 (4), the
11 term “public utility” includes a cable operator, as defined in s. 66.082 (2) (b).”.

12 **1112.** Page 1409, line 16: after that line insert:

13 “**SECTION 3161m.** 197.04 (1) and (2) of the statutes are amended to read:

14 197.04 (1) Any municipality having determined to acquire an existing plant or
15 any part of the equipment of a public utility may discontinue all proceedings to that
16 end at any time within 90 days after the final determination of compensation by the
17 commission, by a vote of the electors as herein provided, or by a resolution to that
18 effect by its municipal council, provided that such resolution shall not be of force and
19 effect until 90 days after its passage and publication. If within either of said 90-day
20 periods a petition conforming to the requirements of s. 8.40 shall be filed with the
21 clerk of such municipality, in a city of the first class signed by 5% and in all other
22 municipalities by 10% of the electors thereof, requesting that the question of
23 discontinuing said proceeding to acquire such plant or equipment be submitted to the
24 electors, such question shall be submitted to the said electors at ~~any general or~~

1 ~~regular municipal~~ the succeeding election authorized under s. 8.065 (2) or an election
2 authorized under s. 8.065 (3) that may be ~~is~~ held not less than 30, and not more than
3 35, days from the date of the filing of the petition; and if no general election or regular
4 municipal election is to be held within the stated periods, then the governing body
5 of the municipality shall order the holding of a special election for the purpose of
6 ~~submitting to the electors in case.~~ If the petition is filed before the adoption of such
7 resolution the question submitted shall be whether said proceedings shall be
8 discontinued, and ~~in case~~ if the petition is filed after the adoption of said resolution
9 the question submitted shall be whether the aforesaid resolution shall remain in
10 effect and its adoption be ratified, and such resolution shall not have force or effect
11 unless a majority of the electors voting on such question shall be in favor thereof.

12 (2) The municipal council may provide for the notice, the manner of holding
13 such election and the method of voting thereon and of making returns thereof and
14 the canvassing and determining of the result thereof; provided, that notice of the
15 submission of the question contemplated herein to the electors shall be given by a
16 brief notice of that fact once a week for three weeks in some newspaper of general
17 circulation published in the municipality, and if there be no such newspaper then
18 publication may be made in any newspaper of general circulation in the county seat
19 of the county wherein the municipality is located. ~~The notice of holding any special~~
20 ~~election shall be incorporated as a part of the aforesaid notice.~~

21 **SECTION 3161p.** 197.10 (2) of the statutes is amended to read:

22 197.10 (2) Such contract when adopted by the common council of said city and
23 accepted by the owner or owners of such public utility shall be submitted to the public
24 service commission for its approval and upon such approval the same shall be
25 submitted in such manner as the common council shall determine to a vote of the

1 electors of such city at the next regular municipal election ~~or at a special election~~
2 ~~called for that purpose~~ authorized under s. 8.065 (2) or an election authorized under
3 s. 8.065 (3) to be held not sooner than 45 days after approval of the commission, and
4 such contract shall not become binding upon such city until approved by a majority
5 vote of the qualified electors of such city voting thereon. No bonds shall in any case
6 be issued by said city under the contract or contracts mentioned in sub. (1), until the
7 proposition of their issue shall have been submitted to the people of such city and
8 adopted by a majority of the electors voting thereon.”.

9 **1113.** Page 1410, line 2: after that line insert:

10 “**SECTION 3165m.** 198.19 (1) of the statutes is amended to read:

11 198.19 (1) Any territory, constituting one or more municipalities contiguous to
12 a district may be annexed to and become a part of such district to all intents and
13 purposes and with like effect as though originally included therein upon such terms
14 and conditions as the board of directors of the district shall fix by ordinance adopted
15 by the affirmative vote of two-thirds of the directors-elect, provided that before such
16 ordinance becomes effective the same shall be accepted and ratified by the
17 affirmative vote of a majority of the qualified electors entitled to vote and voting in
18 a ~~special election referendum~~ called and held for that purpose, in accordance with
19 s. 8.065, in each municipality proposed in such ordinance to be annexed to the
20 district. Such ordinance shall be published and such election shall be noticed, held
21 and conducted, as nearly as may be, in the manner provided by this chapter for the
22 noticing, holding and conduct of elections upon the organization of a municipal power
23 district, except that the returns of such election and the ballots therein shall be

1 delivered to the clerk of the district. The results of said election shall be canvassed
2 publicly by the directors of the district.”.

3 **1114.** Page 1411, line 2: after that line insert:

4 “**SECTION 3183g.** 217.13 of the statutes is amended to read:

5 **217.13** (title) **Other statutes statute applicable.** Sections 220.037 and
6 Section 220.06 apply applies to this chapter.

7 **SECTION 3183r.** 218.01 (3) (g) of the statutes is amended to read:

8 218.01 (3) (g) Any person in interest aggrieved by a decision of the division of
9 hearings and appeals or an order of the division of banking may have a review thereof
10 as provided in ch. 227 ~~or aggrieved by an order of the division of banking may have~~
11 ~~a review thereof as provided in s. 220.037.”.~~

12 **1115.** Page 1411, line 12: after that line insert:

13 “**SECTION 3200b.** 218.02 (9) (a) of the statutes is amended to read:

14 218.02 (9) (a) The division may make such rules and require such reports as
15 the division deems necessary for the enforcement of this section. Sections 217.17,
16 217.18 and 217.21 (1) and (2) apply to and are available for the purposes of this
17 section. ~~Orders of the division under this section are subject to review by the~~
18 ~~consumer credit review board under s. 220.037.~~

19 **SECTION 3209b.** 218.04 (9) of the statutes is repealed.

20 **SECTION 3220b.** 218.05 (13) of the statutes is repealed.”.

21 **1116.** Page 1412, line 2: after that line insert:

22 “**SECTION 3254eb.** 220.02 (5) of the statutes is amended to read:

23 220.02 (5) ~~Except as otherwise provided in s. 220.037~~ for acts and decisions of
24 the division under chs. 138, 217 and 218, any interested person or any bank or

1 banking corporation aggrieved by an act, order or determination of the division may,
2 within 10 days from the date thereof, apply to the banking review board to review
3 the same. All such applications for review shall be considered and disposed of as
4 speedily as possible. The banking review board may require the division to submit
5 any of the division's actions subject to such review to said board for its approval.

6 **SECTION 3254ec.** 220.035 (1) (a) of the statutes is amended to read:

7 220.035 (1) (a) The banking review board shall advise the division and others
8 in respect to improvement in the condition and service of banks and banking
9 business in this state and shall review the acts and decisions of the division with
10 respect to banks, except for such acts and decisions ~~subject to review under s. 220.037~~
11 of the division under chs. 138, 217 and 218, and shall perform such other review
12 functions in relation to banking as are provided by law. The banking review board
13 may require the division to submit any of the division's actions to it for its approval.
14 The board may make rules of procedure as provided in ch. 227.

15 **SECTION 3254ed.** 220.037 of the statutes is repealed.”

16 **1117.** Page 1415, line 3: delete lines 3 to 6.

17 **1118.** Page 1416, line 19: after that line insert:

18 “**SECTION 3282b.** 227.52 of the statutes, as affected by 1997 Wisconsin Act 3,
19 is renumbered 227.52 (intro.) and amended to read:

20 **227.52 Judicial review; decisions reviewable.** (intro.) Administrative
21 decisions which adversely affect the substantial interests of any person, whether by
22 action or inaction, whether affirmative or negative in form, are subject to review as
23 provided in this chapter, ~~except for the decisions~~ as otherwise provided by law and
24 except for the following:

1 (1) Decisions of the department of revenue other than decisions relating to
2 alcohol beverage permits issued under ch. 125, ~~decisions.~~

3 (2) Decisions of the department of employe trust funds,~~.~~

4 (3) Those decisions of the division of banking, that are subject to review, prior
5 to any judicial review, by the banking review board.

6 (4) Decisions of the office of credit unions,~~.~~

7 (5) Decisions of the division of savings and loan,~~.~~

8 (6) Decisions of the chairperson of the elections board of state canvassers and
9 those.

10 (7) Those decisions of the department of workforce development which are
11 subject to review, prior to any judicial review, by the labor and industry review
12 commission, ~~and except as otherwise provided by law.~~

13 **SECTION 3282d.** 227.53 (1) (a) 1. of the statutes is amended to read:

14 227.53 (1) (a) 1. Proceedings for review shall be instituted by serving a petition
15 therefor personally or by certified mail upon the agency or one of its officials, and
16 filing the petition in the office of the clerk of the circuit court for the county where
17 the judicial review proceedings are to be held. If the agency whose decision is sought
18 to be reviewed is the tax appeals commission, the banking review board, the
19 ~~consumer credit review board,~~ the credit union review board, the savings and loan
20 review board or the savings bank review board, the petition shall be served upon both
21 the agency whose decision is sought to be reviewed and the corresponding named
22 respondent, as specified under par. (b) 1. to 5.

23 **SECTION 3282g.** 227.53 (1) (b) 2. of the statutes is amended to read:

24 227.53 (1) (b) 2. The banking review board ~~or the consumer credit review board,~~
25 the division of banking.

1 **SECTION 3282r.** 227.53 (1) (d) of the statutes is amended to read:

2 227.53 (1) (d) The agency (except in the case of the tax appeals commission and
3 the banking review board, ~~the consumer credit review board~~, the credit union review
4 board, the savings and loan review board and the savings bank review board) and
5 all parties to the proceeding before it, shall have the right to participate in the
6 proceedings for review. The court may permit other interested persons to intervene.
7 Any person petitioning the court to intervene shall serve a copy of the petition on each
8 party who appeared before the agency and any additional parties to the judicial
9 review at least 5 days prior to the date set for hearing on the petition.”.

10 **1119.** Page 1416, line 19: after that line insert:

11 “**SECTION 3281zm.** 227.487 of the statutes is created to read:

12 **227.487 Frivolous actions. (1)** (a) If a petition for a declaratory ruling under
13 s. 227.41, a request for a hearing under s. 227.42 or a petition for a rehearing under
14 s. 227.49 (1) is found by an agency to be frivolous, the agency may assess a forfeiture
15 of not more than \$500 against the person or the person’s attorney who made the
16 petition or request. In assessing the forfeiture against the person or the person’s
17 attorney, the agency may assess the forfeiture in such a manner that the person and
18 the person’s attorney each pay a portion of the forfeiture.

19 (b) If any application, pleading, motion, request or other action that relates to
20 a contested case is found by a hearing examiner to be frivolous, the hearing examiner
21 may assess a forfeiture of not more than \$500 against the person or the person’s
22 attorney who made the application, pleading, motion, request or other action. In
23 assessing the forfeiture against the person or the person’s attorney, the hearing

1 examiner may assess the forfeiture in such a manner that the person and the
2 person's attorney each pay a portion of the forfeiture.

3 (2) In order for an agency to find a petition or request to be frivolous under sub.
4 (1) (a) or for a hearing examiner to find an application, pleading, motion, request or
5 other action to be frivolous under sub. (1) (b), the agency or hearing examiner must
6 find one or more of the following:

7 (a) The petition or request specified in sub. (1) (a) or the application, pleading,
8 motion, request or other action specified in sub. (1) (b) must have been undertaken
9 for the purpose of delay.

10 (b) The petition or request specified in sub. (1) (a) or the application, pleading,
11 motion, request or other action specified in sub. (1) (b) must have been undertaken
12 for the purpose of maliciously injuring the reputation of an agency or an agency
13 employe.

14 (c) The person or the person's attorney knew, or should have known, that the
15 petition or request specified in sub. (1) (a) or the application, pleading, motion,
16 request or other action specified in sub. (1) (b) was undertaken without any
17 reasonable basis in law or fact.

18 (3) This section does not apply to any petition or request under sub. (1) (a) or
19 any application, pleading, motion, request or other action under sub. (1) (b) that
20 relates to subch. II of ch. 111.”.

21 **1120.** Page 1416, line 25: delete the material beginning with that line and
22 ending with page 1417, line 2.

23 **1121.** Page 1417, line 2: after that line insert:

24 “SECTION 3290p. 230.04 (9) (f) of the statutes is amended to read:

1 230.04 (9) (f) Establish an affirmative action subunit reporting directly to the
2 secretary. The affirmative action subunit shall advise and assist the secretary, the
3 administrator and agency heads on establishing policies and programs to ensure
4 appropriate affirmative action. The subunit shall advise and assist the secretary in
5 monitoring such programs and shall provide staff to the affirmative action council.”.

6 **1122.** Page 1417, line 2: after that line insert:

7 “**SECTION 3290e.** 230.03 (9m) of the statutes is amended to read:

8 230.03 (9m) “Disabled wartime veteran” means a veteran who has a
9 service-connected disability that is directly traceable to war service.

10 **SECTION 3290f.** 230.03 (14) (d) of the statutes is created to read:

11 230.03 (14) (d) A person who served on active duty under honorable conditions
12 in the U.S. armed forces for 2 continuous years or more or the full period of the
13 person’s initial service obligation, whichever is less. A person discharged from the
14 U.S. armed forces for reasons of hardship or a service-connected disability or a
15 person released due to a reduction in the U.S. armed forces prior to the completion
16 of the required period of service shall also be considered a “veteran”, regardless of the
17 actual time served.

18 **SECTION 3290r.** 230.04 (10) (c) of the statutes is amended to read:

19 230.04 (10) (c) The secretary shall request from each agency and each agency
20 shall furnish to the secretary relevant information regarding the prior military
21 service, if any, of every new employe hired by the agency including limited term,
22 project, seasonal and sessional employes. The secretary shall maintain the data to
23 permit a periodic review of the progress being made to provide employment
24 opportunities in civil service for veterans and disabled wartime veterans.”.

1 **1123.** Page 1417, line 18: after that line insert:

2 “**SECTION 3301g.** 230.08 (2) (m) 3. of the statutes is repealed.

3 **SECTION 3301m.** 230.08 (2) (mL) of the statutes is created to read:

4 230.08 (2) (mL) One executive assistant of each commissioner of the public
5 service commission, created under s. 15.79.”.

6 **1124.** Page 1417, line 19: delete lines 19 and 20.

7 **1125.** Page 1417, line 20: after that line insert:

8 “**SECTION 3303p.** 230.08 (2) (rm) of the statutes is created to read:

9 230.08 (2) (rm) Staff of the environmental education board.”.

10 **1126.** Page 1418, line 4: after that line insert:

11 “**SECTION 3306m.** 230.08 (2) (yz) of the statutes is amended to read:

12 230.08 (2) (yz) The staff of the Wisconsin sesquicentennial commission. This
13 paragraph does not apply after June 30, 1999.”.

14 **1127.** Page 1419, line 15: after that line insert:

15 “**SECTION 3310d.** 230.16 (7) (a) 2. of the statutes is amended to read:

16 230.16 (7) (a) 2. For a disabled ~~wartime~~ veteran, that 15 points shall be added
17 to his or her grade.

18 **SECTION 3310h.** 230.16 (7) (a) 3. of the statutes is amended to read:

19 230.16 (7) (a) 3. For a disabled ~~wartime~~ veteran whose disability is at least 30%,
20 that 20 points shall be added to his or her grade.

21 **SECTION 3310p.** 230.16 (7) (a) 4. of the statutes is amended to read:

22 230.16 (7) (a) 4. For the spouse of a disabled ~~wartime~~ veteran whose disability
23 is at least 70%, that 10 points shall be added to the spouse’s grade.

24 **SECTION 3310t.** 230.25 (1g) of the statutes is amended to read:

1 230.25 **(1g)** For every position to be filled by promotion from a promotional
2 register, the administrator shall, after certifying names under sub. (1), additionally
3 certify the name of the highest ranked disabled ~~wartime~~ veteran whose disability is
4 at least 70%.”.

5 **1128.** Page 1420, line 6: after that line insert:

6 “**SECTION 3316e.** 230.46 of the statutes is repealed.”.

7 **1129.** Page 1421, line 5: delete “compensation, direct or indirect,” and
8 substitute “direct compensation”.

9 **1130.** Page 1432, line 12: delete “and (tm)”.

10 **1131.** Page 1434, line 2: delete “Annually” and substitute “On the effective
11 date of this subsection ... [revisor inserts date], and annually thereafter”.

12 **1132.** Page 1437, line 20: after that line insert:

13 “**SECTION 3394e.** 250.04 (13) of the statutes is created to read:

14 250.04 **(13)** The department shall provide information on the prevention,
15 detection, diagnosis and treatment of blastomycosis in areas of this state with a high
16 incidence of blastomycosis.”.

17 **1133.** Page 1437, line 21: after that line insert:

18 “**SECTION 3399m.** 250.09 of the statutes is repealed.”.

19 **1134.** Page 1438, line 4: delete “quarantined” and substitute “isolated”.

20 **1135.** Page 1439, line 4: after that line insert:

21 “**SECTION 3404m.** 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:

22 252.12 **(2)** (a) 3. ‘Statewide public education campaign.’ (intro.) The
23 department shall promote public awareness of the risk of contracting acquired

1 immunodeficiency syndrome and measures for acquired immunodeficiency
2 syndrome protection by development and distribution of information through family
3 planning clinics providing family planning services, as defined in s. 253.07 (1) (b),
4 offices of physicians and clinics for sexually transmitted diseases and by newsletters,
5 public presentations or other releases of information to newspapers, periodicals,
6 radio and television stations and other public information resources. The
7 information would be targeted at individuals whose behavior puts them at risk of
8 contracting acquired immunodeficiency syndrome and would encompass the
9 following topics:”.

10 **1136.** Page 1445, line 8: after that line insert:

11 “**SECTION 3436f.** 253.02 (2) (a) of the statutes is amended to read:

12 253.02 (2) (a) Reproductive health services, including health services prior to
13 conception and family planning services, as defined in s. 253.07 (1) (b).

14 **SECTION 3437hi.** 253.02 (2m) of the statutes is renumbered 253.02 (2m) (intro.)

15 and amended to read:

16 253.02 (2m) (intro.) Nothing in this section authorizes the performance,
17 promotion or encouragement of or counseling in favor of, or referral either directly
18 or through an intermediary for, voluntary termination of pregnancy. Nothing in this
19 section prohibits the providing of nondirective information explaining any of the
20 following:

21 **SECTION 3437hj.** 253.02 (2m) (a) to (c) of the statutes are created to read:

22 253.02 (2m) (a) Prenatal care and delivery.

23 (b) Infant care, foster care or adoption.

24 (c) Pregnancy termination.”.

1 **1137.** Page 1453, line 19: after that line insert:

2 “**SECTION 3447Lm.** 253.07 (1) (a) of the statutes is renumbered 253.07 (1) (a)
3 (intro.) and amended to read:

4 253.07 (1) (a) (intro.) “Family planning” means voluntary action by individuals
5 to prevent or aid conception ~~but.~~ “Family planning” does not include the
6 performance, promotion or, encouragement of or counseling in favor of, or referral
7 either directly or through an intermediary for, voluntary termination of pregnancy.,
8 but may include the providing of nondirective information explaining any of the
9 following:

10 **SECTION 3447Ln.** 253.07 (1) (a) 1. to 3. of the statutes are created to read:

11 253.07 (1) (a) 1. Prenatal care and delivery.

12 2. Infant care, foster care or adoption.

13 3. Pregnancy termination.

14 **SECTION 3447mm.** 253.07 (1) (b) of the statutes is renumbered 253.07 (1) (b)
15 (intro.) and amended to read:

16 253.07 (1) (b) (intro.) “Family planning services” mean counseling by trained
17 personnel regarding family planning; distribution of information relating to family
18 planning; and referral to licensed nurse practitioners within the scope of their
19 practice, licensed physicians or local health departments for consultation,
20 examination, medical treatment and prescriptions for the purpose of family
21 planning, ~~but.~~ “Family planning” does not include the performance of, promotion,
22 encouragement or counseling in favor of, or referral either directly or through an
23 intermediary for, voluntary termination of pregnancy., but may include the
24 providing of nondirective information explaining any of the following:

1 **SECTION 3447mn.** 253.07 (1) (b) 1. to 3. of the statutes are created to read:

2 253.07 (1) (b) 1. Prenatal care and delivery.

3 2. Infant care, foster care or adoption.

4 3. Pregnancy termination.”.

5 **1138.** Page 1454, line 5: delete “perform an abortion.” and substitute

6 “~~perform an abortion~~ engage in any activity specified in s. 20.9275 (2) (a) 1. to 3.”.

7 **1139.** Page 1454, line 10: after that line insert:

8 “**SECTION 3451t.** 253.10 (3) (c) 2. c. of the statutes is amended to read:

9 253.10 (3) (c) 2. c. That the woman has a legal right to continue her pregnancy
10 and to keep the child, ~~place the child in foster care, place the child with a relative for~~
11 ~~adoption or petition the court for placement of the child for adoption in the home of~~
12 ~~a person who is not a relative; to place the child in a foster home or treatment foster~~
13 home for 6 months or to petition a court for placement of the child in a foster home,
14 treatment foster home or group home or with a relative; or to place the child for
15 adoption under a process that involves court approval both of the voluntary
16 termination of parental rights and of the adoption.

17 **SECTION 3451v.** 253.10 (3) (c) 2. g. of the statutes is amended to read:

18 253.10 (3) (c) 2. g. The ~~That the printed materials described in par. (d) contain~~
19 information on the availability of public and private agencies and services to provide
20 the woman with ~~birth control information on family planning, as defined in s. 253.07~~
21 (1) (a), including natural family planning information.

22 **SECTION 3451x.** 253.10 (3) (cm) of the statutes is repealed.”.

23 **1140.** Page 1454, line 18: delete “s. 46.425 (1) and upon request,” and
24 substitute “s. 46.425 (1) and upon request, shall”.

1 **1141.** Page 1454, line 19: before “exercise” insert “shall”.

2 **1142.** Page 1454, line 21: after that line insert:

3 “**SECTION 3452g.** 253.10 (3) (d) 1. of the statutes is amended to read:

4 253.10 **(3)** (d) 1. Geographically indexed materials that are designed to inform
5 a woman about public and private agencies, including adoption agencies, and
6 services that are available to provide information on family planning, as defined in
7 s. 253.07 (1) (a), including natural family planning information, to provide
8 ultrasound imaging services, to assist her if she has received a diagnosis that her
9 unborn child has a disability or if her pregnancy is the result of sexual assault or
10 incest and to assist her through pregnancy, upon childbirth and while the child is
11 dependent. The materials shall include a comprehensive list of the agencies
12 available, a description of the services that they offer and a description of the manner
13 in which they may be contacted, including telephone numbers and addresses, or, at
14 the option of the department, the materials shall include a toll-free, 24-hour
15 telephone number that may be called to obtain an oral listing of available agencies
16 and services in the locality of the caller and a description of the services that the
17 agencies offer and the manner in which they may be contacted. The materials shall
18 provide information on the availability of governmentally funded programs that
19 serve pregnant women and children. Services identified for the woman shall include
20 aid to families with dependent children under s. 49.19, medical assistance for
21 pregnant women and children under s. 49.47 (4) (am), the job opportunities and basic
22 skills program under s. 49.193, the availability of family or medical leave under s.
23 103.10, child care services, child support laws and programs and the credit for
24 expenses for household and dependent care and services necessary for gainful

1 employment under section 21 of the internal revenue code. The materials shall state
2 that it is unlawful for any person to coerce a woman to undergo an abortion to
3 perform an abortion for which consent has been coerced, that any physician who
4 performs or induces an abortion without obtaining the woman's voluntary and
5 informed consent is liable to her for damages in a civil action and is subject to a civil
6 penalty, that the father of a child is liable for assistance in the support of the child,
7 even in instances in which the father has offered to pay for an abortion, and that
8 adoptive parents may pay the costs of prenatal care, childbirth and neonatal care.
9 The materials shall include information, for a woman whose pregnancy is the result
10 of sexual assault or incest, on legal protections available to the woman and her child
11 if she wishes to oppose establishment of paternity or to terminate the father's
12 parental rights. The materials shall state that fetal ultrasound imaging and
13 auscultation of fetal heart tone services are obtainable by pregnant women who wish
14 to use them and shall describe the services.

15 **SECTION 3452m.** 253.10 (3) (e) of the statutes is amended to read:

16 253.10 (3) (e) *Requirement to obtain materials.* A physician who intends to
17 perform or induce an abortion or another qualified physician, who reasonably
18 believes that he or she might have a patient for whom the information under par. (d)
19 is required to be given, shall request a reasonably adequate number of the materials
20 that are described under par. (d) from the department under par. (d) or from a county
21 department as specified under s. 46.245 (1).

22 **SECTION 3452s.** 253.10 (7) of the statutes is amended to read:

23 253.10 (7) AFFIRMATIVE DEFENSE. No person is liable under sub. (5) or (6) or
24 under s. 441.07 (1) (f), 448.02 (3) (a) or 457.26 (2) (gm) for failure under sub. (3) (c)
25 2. d. to provide the printed materials described in sub. (3) (d) to a woman or for failure

1 under sub. (3) (c) 2. d., e. ~~or~~ f. or g. to describe the contents of the printed materials
2 if the person has made a reasonably diligent effort to obtain the printed materials
3 under sub. (3) (e) and s. 46.245 (1) and the department and the county department
4 under s. 46.215, 46.22 or 46.23 have not made the printed materials available at the
5 time that the person is required to give them to the woman.”.

6 **1143.** Page 1455, line 12: after that line insert:

7 “**SECTION 3470d.** 254.36 (1) of the statutes is repealed.

8 **SECTION 3470h.** 254.36 (2) of the statutes is renumbered 254.36 and amended
9 to read:

10 **254.36** (title) **Radiation protection council.** The department, ~~on the~~
11 ~~recommendation of the council,~~ shall promulgate a radiation protection code. Other
12 departments and agencies of state government and local governmental units may
13 adopt the identical code, but no other rule, code or ordinance relating to this subject
14 may be promulgated or enacted except as provided under ss. 166.03 (2) (b) 6., 293.15
15 (8) and 293.25.

16 **SECTION 3470p.** 254.36 (3) to (7) of the statutes are repealed.

17 **SECTION 3470t.** 254.37 (3) of the statutes is amended to read:

18 254.37 (3) **RULES.** The department shall enforce the rules pertaining to ionizing
19 radiation in establishments principally engaged in furnishing medical, surgical,
20 chiropractic and other health services to persons and animals. The department of
21 commerce shall enforce the rules pertaining to ionizing radiation in industrial
22 establishments. The department shall notify the department of commerce and
23 deliver to it a copy of each new registration and at such time a decision shall be made
24 as to which state agency shall enforce the rules pertaining to ionizing radiation. ~~The~~

1 ~~department and the department of commerce are directed to consult with the~~
2 ~~radiation protection council in case of jurisdictional problems.”.~~

3 **1144.** Page 1455, line 20: after that line insert:

4 **“SECTION 3476e.** 254.71 (4) of the statutes is repealed.

5 **SECTION 3476m.** 254.71 (5) of the statutes is amended to read:

6 254.71 (5) The department shall conduct evaluations of the effect that the food
7 protection practices certification program has on compliance by restaurants with
8 requirements established under s. 254.74 (1) ~~and provide the evaluations, as~~
9 ~~requested, to the council on food protection practices.~~

10 **SECTION 3476r.** 254.71 (6) (intro.) of the statutes is amended to read:

11 254.71 (6) (intro.) The department, ~~after consulting with the council on food~~
12 ~~protection practices,~~ shall promulgate rules concerning all of the following:”.

13 **1145.** Page 1456, line 17: delete “treatment services,”.

14 **1146.** Page 1456, line 21: after that line insert:

15 **“SECTION 3484m.** 255.10 of the statutes is created to read:

16 **255.10 Thomas T. Melvin youth tobacco prevention and education**
17 **program.** From the appropriation under s. 20.435 (1) (dg), the department shall
18 administer the Thomas T. Melvin youth tobacco prevention and education program,
19 with the primary purpose of reducing the use of cigarettes and tobacco products by
20 minors. The department shall award grants for the following purposes:

21 (1) Community education provided through local community initiatives.

22 (2) A multimedia education campaign directed at encouraging minors not to
23 begin using tobacco, motivating and assisting adults to stop using tobacco and
24 changing public opinion on the use of tobacco.

1 **(3)** Public education through grants to schools to expand and implement
2 curricula on tobacco education.

3 **(4)** Research on methods by which to discourage use of tobacco.

4 **(5)** Evaluation of the program under this section.”.

5 **1147.** Page 1458, line 23: after “not” insert “construction sites, construction
6 practices,”.

7 **1148.** Page 1461, line 2: after the period insert “The rules may not allow a
8 determination that cost-sharing is available to meet local regulations under s. 92.07
9 (2), 92.105 (1) or 92.15 that are consistent with or that exceed the performance
10 standards, prohibitions, conservation practices or technical standards under this
11 subsection unless the cost-sharing is at least 70% of the cost of compliance or is from
12 70% to 90% of the cost of compliance in cases of economic hardship, as defined in the
13 rules.”.

14 **1149.** Page 1464, line 7: after “for” insert “all of the planning, design and
15 construction costs incurred after June 30, 1995, for”.

16 **1150.** Page 1472, line 17: substitute “If” for “For”.

17 **1151.** Page 1472, line 19: after “town” insert “submits data concerning
18 household income obtained from a 3rd party”.

19 **1152.** Page 1472, line 21: after “on” insert “the”.

20 **1153.** Page 1472, line 22: delete that line and substitute “obtained from the
21 3rd party.”.

22 **1154.** Page 1473, line 3: delete “~~66.905 (2) (b)~~ 560.036 (2m) (b) 2” and
23 substitute “66.905 (2) (b)”.

1 **1155.** Page 1479, line 1: substitute “\$90,200,000” for “\$82,400,000”.

2 **1156.** Page 1502, line 19: delete the material beginning with that line and
3 ending with page 1503, line 2.

4 **1157.** Page 1507, line 6: delete “Administer” and substitute “Administer
5 Except as provided in sub. (5) (g), administer”.

6 **1158.** Page 1509, line 11: after that line insert:

7 “7. The extent to which the project is necessary to enable the city of Racine to
8 control storm water discharges as required under 33 USC 1342 (p).”.

9 **1159.** Page 1510, line 19: after that line insert:

10 “**SECTION 3588e.** 281.65 (5) (g) of the statutes is created to read:
11 281.65 (5) (g) Administer the distribution of funding under s. 20.866 (2) (we)
12 to governmental units for implementation of the program under this section.”.

13 **1160.** Page 1512, line 19: delete the material beginning with that line and
14 ending with page 1513, line 8.

15 **1161.** Page 1523, line 21: after that line insert:

16 “**SECTION 3606pm.** 285.30 (5) (b) of the statutes is amended to read:
17 285.30 (5) (b) A motor vehicle with a gross vehicle weight rating exceeding
18 ~~14,000~~ 10,000 pounds, as determined by the manufacturer of the vehicle.”.

19 **1162.** Page 1524, line 21: delete lines 21 to 24.

20 **1163.** Page 1525, line 12: delete lines 12 to 19.

21 **1164.** Page 1526, line 6: delete lines 6 to 19 and substitute:

22 “**SECTION 3614mg.** 287.23 (1m) of the statutes is created to read:

1 287.23 **(1m)** FINANCIAL ASSISTANCE AFTER THE YEAR 2000. No later than
2 September 1, 1998, the department shall submit a proposal to the legislature that
3 if enacted will carry out the intent of the legislature that this state continue at least
4 through the year 2004 its practice of providing state financial assistance to
5 municipalities, counties, other units of government, including federally recognized
6 Indian tribes and bands in this state, and solid waste management systems for
7 expenses relating to programs for the recycling of postconsumer waste.”.

8 **1165.** Page 1527, line 13: delete the material beginning with that line and
9 ending with page 1528, line 2.

10 **1166.** Page 1528, line 13: after that line insert:

11 “**SECTION 3621c.** 287.41 (4) of the statutes is created to read:

12 287.41 (4) The department of commerce shall use the strategic plan prepared
13 and revised under this section to guide the activities of the board.”.

14 **1167.** Page 1528, line 14: delete lines 14 to 21.

15 **1168.** Page 1528, line 22: after that line insert:

16 “**SECTION 3622m.** 287.42 (3m) of the statutes is created to read:

17 287.42 **(3m)** Contract with, and provide sufficient funding for, an existing
18 materials exchange program to operate a statewide materials exchange program
19 until December 31, 1999.”.

20 **1169.** Page 1530, line 23: before that line insert:

21 “**SECTION 3636m.** 289.05 (2) of the statutes is amended to read:

22 289.05 **(2)** ~~With the advice and comment of the metallic mining council, the~~ The
23 department shall promulgate rules for the identification and regulation of metallic
24 mining wastes. The rules promulgated to identify metallic mining wastes and to

1 regulate the location, design, construction, operation and maintenance of facilities
2 for the disposal of metallic mining wastes shall be in accordance with any or all of
3 the provisions under this chapter and chs. 30 and 283. The rules shall take into
4 consideration the special requirements of metallic mining operations in the location,
5 design, construction, operation and maintenance of facilities for the disposal of
6 metallic mining wastes as well as any special environmental concerns that will arise
7 as a result of the disposal of metallic mining wastes. In promulgating the rules, the
8 department shall give consideration to research, studies, data and recommendations
9 of the U.S. environmental protection agency on the subject of metallic mining wastes
10 arising from the agency's efforts to implement the resource conservation and
11 recovery act.

12 **SECTION 3636p.** 289.08 of the statutes is repealed.”.

13 **1170.** Page 1530, line 25: after that line insert:

14 “**SECTION 3637m.** 289.55 (1) (b) of the statutes is amended to read:

15 289.55 (1) (b) “Tire dump” means any location that is used for storing or
16 disposing of waste tires or solid waste resulting from manufacturing tires.

17 **SECTION 3637n.** 289.55 (2) of the statutes is amended to read:

18 289.55 (2) DEPARTMENT AUTHORITY; ABATEMENT. If the department determines
19 that a tire dump is a nuisance, it shall notify the person responsible for the nuisance
20 and request that the waste tires or the solid waste resulting from manufacturing
21 tires be processed or removed within a specified period. If the person fails to take the
22 requested action within the specified period, the department shall order the person
23 to abate the nuisance within a specified period. If the person responsible for the
24 nuisance is not the owner of the property on which the tire dump is located, the

1 department may order the property owner to permit abatement of the nuisance. If
2 the person responsible for the nuisance fails to comply with the order, the
3 department may take any action necessary to abate the nuisance, including entering
4 the property where the tire dump is located and confiscating the waste tires or the
5 solid waste resulting from manufacturing tires, or arranging to have the waste tires
6 or the solid waste resulting from manufacturing tires processed or removed.”.

7 **1171.** Page 1535, line 24: after that line insert:

8 “**SECTION 3660g.** 292.11 (9) (g) of the statutes is created to read:

9 292.11 (9) (g) 1. In this paragraph, “petroleum contaminated soil” means soil
10 that is contaminated with materials derived from petroleum, natural gas or asphalt,
11 including gasoline, diesel and heating fuels, liquified petroleum gases, lubricants,
12 waxes, greases and petrochemicals.

13 2. A person is exempted from sub. (7) (b) and from the penalty requirements
14 of this section if all of the following apply:

15 a. The person’s act or omission was taken while performing services under
16 contract with the department of transportation.

17 b. The act or omission involving the petroleum contaminated soil was
18 consistent with the contract described in subd. 2. a. or was directed by the
19 department of transportation.

20 3. Subd. 2. does not apply to any person:

21 a. Who brought petroleum contaminated soil onto the property or caused the
22 soil to become petroleum contaminated soil.

1 b. Who is under a previous contract with a state agency other than the
2 department of transportation to remove a hazardous substance from the property,
3 or to treat a hazardous substance on the property.

4 c. Whose act or omission constitutes gross negligence or involves reckless,
5 wanton or intentional misconduct.”.

6 **1172.** Page 1536, line 2: after “LIABILITY” insert “FOR GROUNDWATER
7 CONTAMINATION”.

8 **1173.** Page 1536, line 3: delete “soil or”.

9 **1174.** Page 1536, line 4: delete “owned” and substitute “possessed or
10 controlled”.

11 **1175.** Page 1536, line 9: after “investigation” insert “or submits other
12 information”.

13 **1176.** Page 1536, line 15: delete lines 15 to 19.

14 **1177.** Page 1536, line 21: before “to avoid” insert “and”.

15 **1178.** Page 1537, line 1: before that line insert:

16 “(1m) EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. A person is exempt
17 from s. 292.11 (3), (4) and (7) (b) and (c) with respect to the existence of a hazardous
18 substance in the soil on property possessed or controlled by the person if all of the
19 following apply:

20 (a) The discharge of the hazardous substance originated from a source on
21 property that is not possessed or controlled by the person.

22 (b) The person did not possess or control the hazardous substance on the
23 property on which the discharge originated or cause the original discharge.

1 (c) The person conducts an investigation or submits other information, that the
2 department determines is adequate, to substantiate that pars. (a) and (b) are
3 satisfied.

4 (d) The person agrees to allow the department, any authorized representatives
5 of the department, any party that possessed or controlled the hazardous substance
6 or caused the discharge of the hazardous substance and any consultant or contractor
7 of such a party to enter the property to take action to respond to the discharge.

8 (e) The person agrees to take one or more of the following actions at the
9 direction of the department if, after the department has made a reasonable attempt
10 to notify the party who caused the discharge of the hazardous substance about the
11 party's responsibilities under s. 292.11, the department determines that the action
12 or actions are necessary to prevent an imminent threat to human health, safety or
13 welfare or to the environment:

14 1. Limit public access to the property.

15 2. Identify, monitor and mitigate fire, explosion and vapor hazards on the
16 property.

17 3. Visually inspect the property and install appropriate containment barriers.

18 (f) The person agrees to avoid any interference with action undertaken to
19 respond to the discharge and to avoid actions that worsen the discharge.

20 (g) The person agrees to any other condition that the department determines
21 is reasonable and necessary to ensure that the department or other person described
22 in par. (d) can adequately respond to the discharge.”.

23 **1179.** Page 1537, line 2: delete “owning” and substitute “who possesses or
24 controls”.

- 1 **1180.** Page 1537, line 4: before “requirements” insert “applicable”.
- 2 **1181.** Page 1537, line 4: delete “sub. (1)” and substitute “subs. (1) and (1m)”.
- 3 **1182.** Page 1537, line 5: after “(1)” insert “or (1m)”.
- 4 **1183.** Page 1537, line 13: delete that line and substitute:
5 “**SECTION 3664d.** 292.15 (1) (c) 1. of the statutes is repealed.”.
- 6 **1184.** Page 1537, line 15: delete “1.”.
- 7 **1185.** Page 1537, line 17: delete “1. The person” and substitute “The person
8 “Voluntary party” means a person who”.
- 9 **1186.** Page 1537, line 17: after “otherwise” insert “intentionally or
10 recklessly”.
- 11 **1187.** Page 1537, line 17: delete “release discharge” and substitute “release”.
- 12 **1188.** Page 1537, line 19: delete lines 19 to 21.
- 13 **1189.** Page 1537, line 22: delete lines 22 to 24.
- 14 **1190.** Page 1538, line 2: after “ss. 289.05 (1), (2)” insert “, (3)”.
- 15 **1191.** Page 1538, line 5: delete “the release of which occurred prior to the date
16 of” and substitute “~~the release of which occurred prior to the date of~~”.
- 17 **1192.** Page 1538, line 6: delete “acquisition of the property” and substitute
18 “~~acquisition of the property~~”.
- 19 **1193.** Page 1539, line 18: delete “off” and substitute “originating from”.
- 20 **1194.** Page 1541, line 15: after that line insert:
21 “**SECTION 3676m.** 292.15 (3m) of the statutes is created to read:

1 292.15 **(3m)** TENANTS AND LESSEES. The exemption provided in sub. (2) applies
2 to any tenant or lessee of property on which a hazardous substance is discharged if
3 the property is owned by a voluntary party.”.

4 **1195.** Page 1542, line 13: after that line insert:

5 “**SECTION 3678m.** 292.15 (5m) of the statutes is created to read:

6 292.15 **(5m)** PROSPECTIVE PURCHASER ASSURANCE LETTERS. The secretary, in
7 accordance with rules promulgated by the department, may issue to a prospective
8 purchaser of property a letter certifying that the prospective purchaser is entitled to
9 the exemptions described under sub. (2). The secretary may condition the
10 entitlement to the exemptions upon the prospective purchaser’s taking action as
11 provided in this section and in a manner considered satisfactory to the department.
12 Notwithstanding sub. (1) (f), a person to whom the secretary issues a letter under this
13 subsection shall be considered to be a voluntary party under this section.”.

14 **1196.** Page 1545, line 4: delete “or exacerbates an existing discharge”.

15 **1197.** Page 1545, line 5: delete the material beginning with “or exacerbates”
16 and ending with “discharge” on line 6.

17 **1198.** Page 1545, line 7: delete the material beginning with that line and
18 ending with page 1546, line 15.

19 **1199.** Page 1559, line 1: delete lines 1 to 3.

20 **1200.** Page 1559, line 4: after that line insert:

21 “(gm) “Immediate action” means a remedial action that is taken within a short
22 time after a discharge of dry cleaning solvent occurs, or after the discovery of a
23 discharge of dry cleaning solvent, to halt the discharge, contain or remove discharged
24 dry cleaning solvent or remove contaminated soil or water in order to restore the

1 environment to the extent practicable and to minimize the harmful effects of the
2 discharge to air, lands and waters of the state and to eliminate any imminent threat
3 to public health, safety or welfare.”.

4 **1201.** Page 1560, line 17: delete “emergency remedial” and substitute
5 “immediate”.

6 **1202.** Page 1560, line 20: delete “emergency remedial” and substitute
7 “immediate”.

8 **1203.** Page 1560, line 21: delete “emergency remedial” and substitute
9 “immediate”.

10 **1204.** Page 1561, line 2: delete “emergency remedial” and substitute
11 “immediate”.

12 **1205.** Page 1561, line 3: after that line insert:

13 “(cm) 1. If the department determines that immediate action is necessary in
14 response to a discharge of dry cleaning solvent, the owner or operator of the dry
15 cleaning facility conducts the immediate action and is eligible for an award under
16 this section and the amounts appropriated under s. 20.370 (6) (eq) are not sufficient
17 to pay the award, the department shall pay the award using funds under s. 20.370
18 (2) (dv). Awards under this subdivision have priority over other payments under s.
19 20.370 (2) (dv) except for payments under s. 292.31 (4) and (5).

20 2. Whenever the department of natural resources pays an award under subd.
21 1., it shall provide a notice to the department of revenue stating the amount of the
22 award.”.

23 **1206.** Page 1562, line 17: substitute “*Immediate action*” for “*Emergency*”.

1 **1207.** Page 1562, line 18: delete the material beginning with “conducting”
2 and ending with “inappropriate” on line 20 and substitute “conducting an immediate
3 action activity if the department determines that an immediate action is necessary”.

4 **1208.** Page 1575, line 11: delete “An emergency does not exist” and substitute
5 “Immediate action is not necessary”.

6 **1209.** Page 1576, line 5: delete the material beginning with “an” and ending
7 with “exists” on line 6 and substitute “immediate action is necessary”.

8 **1210.** Page 1577, line 6: delete the material beginning with that line and
9 ending with page 1581, line 17.

10 **1211.** Page 1581, line 17: after that line insert:

11 “**SECTION 3730m.** 293.13 (1) (b) of the statutes is amended to read:

12 293.13 (1) (b) Establish by rule ~~after consulting with the metallic mining~~
13 ~~council~~ minimum qualifications for applicants for prospecting and mining permits.
14 Such minimum qualifications shall ensure that each operator in the state is
15 competent to conduct mining and reclamation and each prospector in the state is
16 competent to conduct prospecting in a fashion consistent with the purposes of this
17 chapter. The department shall also consider such other relevant factors bearing
18 upon minimum qualifications, including but not limited to, any past forfeitures of
19 bonds posted pursuant to mining activities in any state.

20 **SECTION 3730p.** 293.13 (2) (a) of the statutes is amended to read:

21 293.13 (2) (a) The department by rule ~~after consulting with the metallic mining~~
22 ~~council~~ shall adopt minimum standards for exploration, prospecting, mining and
23 reclamation to ensure that such activities in this state will be conducted in a manner
24 consistent with the purposes and intent of this chapter. The minimum standards

1 may classify exploration, prospecting and mining activities according to type of
2 minerals involved and stage of progression in the operation.”.

3 **1212.** Page 1593, line 8: delete the material beginning with “I” and ending
4 with “council.” on line 10.

5 **1213.** Page 1599, line 7: after that line insert:

6 “SECTION 3786f. 299.13 (1) (bm) of the statutes is repealed.

7 SECTION 3786h. 299.13 (1m) (intro.) of the statutes is amended to read:

8 299.13 (1m) PROMOTION OF HAZARDOUS POLLUTION PREVENTION. (intro.) In
9 carrying out the duties under this section and ss. 36.25 (30) and 560.19 ~~and this~~
10 ~~section~~, the department, the department of commerce, ~~the council~~ and the program
11 shall promote all of the following techniques for hazardous pollution prevention:

12 SECTION 3786j. 299.13 (2) (b) of the statutes is amended to read:

13 299.13 (2) (b) Identify all department requirements for reporting on hazardous
14 pollution prevention and, to the extent possible and practical, standardize,
15 coordinate and consolidate the reporting in order to minimize duplication and
16 provide useful information on hazardous pollution prevention to the ~~council~~, the
17 legislature and the public.

18 SECTION 3786L. 299.13 (2) (e) of the statutes is repealed.”.

19 **1214.** Page 1599, line 7: after that line insert:

20 “SECTION 3785. 299.05 of the statutes is created to read:

21 **299.05 Permit guarantee program. (1)** The department shall promulgate
22 rules under which the department refunds fees paid by an applicant for a license,
23 permit or other approval that is issued under ss. 30.10 to 30.205 or 30.21 to 30.27,
24 chs. 280 to 283 and 287 to 292 or subch. II of ch. 295 and that is of a type specified

1 in the rule if the department fails to make a determination on the application within
2 the time limit specified in the rule for that type of license, permit or other approval.
3 The rules under this subsection do not apply to an applicant for a license, permit or
4 other approval related to mining, as defined in s. 293.01 (9), prospecting, as defined
5 in s. 293.01 (18), or nonmetallic mining, as defined in s. 295.11 (3).

6 (2) The department shall specify at least the following types of licenses,
7 permits and other approvals in the rules under sub. (1):

8 (a) Permits and other approvals under ss. 30.10 to 30.205 and 30.21 to 30.27.

9 (b) Approvals under s. 281.17 (1).

10 (c) Permits under subch. IV of ch. 283.

11 (e) Licenses under subch. III of ch. 289.

12 (f) Licenses issued under subch. IV of ch. 291.”.

13 **1215.** Page 1616, line 25: after that line insert:

14 “**SECTION 3790d.** 301.026 of the statutes is repealed.”.

15 **1216.** Page 1627, line 12: delete lines 12 to 14 and substitute:

16 “(a) For community youth and family aids under this section, amounts not to
17 exceed ~~\$37,243,500~~ \$41,649,700 for the last 6 months of ~~1996~~ and ~~\$37,347,600~~ 1997,
18 \$82,741,700 for 1998 and \$41,091,900 for the first 6 months of 1997 1999.”.

19 **1217.** Page 1629, line 7: after that line insert:

20 “**SECTION 3860r.** 301.37 (5) of the statutes is created to read:

21 301.37 (5) The department’s standards and regulations under sub. (1) for
22 secure detention facilities apply to private secure detention facilities used under s.
23 938.222. At least annually, the department shall inspect each such private secure
24 detention facility with respect to safety, sanitation, adequacy and fitness, report to

1 the county board and the private entity operating the private secure detention
2 facility regarding any deficiency found and order the necessary work to correct it.
3 If within 6 months thereafter the work is not commenced, or not completed within
4 a reasonable period thereafter to the satisfaction of the department, the department
5 shall prohibit the use of the private secure detention facility for purposes of s.
6 938.222 until the order is complied with.”.

7 **1218.** Page 1630, line 16: delete “Lease” and substitute “Lease Subject to sub.
8 (5m), lease”.

9 **1219.** Page 1630, line 19: delete “3” and substitute “3 7”.

10 **1220.** Page 1631, line 2: after “paragraph.” insert “If the department enters
11 into a contract that requires the department to purchase equipment for use by a
12 private business that leases space under this paragraph, the contract shall provide
13 that the private business purchase the equipment from the department and pay the
14 department the full cost of the equipment, plus interest, before the end of the contract
15 under which the private business leases space.”.

16 **1221.** Page 1631, line 10: after that line insert:

17 “**SECTION 3909m.** 303.01 (5m) of the statutes is created to read:

18 303.01 (**5m**) DISPLACEMENT. (a) In this subsection, “displacement” shall have
19 the meaning provided in rules promulgated by the department.

20 (b) Beginning on the effective date of this paragraph [revisor inserts date],
21 the department may not enter into any contract with a private business under sub.
22 (2) (em) if the department determines that the contract will result in the
23 displacement of employed workers who are not prison inmates or institution
24 residents.”.

1 **1222.** Page 1631, line 11: delete lines 11 to 23 and substitute:

2 “**SECTION 3910bb.** 303.01 (8) of the statutes is repealed and recreated to read:

3 303.01 (8) DISPOSITION OF EARNINGS. (a) The department has the authority to
4 determine how much, if any, of the earnings of an inmate or resident may be spent
5 and for what purposes they may be spent within the confines of the prison or
6 institution.

7 (b) The department shall distribute earnings of an inmate or resident, other
8 than an inmate or resident employed under sub. (2) (em), for the crime victim and
9 witness assistance surcharge under s. 973.045 (4), for the delinquency victim and
10 witness assistance surcharge under s. 938.34 (8d) (c), for the deoxyribonucleic acid
11 analysis surcharge under s. 973.046 (4) and for compliance with s. 303.06 (2) and may
12 distribute earnings for the support of the inmate’s or resident’s dependents and for
13 other obligations either acknowledged by the inmate or resident in writing or which
14 have been reduced to judgment that may be satisfied according to law.

15 (c) The department shall disburse the earnings of inmates and residents
16 employed under sub. (2) (em) in the order stated:

17 1. Payment of applicable federal, state and local taxes.

18 2. Payment in compliance with s. 303.06 (3).

19 3. Payment of support ordered by a court under ch. 767.

20 4. The board of the inmate or resident and a reasonable room charge, as
21 determined by the department.

22 5. Payment of the crime victim and witness assistance surcharge under s.
23 973.045 (4).

1 6. Payment of the delinquency victim and witness assistance surcharge under
2 s. 938.34 (8d) (c).

3 7. Payment of the deoxyribonucleic acid analysis surcharge under s. 973.046
4 (4).

5 (d) The department may disburse the earnings of inmates and residents
6 employed under sub. (2) (em) for the support of the inmate's or resident's dependents
7 and for the payment of an obligation other than one specified under par. (c) if the
8 obligation is acknowledged by the inmate or resident in writing or has been reduced
9 to judgment that may be satisfied according to law.

10 (e) The department shall credit all moneys that it collects from earnings of
11 inmates and residents employed under sub. (2) (em) to the appropriation account
12 under s. 20.410 (1) (gi).".

13 **1223.** Page 1631, line 23: after that line insert:

14 “SECTION 3910d. 303.06 (3) of the statutes is amended to read:

15 303.06 (3) A private business may sell products, components or services under
16 s. 303.01 (2) (em) in the open market. Similar products, components or services from
17 a prison industry program from another state may be sold in the open market. The
18 department shall collect not less than 5% nor more than 20% of the gross wages of
19 inmates or residents earned pursuant to a contract under s. 303.01 (2) (em) to be
20 credited to the appropriation under s. 20.455 (5) (i).”.

21 **1224.** Page 1634, line 20: after that line insert:

22 “SECTION 3957m. 340.01 (23v) of the statutes is amended to read:

23 340.01 (23v) “Ignition interlock device” means a device which measures the
24 person's alcohol concentration and which is installed on a vehicle in such a manner

1 that the vehicle will not start if the sample shows that the person has a prohibited
2 an alcohol concentration of 0.04 or more.”.

3 **1225.** Page 1634, line 24: after that line insert:

4 “**SECTION 3960m.** 341.01 (2) of the statutes is renumbered 341.01 (2) (intro.)
5 and amended to read:

6 341.01 (2) (intro.) In this chapter notwithstanding:

7 (a) Notwithstanding s. 340.01 (24), “implement of husbandry” means a vehicle
8 or piece of equipment or machinery designed for agricultural purposes, used
9 exclusively in the conduct of agricultural operations and used principally off a
10 highway, or a trailer-mounted bulk liquid fertilizer container.

11 **SECTION 3961m.** 341.01 (2) (b) of the statutes is created to read:

12 341.01 (2) (b) Notwithstanding s. 340.01 (42), “owner” means, with respect to
13 a vehicle that is leased to a lessee for a period of one year or more, the lessee of the
14 vehicle for purposes of vehicle registration under this chapter.”.

15 **1226.** Page 1635, line 8: after “department” insert “, submitted to a dealer or
16 local police department under s. 341.09 (2m) or (2r) for transmittal to the
17 department”.

18 **1227.** Page 1635, line 9: delete “any other vehicle having a gross” and
19 substitute “motor truck having a registered”.

20 **1228.** Page 1635, line 10: delete “vehicle weight rating” and substitute
21 “weight”.

22 **1229.** Page 1635, line 11: delete “or the” and substitute “unless the”.

23 **1230.** Page 1635, line 13: after that line insert:

24 “**SECTION 3962j.** 341.04 (1) (a) of the statutes is amended to read:

1 341.04 (1) (a) A vehicle may be operated by a private person after the date of
2 purchase or commencement of the lease of such vehicle by such private person or
3 after the date such person moved to this state if application for registration, except
4 for registration under s. 341.30 or 341.305, and certificate of title has been made.”.

5 **1231.** Page 1635, line 14: delete “, as affected by 1997 Wisconsin”.

6 **1232.** Page 1635, line 15: delete “Act (this act),”.

7 **1233.** Page 1635, line 17: delete “or commencement of the lease”.

8 **1234.** Page 1635, line 20: after that line insert:

9 “**SECTION 3963m.** 341.04 (1) (c) of the statutes is created to read:

10 341.04 (1) (c) Notwithstanding any other provision of this chapter, if a vehicle
11 is owned by a lessor of vehicles and is leased to a lessee for a period of one year or more
12 and the vehicle was registered in the name of the lessor before the effective date of
13 this paragraph [revisor inserts date], the department may renew the registration
14 in the name of the lessor in lieu of registration of the vehicle by the lessee. This
15 paragraph does not apply to any subsequent lease of the vehicle by a lessor.”.

16 **1235.** Page 1636, line 6: after that line insert:

17 “**SECTION 3968m.** 341.08 (2) (am) of the statutes is created to read:

18 341.08 (2) (am) If the owner under par. (a) is a lessee, the name of the lessor.

19 **SECTION 3969m.** 341.08 (2) (bm) of the statutes is created to read:

20 341.08 (2) (bm) If applicable, the name of the town, city or village in which the
21 lessor resides and, if the lessor resides in a 1st or 2nd class city, the lessor’s true
22 residential or business address.

23 **SECTION 3970m.** 341.08 (2) (e) of the statutes is amended to read:

1 341.08 (2) (e) Such further information as the department may reasonably
2 require to enable it to determine whether the vehicle is by law entitled to registration
3 or to enable it to determine the proper applicant or registration fee for the vehicle.

4 **SECTION 3971m.** 341.08 (4m) of the statutes is amended to read:

5 341.08 (4m) At least 30 days prior to the expiration of a vehicle's registration,
6 the department shall mail to the last-known address of the registrant ~~or, if the~~
7 ~~vehicle is subject to a lease agreement, of the lessee designated by the registrant,~~ a
8 notice of the date upon which the registration must be renewed and an application
9 form for renewal of registration. The application form or an accompanying document
10 shall include a list of any unpaid citations for nonmoving traffic violations or any
11 judgments for violation of ch. 110, 194 or 341 to 350, an administrative rule of the
12 department, or an ordinance enacted in accordance with s. 349.06, including parking
13 violations, entered against the registrant which remain unpaid. The list of unpaid
14 citations for nonmoving traffic violations shall be based on information obtained
15 under s. 345.28 (4). The list of unpaid judgments shall be based on information
16 obtained under s. 345.47 (1) (d). If there is a citation for any nonmoving traffic
17 violation entered against the registrant ~~or designated lessee~~ which is unpaid, he or
18 she shall be notified that the vehicle may not be registered until the citation is paid
19 or the registrant ~~or designated lessee~~ appears in court to respond to the citation. If
20 there is a judgment entered against the registrant ~~or designated lessee~~ which is
21 unpaid, he or she shall be notified that the vehicle may not be registered until the
22 judgment is paid.”.

23 **1236.** Page 1636, line 10: after “(2m)” insert “, (2r)”.

1 **1237.** Page 1636, line 21: delete “design” and substitute “size, color, design,
2 form and specifications”.

3 **1238.** Page 1636, line 22: delete “(2), (2m)” and substitute “(2m), (2r)”.

4 **1239.** Page 1636, line 23: delete “any other vehicle having a gross vehicle
5 weight rating” and substitute “motor truck having a registered weight”.

6 **1240.** Page 1636, line 24: after “plates.” insert “All temporary operation
7 plates issued under sub. (2m), (2r) or (9) for an automobile, station wagon or motor
8 truck having a registered weight of 8,000 pounds or less shall contain a registration
9 number composed of letters or numbers.”.

10 **1241.** Page 1636, line 24: after that line insert:

11 “**SECTION 3971hb.** 341.09 (1) (c) of the statutes is created to read:

12 341.09 (1) (c) Notwithstanding subs. (2m) (a) 1. b. and (2r), a dealer or a local
13 police department may collect a special handling fee of not more than \$5 if the dealer
14 or police department provides special assistance to a person who is applying for a
15 temporary operation plate under sub. (2m) (a) 1. b. or (2r).”.

16 **1242.** Page 1637, line 1: delete lines 1 to 25 and substitute:

17 “**SECTION 3971mm.** 341.09 (2) (g) of the statutes is created to read:

18 341.09 (2) (g) A temporary operation plate may not be issued under this
19 subsection to a state resident for use on an automobile, station wagon or motor truck
20 having a registered weight of 8,000 pounds or less.”.

21 **1243.** Page 1638, line 1: delete lines 1 to 9 and substitute:

22 “**SECTION 3972df.** 341.09 (2m) (a) of the statutes is amended to read:

1 341.09 (2m) (a) Upon request by a dealer licensed in this state, the department
2 may issue any number of temporary operation plates to a dealer under sub. (2) at a
3 fee of \$3 per plate. The dealer may issue the temporary operation plate at a fee of
4 \$3 to any state resident who purchases or leases from the dealer any type of vehicle
5 except buses, for-hire vehicles and vehicles which are subject to registration under
6 the international registration plan if the state is a party to such plan or vehicles
7 which are subject to registration under s. 341.41 (9). The department shall prescribe
8 the manner in which a dealer shall keep records of temporary operation plates issued
9 by the dealer.

10 **SECTION 3972dg.** 341.09 (2m) (a) of the statutes, as affected by 1997 Wisconsin
11 Act (this act), is renumbered 341.09 (2m) (a) 1. (intro.) and amended to read:

12 341.09 (2m) (a) 1. (intro.) Upon request by a dealer licensed in this state, the
13 department may issue any number of temporary operation plates to a dealer under
14 sub. (2) at a fee of \$3 per plate. The dealer may issue the temporary operation plate
15 at a fee of \$3 to any of the following:

16 a. Except as provided in subd. 2., a state resident who purchases or leases from
17 the dealer any type of vehicle except buses, for-hire vehicles and vehicles which are
18 subject to registration under the international registration plan if the state is a party
19 to such plan or vehicles which are subject to registration under s. 341.41 (9), for use
20 on such vehicle.

21 3. The department shall prescribe the manner in which a dealer shall keep
22 records of temporary operation plates issued by the dealer.

23 **SECTION 3972dj.** 341.09 (2m) (a) 1. b. of the statutes is created to read:

24 341.09 (2m) (a) 1. b. A state resident who purchases an automobile, station
25 wagon or motor truck having a registered weight of 8,000 pounds or less from a

1 person other than the dealer for use on such vehicle if the state resident submits to
2 the dealer a complete application for registration of the vehicle, including evidence
3 of any inspection under s. 110.20 when required, and for a new certificate of title for
4 the vehicle, together with a check or money order made payable to the department
5 for all applicable title, registration, security interest and sales tax moneys, for
6 transmittal to the department by the dealer.

7 **SECTION 3972dm.** 341.09 (2m) (a) 2. of the statutes is created to read:

8 341.09 (2m) (a) 2. Notwithstanding subd. 1., the department shall issue a
9 sufficient number of temporary operation plates without charge to each dealer
10 licensed in this state for issuance under this subdivision. Each dealer shall issue a
11 temporary operation plate without charge to any state resident who purchases from
12 the dealer an automobile, station wagon or motor truck having a registered weight
13 of 8,000 pounds or less, for use on such vehicle if the state resident submits to the
14 dealer a complete application for registration of the vehicle, including evidence of
15 inspection under s. 110.20 when required, and for a new certificate of title for the
16 vehicle, together with a check or money order made payable to the department for
17 all applicable title, registration, security interest and sales tax moneys, for
18 transmittal to the department by the dealer.”.

19 **1244.** Page 1638, line 11: after that line insert:

20 **“SECTION 3973c.** 341.09 (4) of the statutes is amended to read:

21 341.09 (4) Upon receipt of an application and a fee of \$3, the department shall
22 register a vehicle purchased or leased in this state by a nonresident for a period not
23 to exceed 30 days. The department shall determine the size, color, design, form and
24 specifications of a plate issued under this subsection. The plate may be similar or

1 identical to a plate issued under sub. (2). The department may issue the plates to
2 dealers at a fee of \$3 per plate in the manner and for the purpose provided in sub.
3 (2m).”.

4 **1245.** Page 1638, line 12: delete lines 12 to 24.

5 **1246.** Page 1639, line 1: delete lines 1 to 15 and substitute:

6 “**SECTION 3972jm.** 341.09 (2r) of the statutes is created to read:

7 341.09 (2r) The department of transportation shall issue a sufficient number
8 of temporary operation plates without charge to each local police department. The
9 local police department shall issue a temporary operation plate without charge to a
10 state resident for use on an automobile, station wagon or motor truck having a
11 registered weight of 8,000 pounds or less if the state resident submits to the police
12 department a complete application for registration of the vehicle, including evidence
13 of any inspection under s. 110.20 when required, and for a new certificate of title for
14 the vehicle, together with a check or money order made payable to the department
15 of transportation for all applicable title, registration, security interest and sales tax
16 moneys, for transmittal to the department of transportation by the police
17 department. The department of transportation shall prescribe the manner in which
18 a local police department shall keep records of temporary operation plates issued by
19 the police department.

20 **SECTION 3973jm.** 341.09 (9) of the statutes is created to read:

21 341.09 (9) Notwithstanding any other provision of this section, the department
22 shall issue a temporary operation plate without charge for an automobile, station
23 wagon or motor truck having a registered weight of 8,000 pounds or less upon receipt
24 of a complete application accompanied by the required fee for registration of the

1 vehicle, including evidence of any inspection under s. 110.20 when required, if the
2 department does not immediately issue the regular registration plates for the vehicle
3 and the department determines that the applicant has not otherwise been issued a
4 temporary operation plate under this section.”.

5 **1247.** Page 1639, line 16: delete lines 16 to 20 and substitute:

6 “**SECTION 3974m.** 341.10 (1) of the statutes is amended to read:

7 341.10 (1) The required state fee and any municipal vehicle registration fee
8 imposed by the town, village or city in which the vehicle is customarily kept has not
9 been paid for the specific vehicle, and the department may refuse registration of a
10 vehicle if such fees for the current period or for any previous period for which
11 payment of a registration fee is required by law have not been paid on any other
12 vehicles owned or leased by the applicant for registration.

13 **SECTION 3975mm.** 341.10 (3) of the statutes is amended to read:

14 341.10 (3) A certificate of title is a prerequisite to registration of the vehicle
15 and, except for an applicant who is the lessee of a vehicle, the applicant does not hold
16 a valid certificate of title and is not entitled to the issuance of a certificate of title.

17 **SECTION 3976mp.** 341.10 (3) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 341.10 (3) A certificate of title is a prerequisite to registration of the vehicle
20 and, except for an applicant who is the lessee of a vehicle, a valid certificate of title
21 has not been issued to the applicant for the vehicle and the applicant is not entitled
22 to the issuance of a certificate of title.

23 **SECTION 3977m.** 341.14 (1q) of the statutes is amended to read:

1 341.14 (1q) If any employer who provides an automobile or station wagon, or
2 a motor truck, dual purpose motor home or dual purpose farm truck which has a
3 gross weight of not more than 8,000 pounds, a farm truck which has a gross weight
4 of not more than 12,000 pounds or a motor home, ~~whether owned or leased by the~~
5 ~~employer~~, for an employe's use submits to the department a statement once every 4
6 years, as determined by the department, from a physician licensed to practice
7 medicine in any state, from an advanced practice nurse licensed to practice nursing
8 in any state, from a physician assistant certified to practice in any state, from a
9 chiropractor licensed to practice chiropractic in any state or from a Christian Science
10 practitioner residing in this state and listed in the Christian Science journal
11 certifying that the employe is a person with a disability that limits or impairs the
12 ability to walk, the department shall issue and deliver to such employer plates of a
13 special design in lieu of the plates which ordinarily would be issued for the vehicle,
14 and shall renew the plates. The plates shall be so designed as to readily apprise law
15 enforcement officers of the fact that the vehicle is operated by a disabled person and
16 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
17 to the registration fee may be made for the issuance or renewal of the plates. The
18 plates shall conform to the plates required in sub. (1a).

19 **SECTION 3978m.** 341.14 (1r) (a) of the statutes is amended to read:

20 341.14 (1r) (a) If any resident of this state who is registering or has registered
21 an automobile or station wagon, or a motor truck, dual purpose motor home or dual
22 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
23 truck which has a gross weight of not more than 12,000 pounds or a motor home
24 submits a statement once every 4 years, as determined by the department, certifying
25 to the department that the vehicle is leased to a person who qualifies for special

1 plates under sub. (1) or (1a) together with the information required under sub. (1)
2 or (1a), the department shall issue and deliver to the resident, plates of the
3 appropriate special design under sub. (1) or (1a) in lieu of the plates which ordinarily
4 would be issued for the vehicle, and shall renew the plates. No charge in addition
5 to the registration fee shall be made for the issuance or renewal of the plates. No
6 plates may be issued and delivered to a resident under this paragraph on or after the
7 effective date of this paragraph [revisor inserts date].”

8 **1248.** Page 1639, line 20: after that line insert:

9 “SECTION 3976m. 341.13 (1) (intro.) of the statutes is amended to read:

10 341.13 (1) (intro.) In addition to the matter specified in s. 341.12 (3),
11 registration plates for automobiles registered pursuant to the ~~monthly series~~
12 registration system under s. 341.27, except automobiles registered under s. 341.14
13 (6r) or 341.145 (1) (c), shall comply with the following specifications:”.

14 **1249.** Page 1640, line 10: after that line insert:

15 “SECTION 3987g. 341.14 (6r) (b) 3. of the statutes is amended to read:

16 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or
17 reissuance of a plate issued on an annual basis for a special group specified under
18 par. (f) 35. to 47. or 53. An additional fee of \$15 shall be charged for the issuance or
19 reissuance of a plate issued on a biennial basis for a special group specified under par.
20 (f) 35. to 47. or 53. if the plate is issued during the first year of the biennial
21 registration period or \$15 for the issuance or reissuance if the plate is issued during
22 the 2nd year of the biennial registration period.”.

23 **1250.** Page 1641, line 6: after that line insert:

1 “**SECTION 3989g.** 341.14 (6r) (bm) of the statutes, as affected by 1995 Wisconsin
2 Act 445, section 14, is repealed.”.

3 **1251.** Page 1642, line 25: delete that line.

4 **1252.** Page 1643, line 1: delete lines 1 to 6 and substitute:

5 “**SECTION 3990mm.** 341.14 (6r) (g) (intro.) of the statutes is amended to read:
6 341.14 **(6r)** (g) (intro.) ~~Except as provided in par. (bm) 1., if~~ If an individual in
7 possession of special plates under par. (f) 33., 34. or 48. or of personalized plates
8 under s. 341.145 (1) (c) of the same color and design as special plates under par. (f)
9 33., 34. or 48. does not maintain membership in the applicable authorized special
10 group during a year which is not a plate issuance year, the individual shall:

11 **SECTION 3991m.** 341.14 (6r) (g) (intro.) of the statutes, as affected by 1997
12 Wisconsin Act (this act), is repealed and recreated to read:

13 341.14 **(6r)** (g) (intro.) If an individual in possession of special plates under par.
14 (f) 33., 34. or 48. or of personalized plates under s. 341.145 (1) (c) of the same color
15 and design as special plates under par. (f) 33., 34. or 48. does not maintain
16 membership in the applicable authorized special group during a year which is not
17 a plate issuance year, the individual shall do all of the following:”.

18 **1253.** Page 1643, line 12: after that line insert:

19 “**SECTION 3998q.** 341.145 (4) of the statutes, as affected by 1997 Wisconsin Act
20 (this act), is amended to read:

21 341.145 **(4)** Each personalized registration plate issued shall be reserved for
22 the recipient in succeeding registration periods and shall not be duplicated for
23 issuance to any other person if the recipient maintains the plate, unless the recipient
24 authorizes the issuance of the plate to another person. If the recipient does not

1 maintain the plate for 2 successive years which are not plate issuance years or if the
2 recipient does not specifically request reissuance of the personalized registration
3 plate by the ~~end of the month in~~ date on which the plate expires in a plate issuance
4 year, the department may issue the personalized registration plate to another
5 applicant.”.

6 **1254.** Page 1643, line 12: after that line insert:

7 “**SECTION 3994m.** 341.14 (7) of the statutes is amended to read:

8 341.14 (7) The department shall disseminate information to all applicants for
9 registration plates under sub. (1), (1a), (1e), (1m), or (1q) ~~or (1r) (a)~~ relating to the
10 parking privileges granted under s. 346.50 (2), (2a) or (3) and their right to request
11 enforcement of s. 346.505.

12 **SECTION 3996m.** 341.145 (1g) (c) of the statutes, as created by 1995 Wisconsin
13 Act 350, is amended to read:

14 341.145 (1g) (c) The department may issue personalized registration plates
15 under sub. (1) (d) to a person who qualifies for special plates under s. 341.14 (1) ~~or~~,
16 ~~if in lieu of special plates under s. 341.14 (1), s. 341.14 (1r).~~

17 **SECTION 3997m.** 341.145 (1g) (d) of the statutes, as created by 1995 Wisconsin
18 Act 350, is amended to read:

19 341.145 (1g) (d) The department may issue personalized registration plates
20 under sub. (1) (e) to a person who qualifies for special plates under s. 341.14 (1a), (1m)
21 or (1q) ~~or, if in lieu of special plates under s. 341.14 (1a), s. 341.14 (1r).~~

22 **SECTION 3998m.** 341.145 (4) of the statutes is amended to read:

23 341.145 (4) Each personalized registration plate issued shall be reserved for
24 the recipient ~~or, in the case of a leased vehicle, for the lessee in succeeding~~

1 registration periods and shall not be duplicated for issuance to any other person if
2 the recipient ~~or lessee~~ maintains the plate, unless the recipient ~~or, in the case of a~~
3 ~~leased vehicle, the lessee~~ authorizes the issuance of the plate to another person. If
4 the recipient ~~or, in the case of a leased vehicle, the lessee~~ does not maintain the plate
5 for 2 successive years which are not plate issuance years or if the recipient ~~or lessee~~
6 does not specifically request reissuance of the personalized registration plate by the
7 end of the month in which the plate expires in a plate issuance year, the department
8 may issue the personalized registration plate to another applicant.”.

9 **1255.** Page 1644, line 5: after that line insert:

10 “**SECTION 4000g.** 341.16 (2m) of the statutes is amended to read:

11 341.16 (2m) Upon request therefor and payment of a fee of \$10, the department
12 may issue an applicant for replacement plates for an automobile registered pursuant
13 to the ~~monthly~~ series registration system under s. 341.27 registration plates of the
14 design specified in s. 341.13 for the plate issuance cycle next succeeding the cycle
15 under which the original plates were issued. The department may limit the receipt
16 of requests under this subsection to applicants for a renewal registration of a motor
17 vehicle.

18 **SECTION 4000j.** 341.17 (1) of the statutes is amended to read:

19 341.17 (1) At intervals selected by the department, the department shall
20 compile a list of registrations made during that interval pursuant to the ~~monthly~~
21 series system of registering automobiles under s. 341.27. The list shall give the name
22 and address of each registrant, the registration number assigned, and other
23 identifying information as the department deems necessary.”.

24 **1256.** Page 1646, line 4: after that line insert:

1 **“SECTION 4003t.** 341.255 (5) of the statutes is created to read:

2 341.255 (5) In addition to the regular registration fee specified in s. 341.25 (1)
3 (a) or (b) or (2) (a) to (c), the department shall charge a late fee of \$10 for each
4 transaction relating to the renewal of a registration under s. 341.25 (1) (a) or (b) or
5 (2) (a) to (c) that is filed after the date of expiration of registration.”.

6 **1257.** Page 1646, line 4: after that line insert:

7 **“SECTION 4004m.** 341.26 (2) (m) of the statutes is amended to read:

8 341.26 (2) (m) A motor vehicle leased or owned and operated by a voluntary
9 nonprofit organization and used exclusively for rescue work. In this paragraph,
10 “rescue work” means the rendering of first aid and emergency transportation to
11 persons in need of immediate medical attention.”.

12 **1258.** Page 1648, line 18: after that line insert:

13 **“SECTION 4010c.** 341.27 (1) of the statutes is amended to read:

14 341.27 (1) All automobiles, other than those that may be registered under s.
15 ~~341.265~~, 341.26 (2), 341.265, 341.266 or 341.268 or are required by s. 341.29 to be
16 registered on a calendar-year basis, shall be registered by the department according
17 to the ~~monthly~~ series system of registration prescribed by this section.

18 **SECTION 4010e.** 341.27 (2) of the statutes is repealed.

19 **SECTION 4010g.** 341.27 (3) (intro.) of the statutes is amended to read:

20 341.27 (3) (intro.) All automobiles subject to ~~registration under the monthly~~
21 ~~series~~ the registration system under this section shall be registered by the
22 department for a period of ~~12 consecutive calendar months~~ one year except as follows:

23 **SECTION 4010j.** 341.27 (3) (a) of the statutes is amended to read:

1 341.27 (3) (a) Except as provided in s. 341.28 (2) (c), if the applicant holds
2 current registration plates which were removed from an automobile which the
3 applicant no longer owns or which has been junked, is no longer used on the highways
4 or has been registered as a special interest vehicle under s. 341.266 (2) (a) or a
5 reconstructed, replica, street modified or homemade vehicle under s. 341.268 (2) (a),
6 and the plates were issued under the ~~monthly series~~ system of registration
7 prescribed by this section, the department shall register the automobile which is the
8 subject of the application for the remainder of the unexpired registration period.

9 **SECTION 4010m.** 341.28 (1) of the statutes is amended to read:

10 341.28 (1) The applicant for registration of an automobile under the ~~monthly~~
11 ~~series~~ system of registration prescribed by s. 341.27 shall pay in full the annual
12 registration fee prescribed by law, except as otherwise provided in this section.

13 **SECTION 4010p.** 341.28 (2) (intro.) of the statutes is amended to read:

14 341.28 (2) (intro.) If the applicant for registration holds current registration
15 plates which were removed from an automobile which the applicant no longer owns
16 or which has been junked, is no longer being used on the highways or has been
17 registered as a special interest vehicle under s. 341.266 (2) (a) or a reconstructed,
18 replica, street modified or homemade vehicle under s. 341.268 (2) (a), and the plates
19 were issued under the ~~monthly series~~ system of registration prescribed by s. 341.27,
20 the applicant is exempt from the payment of a registration fee, except in the following
21 cases:

22 **SECTION 4011q.** 341.28 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
23 (this act), is amended to read:

24 341.28 (2) (b) If the automobile which is the subject of the application was
25 owned by the applicant at the any time of and on or before the 15th day of during the

1 month in which the transfer, termination of the consumer lease, discontinuance of
2 use on the highways, junking or registration under s. 341.266 (2) (a) or 341.268 (2)
3 (a) of the other automobile occurred and was not currently registered at the time of
4 such transfer, termination of the consumer lease, discontinuance of use on the
5 highways, junking or registration under s. 341.266 (2) (a) or 341.268 (2) (a), the
6 applicant shall pay a fee to be computed as provided in subs. (3) to (5) but shall receive
7 a credit for the unused portion of the current registration. The credit shall be
8 computed on the basis of one-twelfth of the annual fee paid for the vehicle from which
9 the plates were removed multiplied by the number of months remaining in the
10 registration period represented by the removed plates, including the month during
11 which the applicant transferred, discontinued to use on the highways, junked or
12 registered under s. 341.266 (2) (a) or 341.268 (2) (a) or terminated the consumer lease
13 of the automobile from which the plates were removed ~~if the transfer, termination~~
14 ~~of the consumer lease, discontinuance of use on the highways, junking or registration~~
15 ~~under s. 341.266 (2) (a) or 341.268 (2) (a) occurred on or before the 15th day of the~~
16 ~~month.~~

17 **SECTION 4012q.** 341.28 (7) (a) of the statutes, as affected by 1997 Wisconsin Act
18 (this act), is amended to read:

19 341.28 (7) (a) ~~If the first operation of~~ The registration period for an automobile
20 commences when the first operation of the automobile under circumstances making
21 the owner liable for its registration in this state occurs on or before the 15th day of
22 a given month, the registration period commences on the first day of such month.
23 If the first operation occurs on or after the 16th day of a given month, the registration
24 period commences on the first day of the following month. “First. For purposes of this
25 paragraph, “first operation” means operation of an automobile for the first time after

1 it was transferred or leased to the applicant or after it was registered in another state
2 or after an active service refund or after the expiration of 12 months of nonoperation
3 since expiration of the last registration in this state or after it was no longer used on
4 the highways.”.

5 **1259.** Page 1648, line 18: after that line insert:

6 “**SECTION 4011m.** 341.28 (2) (b) of the statutes is amended to read:

7 341.28 (2) (b) If the automobile which is the subject of the application was
8 owned by the applicant at the time of and on or before the 15th day of the month in
9 which the transfer, termination of the consumer lease, discontinuance of use on the
10 highways, junking or registration under s. 341.266 (2) (a) or 341.268 (2) (a) of the
11 other automobile occurred and was not currently registered at the time of such
12 transfer, termination of the consumer lease, discontinuance of use on the highways,
13 junking or registration under s. 341.266 (2) (a) or 341.268 (2) (a), the applicant shall
14 pay a fee to be computed as provided in subs. (3) to (5) but shall receive a credit for
15 the unused portion of the current registration. The credit shall be computed on the
16 basis of one-twelfth of the annual fee paid for the vehicle from which the plates were
17 removed multiplied by the number of months remaining in the registration period
18 represented by the removed plates, including the month during which the applicant
19 transferred, discontinued to use on the highways, junked or registered under s.
20 341.266 (2) (a) or 341.268 (2) (a) or terminated the consumer lease of the automobile
21 from which the plates were removed if the transfer, termination of the consumer
22 lease, discontinuance of use on the highways, junking or registration under s.
23 341.266 (2) (a) or 341.268 (2) (a) occurred on or before the 15th day of the month.

24 **SECTION 4012m.** 341.28 (7) (a) of the statutes is amended to read:

1 341.28 (7) (a) If the first operation of an automobile under circumstances
2 making the owner liable for its registration in this state occurs on or before the 15th
3 day of a given month, the registration period commences on the first day of such
4 month. If the first operation occurs on or after the 16th day of a given month, the
5 registration period commences on the first day of the following month. "First
6 operation" means operation of an automobile for the first time after it was
7 transferred or leased to the applicant or after it was registered in another state or
8 after an active service refund or after the expiration of 12 months of nonoperation
9 since expiration of the last registration in this state or after it was no longer used on
10 the highways.

11 **SECTION 4013m.** 341.28 (7) (b) of the statutes is amended to read:

12 341.28 (7) (b) In the case of an automobile which has not previously been
13 registered or which has not been registered in this state by the present owner since
14 the owner last acquired ownership of the automobile, the department shall assume
15 that the date of first operation within the meaning of par. (a) is the date of the bill
16 of sale evidencing the transfer of ownership to the applicant or, with respect to a
17 leased vehicle, the date of commencement of the lease by the applicant, unless the
18 applicant files with the department a statement that the automobile was not so
19 operated until a later date, specifying the date of such first operation. In the case of
20 at least 12 months of nonoperation of an automobile previously registered by the
21 applicant, the applicant must file with the department a statement that he or she did
22 not operate or consent to the operation of the automobile under circumstances
23 making it subject to registration in this state during such 12-month period and must
24 specify the date following such period when the automobile was first so operated.

1 The department may refuse to accept a statement which projects the date of first
2 operation into the future.

3 **SECTION 4014m.** 341.305 (2) (bm) of the statutes is amended to read:

4 341.305 (2) (bm) A motor truck or truck tractor which is owned ~~or leased~~ by a
5 retail lumberyard and used exclusively to transport building construction materials
6 from that lumberyard to a building construction site.

7 **SECTION 4015m.** 341.31 (1) (b) 2. of the statutes is amended to read:

8 341.31 (1) (b) 2. The vehicle was transferred or leased to the applicant after the
9 expiration of the last registration in this state; or

10 **SECTION 4016m.** 341.31 (1) (b) 5. of the statutes is amended to read:

11 341.31 (1) (b) 5. The vehicle is a motorcycle which has been transferred or
12 leased to the applicant and for which current registration plates had been issued to
13 the previous owner; or

14 **SECTION 4017m.** 341.31 (1) (b) 6. of the statutes is amended to read:

15 341.31 (1) (b) 6. The vehicle which has been transferred to or leased by the
16 applicant is a motor home or a motor truck, dual purpose motor home or dual purpose
17 farm truck which had been registered by the previous owner at a gross weight of
18 8,000 pounds or less or is a farm truck which had been registered by the previous
19 owner at a gross weight of 12,000 pounds or less; or

20 **SECTION 4018m.** 341.31 (2) (a) of the statutes is amended to read:

21 341.31 (2) (a) For vehicles registered under the conditions in sub. (1) (a), (b) or
22 (d), the fee for the current registration period shall be computed on the basis of
23 one-twelfth of the annual registration fee or one twenty-fourth of the biennial
24 registration fee prescribed for the vehicle multiplied by the number of months of the
25 current registration period which have not fully expired on the date the vehicle first

1 is operated by or with the consent of the applicant under circumstances making it
2 subject to registration in this state plus, in case of a quarterly registration, \$5. In
3 the case of a vehicle which has not previously been registered or which has not been
4 registered in this state by the present owner since the owner last acquired ownership
5 of the vehicle, the department shall assume that the date of first operation is the date
6 of the bill of sale evidencing transfer of ownership to the applicant or, with respect
7 to a leased vehicle, the date of commencement of the lease by the applicant, unless
8 he or she files with the department a statement that the vehicle was not so operated
9 until a later date, specifying the date of such first operation. The department may
10 refuse to accept any statement which projects the date of first operation into the
11 future.

12 **SECTION 4019m.** 341.31 (4) (a) of the statutes is amended to read:

13 341.31 (4) (a) The transferee or lessee of a vehicle registered as provided in s.
14 341.29, 341.295 or 341.30 is not subject to the payment of any registration fee for the
15 remainder of the period for which the vehicle is registered unless, by reason of his
16 or her status or the use to which the vehicle is put, the fee prescribed by law is higher
17 than that paid by the former owner. In such event, the fee shall be computed on the
18 basis of one-twelfth of the difference between the 2 annual fees multiplied by the
19 number of months of the current registration period which have not fully expired on
20 the date, after the vehicle is acquired by the applicant, when such vehicle is first
21 operated by him or her or with his or her consent under circumstances making it
22 subject to registration in this state.

23 **SECTION 4020m.** 341.31 (4) (b) of the statutes is amended to read:

24 341.31 (4) (b) A person retaining a set of plates removed from a vehicle under
25 s. 342.15 (4) (a) or 342.34 (1) (c) or (2) (c) and which was junked or transferred, is no

1 longer leased to the person or used on the highways or has been registered as a
2 special interest vehicle under s. 341.266 (2) (a) or a reconstructed, replica, street
3 modified or homemade vehicle under s. 341.268 (2) (a) may receive credit for the
4 unused portion of the registration fee paid when registering a replacement vehicle
5 of the same type and gross weight.

6 **SECTION 4021m.** 341.31 (5) of the statutes is amended to read:

7 341.31 (5) This section does not apply to vehicles registered at a fee of \$5 under
8 s. 341.26. Such vehicles, whether registered for a full period or part thereof and
9 whether or not previously registered, shall be registered at the full fee. If a person
10 authorized to register a vehicle at a fee of \$5 under s. 341.26 transfers the vehicle to
11 a person not so authorized or no longer leases the vehicle, the fee payable by the
12 transferee shall be computed as for a vehicle not previously registered in this state.

13 **SECTION 4022g.** 341.33 (3) of the statutes is amended to read:

14 341.33 (3) Upon request, the department shall refund 50% of a registration fee
15 paid for a vehicle registered on a biennial basis if the person who registered the
16 vehicle furnishes such proof as the department requires that the person has
17 transferred his or her interest in the vehicle or terminated leasing the vehicle before
18 the beginning of the 2nd year of the period for which the vehicle is registered or that
19 the vehicle will not be operated in this state after the beginning of the 2nd year of
20 the period for which the vehicle is registered. The department may require the
21 person to return the certificate of registration and registration plates for the vehicle
22 to the department. Except as provided in sub. (1), the department may not refund
23 more than 50% of the fee paid for the registration of a vehicle registered on a biennial
24 basis.”.

1 **1260.** Page 1648, line 21: after that line insert:

2 “**SECTION 4023m.** 341.40 (2) of the statutes is amended to read:

3 341.40 (2) If the owner of any such vehicle moves to Wisconsin or if the vehicle
4 is purchased by or leased to a Wisconsin resident, the vehicle immediately becomes
5 subject to the laws of this state providing for the registration of vehicles.

6 **SECTION 4028m.** 341.65 (1) (am) of the statutes is created to read:

7 341.65 (1) (am) “Owner” has the meaning given in s. 340.01 (42) and, with
8 respect to a vehicle that is registered, or required to be registered, by a lessee of the
9 vehicle under this chapter, includes the lessee of the vehicle.”.

10 **1261.** Page 1649, line 20: after that line insert:

11 “**SECTION 4036g.** 342.06 (1) (k) of the statutes is created to read:

12 342.06 (1) (k) If the vehicle is an automobile, station wagon or motor truck
13 having a registered weight of 8,000 pounds or less and a temporary operation plate
14 has been issued for the vehicle under s. 341.09 (2m) (a) 1. b. or 2. or (2r), the
15 registration number of the temporary operation plate.”.

16 **1262.** Page 1650, line 4: delete “\$7.50” and substitute “\$8.50”.

17 **1263.** Page 1650, line 7: delete “for a new vehicle being” and substitute “or
18 (3)”.

19 **1264.** Page 1650, line 8: delete “registered for the first time”.

20 **1265.** Page 1650, line 10: after “management.” insert “This subsection does
21 not apply after June 30, 2001.”.

22 **1266.** Page 1650, line 12: delete “\$7.50” and substitute “\$8.50”.

23 **1267.** Page 1650, line 13: after that line insert:

1 **“SECTION 4046m.** 342.15 (4) (a) of the statutes is amended to read:

2 342.15 (4) (a) If the vehicle being transferred is a motorcycle or an automobile
3 or station wagon registered under ~~the monthly series system s. 341.27~~ or a motor
4 home or a motor truck, dual purpose motor home or dual purpose farm truck which
5 has a gross weight of not more than 8,000 pounds or a farm truck which has a gross
6 weight of not more than 12,000 pounds, the owner shall remove the registration
7 plates and retain and preserve them for use on any other vehicle of the same type and
8 gross weight which may subsequently be registered in his or her name.”.

9 **1268.** Page 1650, line 13: after that line insert:

10 **“SECTION 4044r.** 342.14 (3m) of the statutes is amended to read:

11 342.14 (3m) Upon filing an application under sub. (1) or (3), a ~~nonpoint source~~
12 ~~pollution~~ supplemental title fee of \$7.50 by the owner of the vehicle, except that this
13 fee shall be waived with respect to an application under sub. (3) for transfer of a
14 decedent’s interest in a vehicle to his or her surviving spouse. The fee specified under
15 this subsection is in addition to any other fee specified in this section.”.

16 **1269.** Page 1651, line 8: after that line insert:

17 **“SECTION 4060f.** 342.34 (1) (c) of the statutes is amended to read:

18 342.34 (1) (c) If the vehicle is a motorcycle or an automobile or station wagon
19 registered under ~~the monthly series system s. 341.27~~ or a motor home or a motor
20 truck, dual purpose motor home or dual purpose farm truck which has a gross weight
21 of not more than 8,000 pounds or a farm truck which has a gross weight of not more
22 than 12,000 pounds, the owner shall remove the registration plates and retain and
23 preserve them for use on any other vehicle of the same type which may subsequently
24 be registered in his or her name. If the vehicle is not a motorcycle or an automobile

1 or station wagon registered under the ~~monthly series system~~ s. 341.27, or a motor
2 home or a motor truck, dual purpose motor home or dual purpose farm truck which
3 has a gross weight of not more than 8,000 pounds or a farm truck which has a gross
4 weight of not more than 12,000 pounds, he or she shall remove and destroy the
5 plates.”.

6 **1270.** Page 1651, line 8: after that line insert:

7 “**SECTION 4058m.** 342.30 (1) of the statutes is renumbered 342.30 (1g).

8 **SECTION 4059m.** 342.30 (1c) of the statutes is created to read:

9 342.30 (1c) In this section, “owner” includes the lessee of a vehicle if the vehicle
10 is registered, or required to be registered, by the lessee under ch. 341.

11 **SECTION 4059p.** 342.30 (3) (a) of the statutes is amended to read:

12 342.30 (3) (a) Any person who violates sub. (1) (1g) may be fined not more than
13 \$5,000 or imprisoned for not more than 5 years or both.

14 **SECTION 4059t.** 342.30 (4) (a) of the statutes is amended to read:

15 342.30 (4) (a) If a law enforcement agency finds a vehicle or part of a vehicle
16 on which the identification number has been removed, altered or obliterated or made
17 impossible to read, the law enforcement agency may seize the vehicle or part of a
18 vehicle. If the identification number cannot be identified, the seized vehicle or
19 vehicle part is presumed to be contraband. If the identification number can be
20 identified, the agency may return the vehicle to the ~~registered~~ owner. Except as
21 provided in par. (b), the district attorney shall institute forfeiture proceedings under
22 s. 973.076 regarding any vehicle or vehicle part that is seized under this paragraph
23 and not returned to the owner.

24 **SECTION 4060m.** 342.40 (1) of the statutes is renumbered 342.40 (1m).

1 **SECTION 4061m.** 342.40 (1c) of the statutes is created to read:

2 342.40 (1c) In this section, “owner” includes the lessee of a vehicle if the vehicle
3 is registered, or required to be registered, by the lessee under ch. 341.”.

4 **1271.** Page 1652, line 19: after that line insert:

5 “**SECTION 4067gc.** 343.10 (2) (a) 1. of the statutes is amended to read:

6 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same
7 incident or occurrence for which the person’s license or operating privilege is
8 currently revoked or suspended, the person’s license or operating privilege was not
9 revoked or suspended previously under s. 961.50 or under this chapter or ch. 344 or
10 s. 161.50, except under s. 344.40, within the one-year period immediately preceding
11 the present revocation or suspension, ~~except as provided in s. 344.40.~~ This
12 subdivision does not apply to a person applying for an occupational license whose
13 license or operating privilege is currently revoked or suspended because of a
14 conviction, suspension or revocation, as counted under s. 343.307 (1).

15 **SECTION 4067gf.** 343.10 (2) (e) of the statutes is amended to read:

16 343.10 (2) (e) If the court orders a person to submit to and comply with an
17 assessment and driver safety plan and if the person has ~~2 or more prior~~ any
18 convictions, suspensions or revocations, as counted under s. 343.307 (1), within the
19 previous 10-year period, no occupational license may be granted until the person has
20 completed the assessment and is complying with the driver safety plan.

21 **SECTION 4067gi.** 343.10 (5) (a) 1. of the statutes is renumbered 343.10 (5) (a)
22 1. a. and amended to read:

23 343.10 (5) (a) 1. a. In addition to any restrictions appearing on the former
24 operator’s license of the applicant and except as provided in this subd. 1. a., the

1 occupational license shall contain definite restrictions as to hours of the day, not to
2 exceed 12, hours per week, not to exceed 60, type of occupation and areas or routes
3 of travel which are permitted under the license. The occupational license may permit
4 travel to and from church during specified hours if the travel does not exceed the
5 restrictions as to hours of the day and hours per week in this subdivision subd. 1. a.
6 The occupational license may permit travel necessary to comply with a driver safety
7 plan ordered under s. 343.30 (1q) or 343.305 if the travel does not exceed the
8 restrictions as to hours of the day and hours per week in this subdivision subd. 1. a.
9 The restrictions under this subd. 1. a. do not apply to an occupational license that
10 restricts the applicant's operation under the occupational license to motor vehicles
11 that are equipped with a functioning ignition interlock device as provided under s.
12 346.65 (6).

13 b. The occupational license may contain restrictions on the use of alcohol and
14 of controlled substances and controlled substance analogs in violation of s. 961.41.

15 **SECTION 4067gm.** 343.10 (5) (a) 3. of the statutes is amended to read:

16 343.10 (5) (a) 3. If the applicant has ~~2 or more prior convictions, suspensions~~
17 ~~or revocations~~ any conviction, suspension or revocation, as counted under s. 343.307
18 (1), within the previous 10-year period, the occupational license of the applicant may
19 shall restrict the applicant's operation under the occupational license to vehicles that
20 are equipped with a functioning ignition interlock device as provided under s. 346.65
21 (6). The ignition interlock device restriction under this subdivision does not apply
22 if an applicant has only one conviction, as counted under s. 343.307 (1), within the
23 previous 10-year period, the conviction resulted from the person having an alcohol
24 concentration of less than 0.18, as reported to the department under s. 343.305 (7)
25 (a), and the applicant does not have any suspension or revocation as the result of the

1 refusal to submit to chemical testing, as counted under s. 343.307 (1) (e) or (f), within
2 the previous 10-year period. A person to whom a restriction under this subdivision
3 applies violates that restriction if he or she requests or permits another to blow into
4 an ignition interlock device or to start a motor vehicle equipped with an ignition
5 interlock device for the purpose of providing the person an operable motor vehicle
6 without the necessity of first submitting a sample of his or her breath to analysis by
7 the ignition interlock device. In addition to the penalties under sub. (8), if a person
8 requests or permits another to blow into an ignition interlock device or to start a
9 motor vehicle equipped with an ignition interlock device for the purpose of providing
10 the person with an operable motor vehicle without the necessity of first submitting
11 a sample of his or her breath to analysis by the ignition interlock device, the period
12 of the ignition interlock device restriction shall be increased by the amount of time
13 from the issuance of the restricted occupational license under this subdivision to the
14 date of violation of the ignition interlock device restriction.

15 **SECTION 4067gp.** 343.10 (5) (a) 4. of the statutes is created to read:

16 343.10 (5) (a) 4. If the department issues a person an occupational license
17 under sub. (7) restricted to operating motor vehicles equipped with an ignition
18 interlock device, the department shall inform the person of the ignition interlock
19 program under s. 110.10 and that he or she is liable for the reasonable costs of
20 equipping any motor vehicle that he or she operates with a functioning ignition
21 interlock device.

22 **SECTION 4067gr.** 343.10 (6) of the statutes is renumbered 343.10 (6) (a) and
23 amended to read:

1 343.10 (6) (a) ~~No~~ Except as provided in par. (b), no person may file an
2 application for an occupational license under sub. (1) unless he or she first pays a fee
3 of \$40 to the department ~~59.25 (3) (m)~~.

4 **SECTION 4067gu.** 343.10 (6) (b) of the statutes is created to read:

5 343.10 (6) (b) No person whose operating privilege is restricted to operating
6 only vehicles equipped with an ignition interlock device may file an application for
7 an occupational license under sub. (1) unless he or she first pays a fee of \$70 to the
8 department. Forty-three percent of the fees collected under this paragraph shall be
9 credited to the appropriation account under s. 20.395 (5) (er).

10 **SECTION 4067gv.** 343.10 (7) (cm) of the statutes is amended to read:

11 343.10 (7) (cm) If the occupational license includes the restriction specified in
12 sub. (5) (a) 3., the department shall not issue the occupational license until the
13 applicant provides evidence satisfactory to the department that ~~any a~~ a motor vehicle
14 that the applicant will be permitted to operate has been equipped with a
15 functioning ignition interlock device obtained from a service provider under s. 110.10.

16 **SECTION 4067hd.** 343.10 (8) (a) (intro.) of the statutes is amended to read:

17 343.10 (8) (a) (intro.) ~~Any~~ Except as provided under par. (ai), any person who
18 violates any restriction of an occupational license, in addition to the immediate
19 revocation of the license:

20 **SECTION 4067hi.** 343.10 (8) (ai) of the statutes is created to read:

21 343.10 (8) (ai) Any person who violates an occupational license restriction that
22 requires him or her to only operate vehicles that are equipped with an ignition
23 interlock device:

24 1. Shall forfeit not less than \$150 nor more than \$600, except as provided in
25 subd. 2.

1 2. Shall be fined not less than \$300 nor more than \$1,000 and shall be
2 imprisoned not more than 6 months, if the number of convictions under this section
3 equals 2 or more in a 5-year period.

4 **SECTION 4067hm.** 343.10 (8) (b) of the statutes is amended to read:

5 343.10 (8) (b) The 5-year period under par. (a) 2. or (ai) 2. shall be measured
6 from the dates of the violations which resulted in the convictions.”.

7 **1272.** Page 1654, line 22: after that line insert:

8 **“SECTION 4083m.** 343.18 (3) (b) of the statutes is amended to read:

9 343.18 (3) (b) If the special restrictions card is part of an occupational license
10 issued under s. 343.10, any person who violates sub. (1) is subject to the penalties
11 provided in s. 343.10 (8) (a) and the person’s operating privilege shall be revoked
12 under s. 343.31 (3) (h).”.

13 **1273.** Page 1657, line 3: after that line insert:

14 **“SECTION 4093mc.** 343.21 (1) (j) of the statutes is renumbered 343.21 (1) (j) 1.
15 and amended to read:

16 343.21 (1) (j) 1. ~~For~~ Except as provided in subd. 2., for reinstatement of an
17 operating privilege previously revoked or suspended, \$50.

18 **SECTION 4093mf.** 343.21 (1) (j) 2. of the statutes is created to read:

19 343.21 (1) (j) 2. For reinstatement of an operating privilege previously revoked
20 or suspended, \$80 if the person’s operating privilege is restricted under s. 343.38 (5)
21 to operating vehicles equipped with an ignition interlock device and the person has
22 not paid a fee under s. 343.10 (6) (b) within the past 2 years. Thirty-eight percent
23 of the fees collected under this subdivision shall be credited to the appropriation
24 under s. 20.395 (5) (er).

1 **SECTION 4093mi.** 343.30 (1q) (b) 2. of the statutes is amended to read:

2 343.30 **(1q)** (b) 2. Except as provided in subd. 3., 4. or 4m., for the first
3 conviction, the court shall suspend the person's operating privilege for not less than
4 6 months nor more than 9 months. If the person's conviction resulted from the person
5 having an alcohol concentration of 0.18 or more, or if the court determines that an
6 ignition interlock device restriction is needed to ensure public safety, the court shall
7 order that, for the first 6 months that the person is authorized to operate a motor
8 vehicle after his or her conviction, either with an occupational license or a regular
9 license, the person be restricted to operating a motor vehicle equipped with an
10 ignition interlock device. The person is eligible for an occupational license under s.
11 343.10 at any time.

12 **SECTION 4093mj.** 343.30 (1q) (b) 3. of the statutes is amended to read:

13 343.30 **(1q)** (b) 3. Except as provided in subd. 4m., if the number of convictions,
14 suspensions and revocations within a 5-year period equals 2, the court shall revoke
15 the person's operating privilege for not less than one year nor more than 18 months
16 and the court shall order that, for the first 2 years that the person is authorized to
17 operate a motor vehicle after his or her conviction, either with an occupational
18 license or a regular license, the person be restricted to operating a motor vehicle
19 equipped with an ignition interlock device. After the first 60 days of the revocation
20 period, the person is eligible for an occupational license under s. 343.10 if he or she
21 has completed the assessment and is complying with the driver safety plan ordered
22 under par. (c).

23 **SECTION 4093mm.** 343.30 (1q) (b) 4. of the statutes is amended to read:

24 343.30 **(1q)** (b) 4. Except as provided in subd. 4m., if the number of convictions,
25 suspensions and revocations within a 10-year period equals 3 or more, the court

1 shall revoke the person's operating privilege for not less than 2 years nor more than
2 3 years and the court shall order that, for the first 2 years that the person is
3 authorized to operate a motor vehicle after his or her conviction, either with an
4 occupational license or a regular license, the person be restricted to operating a
5 motor vehicle equipped with an ignition interlock device. After the first 90 days of
6 the revocation period, the person is eligible for an occupational license under s.
7 343.10 if he or she has completed the assessment and is complying with the driver
8 safety plan ordered under par. (c).

9 **SECTION 4093mo.** 343.30 (4) of the statutes is amended to read:

10 343.30 (4) Whenever a court or judge suspends or revokes an operating
11 privilege under this section, the court or judge shall immediately take possession of
12 any suspended or revoked license and shall forward it as provided in s. 345.48 to the
13 department together with the record of conviction and notice of suspension or
14 revocation. If a person is convicted under s. 346.63 (1) or a local ordinance in
15 conformity therewith or is convicted under s. 346.63 (2) or 940.25, or s. 940.09 where
16 the offense involved the use of a vehicle, the record of conviction shall include the
17 convicted person's alcohol concentration, if known. Whenever a court or judge
18 restricts the operating privilege of a person, the court or judge shall forward notice
19 of the restriction to the department.

20 **SECTION 4093mp.** 343.305 (4) (b) of the statutes is amended to read:

21 343.305 (4) (b) If testing is refused, a motor vehicle owned by the person may
22 be immobilized, seized and forfeited or equipped with an ignition interlock device if
23 the person has 2 or more prior suspensions, revocations or convictions within a
24 10-year period that would be counted under s. 343.307 (1) and, the person's
25 operating privilege will be revoked under this section and the person will be

1 restricted to operating a motor vehicle equipped with an ignition interlock device for
2 a period after his or her operating privilege is reinstated;

3 **SECTION 4093ms.** 343.305 (4) (c) of the statutes is amended to read:

4 343.305 (4) (c) If one or more tests are taken and the results of any test indicate
5 that the person has a prohibited alcohol concentration and was driving or operating
6 a motor vehicle, the person will be subject to penalties, the person's operating
7 privilege will be suspended under this section, the person will be restricted to
8 operating a motor vehicle equipped with an ignition interlock device for a period after
9 his or her operating privilege is reinstated and a motor vehicle owned by the person
10 may be immobilized, seized and forfeited or equipped with an ignition interlock
11 device if the person has 2 or more prior convictions, suspensions or revocations
12 within a 10-year period that would be counted under s. 343.307 (1); and

13 **SECTION 4093mu.** 343.305 (10) (b) 2. of the statutes is amended to read:

14 343.305 (10) (b) 2. Except as provided in subd. 3., 4. or 4m., for the first
15 improper refusal, the court shall revoke the person's operating privilege for one year
16 and the court shall order that, for the first 6 months that the person is authorized
17 to operate a motor vehicle after his or her conviction, either with an occupational
18 license or a regular license, the person be restricted to operating a motor vehicle
19 equipped with an ignition interlock device. After the first 30 days of the revocation
20 period, the person is eligible for an occupational license under s. 343.10.

21 **SECTION 4093mw.** 343.305 (10) (b) 3. of the statutes is amended to read:

22 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions,
23 suspensions and revocations in a 5-year period equals 2, the court shall revoke the
24 person's operating privilege for 2 years and the court shall order that, for the first 2
25 years that the person is authorized to operate a motor vehicle after his or her

1 conviction, either with an occupational license or a regular license, the person be
2 restricted to operating a motor vehicle equipped with an ignition interlock device.
3 After the first ~~90~~ 60 days of the revocation period, the person is eligible for an
4 occupational license under s. 343.10 if he or she has completed the assessment and
5 is complying with the driver safety plan.

6 **SECTION 4093mx.** 343.305 (10) (b) 4. of the statutes is amended to read:

7 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions,
8 suspensions and revocations in a 10-year period equals 3 or more, the court shall
9 revoke the person's operating privilege for 3 years and the court shall order that, for
10 the first 2 years that the person is authorized to operate a motor vehicle after his or
11 her conviction, either with an occupational license or a regular license, the person
12 be restricted to operating a motor vehicle equipped with an ignition interlock device.
13 After the first ~~120~~ 90 days of the revocation period, the person is eligible for an
14 occupational license under s. 343.10 if he or she has completed the assessment and
15 is complying with the driver safety plan.”.

16 **1274.** Page 1657, line 3: after that line insert:

17 **“SECTION 4093mg.** 343.21 (1m) of the statutes is created to read:

18 343.21 (1m) In addition to the fee specified in sub. (1) (am), (b) or (d), an
19 applicant whose application for renewal of a license or authorization under sub. (1)
20 (am), (b) or (d) is filed after the date of expiration of the license or authorization shall
21 pay to the department a late fee of \$5.

22 **SECTION 4095m.** 343.31 (3) (h) of the statutes is amended to read:

23 343.31 (3) (h) Any person subject to s. 343.10 (8) (a) shall have his or her
24 operating privilege revoked for 6 months.”.

1 **1275.** Page 1657, line 11: after that line insert:

2 “**SECTION 4100c.** 343.38 (5) of the statutes is amended to read:

3 343.38 (5) RESTRICTIONS ON LICENSE. If a court has ordered that the person’s
4 operating privilege be restricted for a period of time after the revocation period is
5 completed to operating vehicles equipped with an ignition interlock device, the
6 license issued under this section shall include that restriction. The department may
7 not issue the license until a service provider under s. 110.10 provides evidence
8 satisfactory to the department that the motor vehicle that the applicant will be
9 permitted to operate has been equipped with an ignition interlock device.

10 **SECTION 4100f.** 343.39 (3) of the statutes is amended to read:

11 343.39 (3) If a court has ordered that the person’s operating privilege be
12 restricted for a period of time after the suspension period is completed to operating
13 vehicles equipped with an ignition interlock device, the license shall include that
14 restriction. The department may not issue the license until a service provider under
15 s. 110.10 provides evidence satisfactory to the department that the motor vehicle
16 that the applicant will be permitted to operate has been equipped with an ignition
17 interlock device.”.

18 **1276.** Page 1657, line 22: delete lines 22 to 25.

19 **1277.** Page 1658, line 1: delete lines 1 to 7.

20 **1278.** Page 1658, line 11: delete “\$12” and substitute “\$9”.

21 **1279.** Page 1658, line 11: delete “4- 8” and substitute “4”.

22 **1280.** Page 1658, line 13: delete “renumbered 343.50 (6) (a) and”.

23 **1281.** Page 1658, line 15: delete “(a)”.

1 **1282.** Page 1658, line 21: delete “\$12” and substitute “\$9”.

2 **1283.** Page 1658, line 21: delete “4- 8” and substitute “4”.

3 **1284.** Page 1658, line 22: delete lines 22 to 25.

4 **1285.** Page 1659, line 1: delete lines 1 to 5.

5 **1286.** Page 1659, line 7: after that line insert:

6 “**SECTION 4108m.** 343.51 (1) of the statutes is amended to read:

7 343.51 (1) Any person who qualifies for registration plates of a special design
8 under s. 341.14 (1), (1a), (1m), or (1q) ~~or (1r)~~ (a) or any other person with a disability
9 that limits or impairs the ability to walk may request from the department a special
10 identification card that will entitle any motor vehicle, other than a motorcycle,
11 parked by, or under the direction of, the person, or a motor vehicle, other than a
12 motorcycle, operated by or on behalf of the organization when used to transport such
13 a person, to parking privileges under s. 346.50 (2), (2a) and (3). The department shall
14 issue the card at a fee to be determined by the department, upon submission by the
15 applicant, if the applicant is an individual rather than an organization, of a
16 statement from a physician licensed to practice medicine in any state, from an
17 advanced practice nurse licensed to practice nursing in any state, from a physician
18 assistant certified to practice in any state, from a chiropractor licensed to practice
19 chiropractic in any state or from a Christian Science practitioner residing in this
20 state and listed in the Christian Science journal that the person is a person with a
21 disability that limits or impairs the ability to walk. The statement shall state
22 whether the disability is permanent or temporary and, if temporary, the opinion of
23 the physician, advanced practice nurse, physician assistant, chiropractor or
24 practitioner as to the duration of the disability. The department shall issue the card

1 upon application by an organization on a form prescribed by the department if the
2 department believes that the organization meets the requirements under this
3 subsection.”.

4 **1287.** Page 1659, line 22: after that line insert:

5 “**SECTION 4126m.** 344.01 (2) (cm) of the statutes is created to read:

6 344.01 (2) (cm) Notwithstanding s. 340.01 (42), “owner” means, with respect
7 to a vehicle that is registered, or is required to be registered, by a lessee of the vehicle
8 under ch. 341, the lessee of the vehicle.

9 **SECTION 4127m.** 344.02 (1) of the statutes is amended to read:

10 344.02 (1) Whenever the department under s. 344.13 gives notice of the amount
11 of security required to be deposited and that an order of revocation or impoundment
12 will be made if such security is not deposited, it shall afford the person so notified an
13 opportunity for a hearing on the proposed action, if written request for a hearing is
14 received by the department prior to the date specified in the notice, or prior to the
15 postponed effective date of revocation if postponement has been granted under s.
16 344.14 (1). Upon receipt of timely request for hearing, the department shall fix the
17 time and place of the hearing and give notice thereof to such person by regular mail.
18 The scope of the hearing is limited to the matter set forth in s. 344.14 (2) (k) and,
19 subject to s. 344.14 (2m), to whether or not the person is the owner of the motor
20 vehicle to be impounded. Any person who fails without reasonable cause to appear
21 at the time and place specified in the notice shall forfeit the right to a hearing.

22 **SECTION 4128m.** 344.14 (2m) of the statutes is created to read:

1 344.14 (2m) A motor vehicle may not be impounded under sub. (1m) if the
2 vehicle is registered, or is required to be registered, in the name of the lessee of the
3 vehicle.”.

4 **1288.** Page 1666, line 6: after that line insert:

5 “**SECTION 4167m.** 346.65 (6) (a) 1. of the statutes is renumbered 346.65 (6) (a)
6 1. (intro.) and amended to read:

7 346.65 (6) (a) 1. (intro.) Except as provided in this paragraph, the court may
8 order a law enforcement officer to seize a motor vehicle, or, if the motor vehicle is not
9 ordered seized, shall order a law enforcement officer the owner of a motor vehicle to
10 equip the motor vehicle with an ignition interlock device ~~or~~ under s. 110.10 or order
11 a law enforcement officer to immobilize any motor vehicle owned by the person whose
12 if the owner has 2 suspensions, revocations or convictions within a 10-year period,
13 as counted under s. 343.307 (1), and the owner:

14 a. Has had his or her operating privilege is revoked under s. 343.305 (10) or
15 who,

16 b. Has committed a violation of s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09
17 (1) (a) or (b) or 940.25 (1) (a) or (b) if the person whose operating privilege is revoked
18 under s. 343.305 (10) or who is convicted of the violation has 2 prior suspensions,
19 revocations or convictions within a 10-year period that would be counted under s.
20 343.307 (1).

21 1m. The court shall not order a motor vehicle equipped with an ignition
22 interlock device or immobilized if that order would result in undue hardship ~~or~~
23 ~~extreme inconvenience~~ or would endanger the health and safety of a person.

24 **SECTION 4167mm.** 346.65 (6) (a) 1r. of the statutes is created to read:

1 346.65 (6) (a) 1r. When ordering a person to equip a motor vehicle with an
2 ignition interlock device under subd. 1., the court may consider the person's ability
3 to pay for the cost of complying with the order. If the court determines that the person
4 is unable to pay the full cost of complying with the order, the court may reduce the
5 amount of the fine imposed, but may not reduce the fine imposed below the minimum
6 fine specified for the violation.

7 **SECTION 4168m.** 346.65 (6) (d) of the statutes is amended to read:

8 346.65 (6) (d) At the hearing set under par. (c), the state has the burden of
9 proving to a reasonable certainty by the greater weight of the credible evidence that
10 the motor vehicle is a motor vehicle owned by a person who committed a violation of
11 s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09 (1) (a) or (b) or 940.25 (1) (a) or (b) and,
12 ~~if the seizure is under par. (a) 1., that the person had 2 prior convictions, suspensions~~
13 ~~or revocations within a 10-year period as counted under s. 343.307 (1) or, if the~~
14 seizure is under par. (a) 2., that the owner had 3 or more prior convictions,
15 suspensions or revocations within a 10-year period as counted under s. 343.307 (1).
16 If the owner of the motor vehicle proves by a preponderance of the evidence that he
17 or she was not convicted of a violation of s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09
18 (1) (a) or (b) or 940.25 (1) (a) or (b), or, ~~if the seizure is under par. (a) 1., that he or she~~
19 ~~did not have 2 prior convictions, suspensions or revocations within a 10-year period~~
20 ~~as counted under s. 343.307 (1) or, if the seizure is under par. (a) 2., that he or she~~
21 did not have 3 or more prior convictions, suspensions or revocations within a 10-year
22 period as counted under s. 343.307 (1), the motor vehicle shall be returned to the
23 owner upon the payment of storage costs.”

24 **1289.** Page 1666, line 6: after that line insert:

1 **“SECTION 4165md.** 346.63 (2m) of the statutes is amended to read:

2 346.63 **(2m)** If a person has not attained the age of 19 legal drinking age, as
3 defined in s. 125.02 (8m), the person may not drive or operate a motor vehicle while
4 he or she has an alcohol concentration of more than 0.0 but not more than 0.1. One
5 penalty for violation of this subsection is suspension of a person’s operating privilege
6 under s. 343.30 (1p). The person is eligible for an occupational license under s. 343.10
7 at any time. If a person arrested for a violation of this subsection refuses to take a
8 test under s. 343.305, the refusal is a separate violation and the person is subject to
9 revocation of the person’s operating privilege under s. 343.305 (10) (em).”.

10 **1290.** Page 1666, line 6: after that line insert:

11 **“SECTION 4153m.** 346.01 of the statutes is renumbered 346.01 (1).

12 **SECTION 4154m.** 346.01 (2) of the statutes is created to read:

13 346.01 **(2)** In this chapter, notwithstanding s. 340.01 (42), “owner” means, with
14 respect to a vehicle that is registered, or is required to be registered, by a lessee of
15 the vehicle under ch. 341, the lessee of the vehicle for purposes of vehicle owner
16 liability under ss. 346.175, 346.195, 346.205, 346.457, 346.465, 346.485, 346.505 (3)
17 and 346.945.

18 **SECTION 4159m.** 346.175 (1) (a) of the statutes is amended to read:

19 346.175 **(1)** (a) The Subject to s. 346.01 (2), the owner of a vehicle involved in
20 a violation of s. 346.04 (3) for fleeing a traffic officer shall be presumed liable for the
21 violation as provided in this section.

22 **SECTION 4160m.** 346.195 (1) of the statutes is amended to read:

1 346.195 (1) ~~The Subject to s. 346.01 (2), the owner of a vehicle involved in a~~
2 violation of s. 346.19 (1) for failing to yield the right-of-way to an authorized
3 emergency vehicle shall be liable for the violation as provided in this section.

4 **SECTION 4161m.** 346.205 (1) of the statutes is amended to read:

5 346.205 (1) ~~The Subject to s. 346.01 (2), the owner of a vehicle involved in a~~
6 violation of s. 346.20 (1) for failing to yield the right-of-way to a funeral procession
7 shall be liable for the violation as provided in this section.

8 **SECTION 4162m.** 346.457 (1) of the statutes is amended to read:

9 346.457 (1) ~~The Subject to s. 346.01 (2), the owner of a vehicle involved in a~~
10 violation of s. 346.455 (1) or (2) shall be liable for the violation as provided in this
11 subsection.

12 **SECTION 4163m.** 346.465 (1) of the statutes is amended to read:

13 346.465 (1) ~~The Subject to s. 346.01 (2), the owner of a vehicle involved in a~~
14 violation of s. 346.46 (2m) shall be liable for the violation as provided in this section.

15 **SECTION 4164m.** 346.485 (1) of the statutes is amended to read:

16 346.485 (1) ~~The Subject to s. 346.01 (2), the owner of a vehicle involved in a~~
17 violation of s. 346.48 (1) shall be liable for the violation as provided in this section.

18 **SECTION 4165m.** 346.505 (3) (a) of the statutes is amended to read:

19 346.505 (3) (a) ~~The Subject to s. 346.01 (2), the owner of a vehicle involved in~~
20 a violation of sub. (2) shall be liable for the violation as provided in this subsection.”.

21 **1291.** Page 1666, line 23: after that line insert:

22 “**SECTION 4171m.** 346.665 of the statutes is created to read:

1 **346.665 Definition.** In ss. 346.67 to 346.72, notwithstanding s. 340.01 (42),
2 “owner” means, with respect to a vehicle that is registered, or required to be
3 registered, by a lessee of the vehicle under ch. 341, the lessee of the vehicle.

4 **SECTION 4176m.** 346.94 (13) of the statutes is amended to read:

5 **346.94 (13) ABANDONED MOTOR VEHICLES.** No person may cause a motor vehicle
6 to be abandoned, within the meaning of s. 342.40 (1) (1m) or (4) (b) 1., on or along any
7 highway or on any public or private property.

8 **SECTION 4177g.** 346.945 (1) (a) of the statutes is amended to read:

9 **346.945 (1) (a)** ~~The Subject to s. 346.01 (2), the~~ owner of a vehicle involved in
10 a violation of s. 346.94 (16) shall be presumed liable for the violation as provided in
11 this section.”.

12 **1292.** Page 1667, line 1: before that line insert:

13 **“SECTION 4179gg.** 347.413 (1) of the statutes is amended to read:

14 **347.413 (1)** No person may remove, disconnect, tamper with or otherwise
15 circumvent the operation of, or violate any requirement established by the
16 department regarding, an ignition interlock device installed in response to the court
17 order under s. ss. 343.30 (1q) (b) 2., 3. and 4., 343.305 (10) (b) 2., 3. and 4. and 346.65
18 (6). This subsection does not apply to the removal of an ignition interlock device upon
19 the expiration of the order requiring the motor vehicle to be so equipped ~~or,~~ to make
20 necessary repairs to a malfunctioning ignition interlock device by a person
21 authorized by the department or as the result of the person defaulting on any
22 agreement with a service provider, as defined in s. 110.10 (1) (b). No person may aid
23 or allow any other person to operate a motor vehicle without a functioning ignition
24 interlock device if that other person has been restricted to operating a motor vehicle

1 equipped with an ignition interlock device under ss. 343.30 (1q) (b) 2., 3. and 4.,
2 343.305 (10) (b) 2., 3. and 4. and 346.65 (6).

3 **SECTION 4179gm.** 347.413 (3) of the statutes is amended to read:

4 347.413 (3) The department shall design a warning label which shall be affixed
5 to each ignition interlock device upon installation. The label shall provide notice of
6 the penalties for tampering with or circumventing the operation of the ignition
7 interlock device under sub. (1) and ~~s. ss.~~ ss. 343.10 (5) (a) 3. and 4., 343.30 (1q) (b) 2., 3.
8 and 4. and 343.305 (10) (b) 2., 3. and 4.

9 **SECTION 4179gr.** 347.50 (1t) of the statutes is created to read:

10 347.50 (1t) If the department determines that a person restricted to operating
11 a motor vehicle equipped with an ignition interlock device has tampered with that
12 ignition interlock device, the department shall increase the period of the ignition
13 interlock device restriction on the person's operating privilege by the amount of time
14 from the issuance of the ignition interlock device restriction on his or her operating
15 privilege to the date of the tampering.”.

16 **1293.** Page 1667, line 1: before that line insert:

17 “**SECTION 4179jac.** 348.07 (2) (c) of the statutes is amended to read:

18 348.07 (2) (c) 45 feet for mobile homes and motor buses;”.

19 **1294.** Page 1667, line 1: before that line insert:

20 “**SECTION 4179m.** 348.21 (2) (b) of the statutes is amended to read:

21 348.21 (2) (b) If the load on any wheel, axle or group of axles does not exceed
22 the weight prescribed in s. 348.15 (3) or 348.16 or in a declaration issued under s.
23 348.175 by more than ~~1,000~~ 2,000 pounds and if such excess can be reloaded within
24 the normal load carrying areas, on any other wheel, axle or axles, so that all wheels

1 and axles are then within the statutory limits, the operator may reload as provided
2 in this paragraph. A total of ~~1,000~~ 2,000 pounds per vehicle or combination of
3 vehicles may be reloaded under this subsection. If reloading is accomplished and all
4 axles or group of axles are within the legal limits, no forfeiture may be imposed. A
5 vehicle or combination of vehicles under this subsection which is not reloaded may
6 continue to be operated upon the highway, but a forfeiture of \$50 shall be imposed
7 for failure to reload. This forfeiture shall be paid upon the basis of the citation issued
8 by the official to the court named in the citation. Failure to pay shall subject the
9 operator to the penalty in par. (a) or sub. (3) (a). Violations under this subsection
10 shall not be considered as violations or prior convictions under par. (a) or sub. (3) (a)
11 or (b).”.

12 **1295.** Page 1667, line 14: after that line insert:

13 “**SECTION 4180k.** 348.27 (9m) (a) 1. of the statutes is amended to read:

14 348.27 **(9m)** (a) 1. Raw forest products or of fruits or vegetables from field to
15 storage or processing facilities in vehicles or vehicle combinations that exceed the
16 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000
17 pounds. A permit under this subdivision is not valid on highways designated as part
18 of the national system of interstate and defense highways, except on I 39 between
19 STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon,
20 Portage, Waushara, Marquette and Columbia counties.

21 **SECTION 4180m.** 348.27 (9m) (a) 3. of the statutes is created to read:

22 348.27 **(9m)** (a) 3. Bulk potatoes from storage facilities to food processing
23 facilities in vehicles or vehicle combinations that exceed the maximum gross weight
24 limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit under

1 this subdivision is not valid on highways designated as part of the national system
2 of interstate and defense highways, except on USH 51 between STH 64 near Merrill
3 and STH 29 south of Wausau in Lincoln and Marathon counties, and on I 39 between
4 STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon,
5 Portage, Waushara, Marquette and Columbia counties.

6 **SECTION 4180p.** 348.27 (9m) (b) of the statutes is amended to read:

7 348.27 **(9m)** (b) A permit issued under par. (a) does not authorize the operation
8 of any vehicle or vehicle combination at a maximum gross weight in excess of 90,000
9 pounds. ~~This subsection does not apply to highways designated as part of the~~
10 ~~national system of interstate and defense highways, except for that portion of USH~~
11 ~~51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and~~
12 ~~the I 90/94 interchange near Portage upon their federal designation as I 39.”.~~

13 **1296.** Page 1667, line 14: after that line insert:

14 “**SECTION 4181m.** 349.13 (1) of the statutes is renumbered 349.13 (1e).

15 **SECTION 4182m.** 349.13 (1b) of the statutes is created to read:

16 349.13 **(1b)** In this section, “owner” includes the lessee of a vehicle if the vehicle
17 is registered, or required to be registered, by the lessee under ch. 341.

18 **SECTION 4183m.** 349.13 (2) (intro.) of the statutes is amended to read:

19 349.13 **(2)** (intro.) Except as provided in this subsection, neither the
20 department nor local authorities may extend stopping, standing or parking
21 privileges to areas where stopping, standing or parking is prohibited by ch. 346. The
22 department and local authorities, with respect to highways under their respective
23 jurisdictions as described in sub. (1) (1e) may:

1 **SECTION 4184m.** 349.137 (1) (a) of the statutes, as created by 1995 Wisconsin
2 Act 434, is repealed.

3 **SECTION 4185m.** 349.137 (3) (c) 2. e. of the statutes, as created by 1995
4 Wisconsin Act 434, is amended to read:

5 349.137 (3) (c) 2. e. That, if a parking enforcer uses an immobilization device
6 on a motor vehicle that is not parked in violation of a restriction against
7 unauthorized parking, the owner, lessee or operator shall not be required to pay a
8 removal fee and the parking enforcer shall be liable to the owner ~~or~~, lessee or operator
9 of the motor vehicle for an amount equal to the removal fee.

10 **SECTION 4186m.** 349.137 (3) (f) of the statutes, as created by 1995 Wisconsin
11 Act 434, is amended to read:

12 349.137 (3) (f) Require that, whenever a deferral agreement is signed, the
13 parking enforcer provide the owner, lessee or operator of the motor vehicle a copy of
14 the signed deferral agreement.

15 **SECTION 4187g.** 349.137 (3) (h) of the statutes, as created by 1995 Wisconsin
16 Act 434, is amended to read:

17 349.137 (3) (h) Require a parking enforcer who uses an immobilization device
18 on a motor vehicle that is not parked in violation of a restriction against
19 unauthorized parking to pay an amount equal to the removal fee to the owner, lessee
20 or operator of the motor vehicle within 14 days after the determination that the
21 immobilization device was used improperly.”.

22 **1297.** Page 1675, line 2: after that line insert:

23 “**SECTION 4196e.** 409.411 (title) of the statutes is repealed.

24 **SECTION 4196m.** 409.411 (1) of the statutes is repealed.

1 **SECTION 4196s.** 409.411 (2) of the statutes is renumbered 409.410 (3) and
2 amended to read:

3 409.410 (3) The department shall establish and maintain, ~~in consultation with~~
4 ~~the uniform commercial code statewide lien system council~~, computer and any other
5 services necessary to support the uniform commercial code statewide lien system
6 under s. ~~409.410~~ this section but may not maintain a central filing system, as defined
7 in 7 USC 1631 (c) (2), for farm products, as defined in 7 USC 1631 (c) (5).”.

8 **1298.** Page 1675, line 2: after that line insert:

9 “**SECTION 4196d.** 409.404 (1) (d) of the statutes is amended to read:

10 409.404 (1) (d) *Failure to file a termination statement.* If the affected secured
11 party fails to file a termination statement as required by this subsection, or to send
12 such a termination statement within 10 days after receipt of the debtor’s written
13 demand the secured party is liable to the debtor for \$~~25~~ \$500, and in addition is liable
14 for any loss caused to the debtor by such failure and for reasonable attorney fees and
15 court costs incurred by the debtor due to such failure.”.

16 **1299.** Page 1684, line 17: after that line insert:

17 “**SECTION 4291t.** 440.23 (2) (c) of the statutes is amended to read:

18 440.23 (2) (c) Pays the charge for an unpaid draft established by the ~~depository~~
19 ~~selection board~~ state treasurer under s. 20.905 (2).”.

20 **1300.** Page 1688, line 18: after that line insert:

21 “**SECTION 4315p.** 450.04 (3) (intro.) and (a) of the statutes are consolidated,
22 renumbered 450.04 (3) and amended to read:

23 450.04 (3) Every candidate for examination for licensure as a pharmacist shall
24 submit an application on a form provided by the department and pay the fee specified

1 in s. 440.05 (1) at least 30 days before the date of examination. Every candidate shall
2 also submit proof to the board that he or she: ~~(a) Has~~ has received a professional
3 degree from a pharmacy program approved by the board; ~~and,~~

4 **SECTION 4315r.** 450.04 (3) (b) of the statutes is repealed.

5 **SECTION 4315s.** 450.045 of the statutes is repealed.”.

6 **1301.** Page 1688, line 22: after that line insert:

7 “**SECTION 4316d.** 450.11 (1m) of the statutes is created to read:

8 450.11 **(1m)** ELECTRONIC TRANSMISSION. Except as provided in s. 453.068 (1) (c)
9 4., a practitioner may transmit a prescription order electronically only if the patient
10 approves the transmission and the prescription order is transmitted to a pharmacy
11 designated by the patient.”.

12 **1302.** Page 1689, line 7: after “(1)” insert “and, if applicable, sub. (1m)”.

13 **1303.** Page 1689, line 8: after that line insert:

14 “**SECTION 4316p.** 450.11 (7) (i) of the statutes is created to read:

15 450.11 **(7)** (i) No pharmacist, manufacturer, distributor, owner or operator of
16 a pharmacy or agent of a pharmacist, manufacturer, distributor or such an owner or
17 operator may give any compensation or anything of value to a practitioner for the
18 purpose of providing, or inducing the practitioner to obtain, any equipment,
19 computer software or access to a service that may be used for the electronic
20 transmission of a prescription order.”.

21 **1304.** Page 1689, line 17: after that line insert:

22 “**SECTION 4316u.** 452.05 (1) (d) of the statutes is amended to read:

23 452.05 **(1)** (d) After consultation with the council on real estate curriculum and
24 examinations, the board, brokers and salespersons licensed under this chapter and

1 interested members of the public, ~~establish the minimum number of hours of~~
2 ~~continuing education in each real estate related subject and establish criteria for the~~
3 ~~approval of continuing educational programs and courses required for renewal~~
4 ~~under s. 452.12 (5) (c) 1. The department may not require a broker or salesperson~~
5 ~~to successfully complete more than 12 classroom hours of continuing education in~~
6 ~~order to qualify for license renewal.~~

7 **SECTION 4316v.** 452.05 (1) (g) of the statutes is amended to read:

8 452.05 (1) (g) Approve continuing educational programs and courses in
9 accordance with the criteria established under par. (d). In order to be approved, a
10 continuing educational program or course must require brokers and salespersons
11 ~~who attend the program or course~~ to pass an examination on the information
12 presented at the program or course in order to successfully complete and receive
13 continuing education credit for the program or course under s. 452.12 (5) (c) 1.

14 **SECTION 4316w.** 452.09 (2) (a) of the statutes is amended to read:

15 452.09 (2) (a) Each applicant for a salesperson's license shall submit to the
16 department evidence satisfactory to the department of successful completion of 72
17 ~~classroom hours of~~ educational programs approved for this purpose under s. 452.05
18 (1) (c). The department may waive the requirement under this paragraph upon proof
19 that the applicant has received 10 academic credits in real estate or real estate
20 related law courses from an accredited institution of higher education.

21 **SECTION 4316x.** 452.09 (2) (c) 2. of the statutes is amended to read:

22 452.09 (2) (c) 2. Submit to the department evidence satisfactory to the
23 department of successful completion of ~~36 classroom hours of~~ educational programs
24 in business management approved for this purpose under s. 452.05 (1) (c). No

1 ~~classroom hours~~ educational programs applied to satisfy the requirement under
2 subd. 1. may be applied to satisfy the requirement under this subdivision.”.

3 **1305.** Page 1689, line 20: after that line insert:

4 “**SECTION 4318m.** 452.12 (5) (c) 1. of the statutes is amended to read:

5 452.12 (5) (c) 1. At the time of renewal, each broker or salesperson shall submit
6 proof of attendance at and successful completion of continuing education programs
7 or courses approved under s. 452.05 (1) (g) ~~for the minimum number of hours and in~~
8 ~~those subjects required under s. 452.05 (1) (d),~~ except as provided in subd. 2.”.

9 **1306.** Page 1689, line 25: after that line insert:

10 “**SECTION 4319r.** 453.068 (1) (c) 4. of the statutes is created to read:

11 453.068 (1) (c) 4. Transmit a prescription electronically unless the client
12 approves the transmission and the prescription is transmitted to a pharmacist or
13 veterinarian designated by the client.”.

14 **1307.** Page 1691, line 9: after that line insert:

15 “**SECTION 4327m.** 459.08 (1) of the statutes is amended to read:

16 459.08 (1) A person who holds a license shall notify the department in writing
17 or in accordance with other notification procedures approved by the department of
18 the regular address of the places where he or she engages or intends to engage in the
19 practice of fitting or selling hearing aids. The licensee shall inform the board of any
20 changes in these addresses within 30 days of the change.”.

21 **1308.** Page 1692, line 7: substitute “RECYCLING MARKET DEVELOPMENT.” for
22 “**Recycling market development.**”.

23 **1309.** Page 1696, line 20: delete “**loan and grant programs**” and substitute
24 “**grant program**”.

1 **1310.** Page 1697, line 3: delete “purposes” and substitute “purposes.
2 “Brownfields redevelopment” does not include construction of new facilities on the
3 site for any purpose other than environmental remediation activities”.

4 **1311.** Page 1697, line 4: delete lines 4 to 6.

5 **1312.** Page 1697, line 7: after “means” insert “investigation, analysis and
6 monitoring of a brownfields facility or site to determine the existence and extent of
7 actual or potential environmental pollution;”.

8 **1313.** Page 1697, line 20: delete “(hm)” and substitute “(qm)”.

9 **1314.** Page 1697, line 20: delete “loan” and substitute “grant”.

10 **1315.** Page 1697, line 21: delete lines 21 and 22, and substitute “development
11 corporation if all of the”.

12 **1316.** Page 1697, line 24: delete the material beginning with “loan” and
13 ending with “audit” on line 25 and substitute “grant proceeds for brownfields
14 redevelopment”.

15 **1317.** Page 1698, line 1: delete lines 1 to 5 and substitute:

16 “2. All of the following are unknown, cannot be located or are financially unable
17 to pay the cost of brownfields redevelopment or associated environmental
18 remediation activities:

19 a. The party that caused the portion of the environmental contamination that
20 is the basis for the grant request.

21 b. Any person who possessed or controlled the environmental contaminant that
22 is the basis for the grant request before the contaminant was released.”.

23 **1318.** Page 1698, line 7: delete lines 7 to 9.

1 **1319.** Page 1698, line 20: delete lines 20 to 25.

2 **1320.** Page 1699, line 1: delete “loans and”.

3 **1321.** Page 1699, line 12: delete lines 12 to 18.

4 **1322.** Page 1699, line 19: delete that line and substitute:

5 “(4) (a) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year
6 1997-98, and from the appropriation under s. 20.143 (1) (qm) in fiscal year 1998-99,
7 the”.

8 **1323.** Page 1699, line 20: after “following” insert “in each of those fiscal
9 years”.

10 **1324.** Page 1699, line 21: on lines 21, 22 and 24, delete “loans” and substitute
11 “grants”.

12 **1325.** Page 1700, line 1: delete “loan or”.

13 **1326.** Page 1700, line 2: delete “and loans, in the aggregate,”.

14 **1327.** Page 1700, line 4: delete lines 4 to 6.

15 **1328.** Page 1700, line 7: delete “loan or”.

16 **1329.** Page 1700, line 11: delete “loans and”.

17 **1330.** Page 1700, line 12: delete “loan or”.

18 **1331.** Page 1700, line 13: delete “and loan repayment criteria”.

19 **1332.** Page 1709, line 10: after that line insert:

20 “**SECTION 4387m.** 560.17 (4) (intro.) of the statutes is amended to read:

21 560.17 (4) (intro.) Before awarding a grant ~~or loan~~ under sub. (3), the board
22 shall consider all of the following:”.

1 **1333.** Page 1723, line 4: after that line insert:

2 “**SECTION 4442c.** 560.19 (1) (intro.) and (b) of the statutes are consolidated,
3 renumbered 560.19 (1) and amended to read:

4 560.19 (1) In this section: ~~(b) “Hazardous,~~ “hazardous pollution prevention”
5 has the meaning given in s. 299.13 (1) (c).

6 **SECTION 4442e.** 560.19 (1) (a) of the statutes is repealed.

7 **SECTION 4442g.** 560.19 (3) (intro.) of the statutes is repealed.

8 **SECTION 4442i.** 560.19 (3) (a) of the statutes is renumbered 560.19 (3) and
9 amended to read:

10 560.19 (3) In coordination with the hazardous pollution prevention program
11 under s. 36.25 (30), and the department of natural resources ~~and the council,~~ conduct
12 the department shall conduct an education, environmental management and
13 technical assistance program to promote hazardous pollution prevention among
14 businesses in the state.

15 **SECTION 4442k.** 560.19 (3) (b) of the statutes is repealed.

16 **SECTION 4442m.** 560.19 (4) of the statutes is repealed.”.

17 **1334.** Page 1730, line 2: after “receive” insert “a grant under s. 560.615,”.

18 **1335.** Page 1730, line 11: delete “~~subd. 2. and~~” and substitute “subd. 2. 3.
19 and”.

20 **1336.** Page 1730, line 13: after that line insert:

21 “**SECTION 4483m.** 560.605 (1) (e) 3. of the statutes is created to read:

22 560.605 (1) (e) 3. For grants under s. 560.615, not less than 50% of the cost of
23 the management assessment and plan.”.

1 **1337.** Page 1730, line 15: on lines 15, 18 and 23, before “560.62” insert
2 “560.615”.

3 **1338.** Page 1731, line 1: on lines 1 and 9, before “560.62” insert “560.615”.

4 **1339.** Page 1731, line 15: after that line insert:

5 “**SECTION 4492c.** 560.615 of the statutes is created to read:

6 **560.615 Manufacturing assessment grants. (1)** The board may award a
7 grant not exceeding \$2,500 under s. 560.61 to a business operating for profit, with
8 500 or fewer employes, including employes of any subsidiary or affiliated
9 organization, to fund a management assessment and plan if all of the following
10 apply:

11 (a) The manufacturing assessment and plan are likely to assist the business
12 in adopting and implementing readily available and reasonably standardized new
13 manufacturing processes and technologies.

14 (b) The manufacturing assessment and plan are likely to help make the
15 business more competitive.

16 (c) The business commits to adopting and implementing the manufacturing
17 and technological changes recommended as a result of the manufacturing
18 assessment and plan.

19 **(2)** The total amount of grants made under this section may not exceed
20 \$750,000 in a fiscal biennium.”.

21 **1340.** Page 1732, line 23: before “560.62” insert “560.615”.

22 **1341.** Page 1734, line 6: after that line insert:

23 “**SECTION 4504j.** 560.71 (3) (a) of the statutes is amended to read:

1 560.71 (3) (a) Determine the number of development zones designated under
2 sub. (1) but may not designate more than 18 22 development zones over the life of the
3 program.”.

4 **1342.** Page 1743, line 13: after that line insert:

5 “SECTION 4549m. 562.01 (intro.) of the statutes is amended to read:

6 **562.01 Definitions.** (intro.) ~~In~~ Except as provided in s. 562.124, in this
7 chapter:”.

8 **1343.** Page 1767, line 16: delete the material beginning with that line and
9 ending with page 1768, line 2, and substitute:

10 “SECTION 4663e. 562.124 (1) of the statutes is renumbered 562.124 (1m) and
11 amended to read:

12 562.124 (1m) The ~~board~~ department may authorize on-track pari-mutuel
13 wagering on snowmobile racing at times and places, as determined by the ~~board~~
14 department, that do not conflict with ~~other~~ animal racing authorized by this chapter.

15 **SECTION 4663m.** 562.124 (1g) of the statutes is created to read:

16 562.124 (1g) In this section, “pari-mutuel” means a wagering system in which
17 all persons who wager on any snowmobile that finishes in any position for which
18 wagers are taken in a race share the total amount wagered on the race minus any
19 deductions from the wagers on that race required under rules promulgated under
20 sub. (2).

21 **SECTION 4663r.** 562.124 (2) of the statutes is amended to read:

22 562.124 (2) If the ~~board~~ department authorizes on-track pari-mutuel
23 wagering on snowmobile racing under sub. (1) (1m), the ~~board~~ department shall
24 regulate the pari-mutuel wagering and shall promulgate all rules necessary to

1 administer this section. The department may promulgate rules that require persons
2 who conduct snowmobile racing to be licensed by the department and the
3 department may charge a fee to any person licensed under this subsection to cover
4 the costs of the department in regulating on-track pari-mutuel wagering on
5 snowmobile racing. Through its rules, the ~~board~~ department shall do everything
6 necessary to ensure the public interest and protect the integrity of the sport of
7 snowmobile racing. If the department charges a fee to a person licensed under this
8 subsection, the department shall deposit the moneys received in the appropriation
9 account under s. 20.505 (8) (g)."

10 **1344.** Page 1770, line 10: delete lines 10 to 13 and substitute:

11 "SECTION 4675m. 563.052 of the statutes is repealed."

12 **1345.** Page 1770, line 24: after that line insert:

13 "SECTION 4677m. 563.055 (2) (b) of the statutes is amended to read:

14 563.055 (2) (b) Pays the charge for an unpaid draft established by the
15 depository selection board state treasurer under s. 20.905 (2)."

16 **1346.** Page 1798, line 21: after that line insert:

17 "SECTION 4794m. 600.01 (2) (b) of the statutes, as affected by 1995 Wisconsin
18 Act 289, is amended to read:

19 600.01 (2) (b) Group or blanket insurance described in sub. (1) (b) 3. and 4. is
20 not exempt from ~~s. ss. 632.745, 632.747 or to 632.749 or ch. 633 or 635.~~"

21 **1347.** Page 1798, line 21: after that line insert:

22 "SECTION 4794c. 600.01 (1) (b) 9. of the statutes is created to read:

23 600.01 (1) (b) 9. The publication and clearinghouse activities described in subd.
24 9. c., the association undertaking those activities, with respect to those activities, and

1 the association's periodic publication resulting from and furthering those activities
2 if all of the following apply:

3 a. The publication and clearinghouse activities are undertaken by an
4 association that is organized not for profit for religious and charitable purposes.

5 b. The publication activities of the association are limited to subscribers who
6 are members of the same church or religious denomination.

7 c. The publication activities of the association function as an organizational
8 clearinghouse that matches subscribers to the publications of the association who
9 have financial, physical or medical needs and subscribers to the publications of the
10 association who desire to financially assist with those needs and who have a present
11 ability to pay.

12 d. Although the association, through its publications, may suggest voluntary
13 payment levels between subscribers described in subd. 9. c., the association and the
14 subscribers do not assume any risk or make any promise of payment by the
15 association or any subscribers.

16 e. The association provides to each subscriber a written monthly statement
17 that lists the total dollar amount of qualified needs submitted for publication in the
18 previous month and the total dollar amount of qualified needs submitted that were
19 actually published and assigned for payment.

20 f. On or accompanying all written materials distributed by or on behalf of the
21 association, including applications, guidelines, promotional or informational
22 materials and periodic publications, the association provides the following written
23 disclaimer:

24 **ATTENTION**

1 This publication is not issued by an insurance company, nor is it offered through
2 an insurance company. This publication does not guarantee or promise that your
3 medical bills will be published or assigned to others for payment. Whether anyone
4 chooses to pay your medical bills is entirely voluntary. This publication should never
5 be considered a substitute for an insurance policy. Whether or not you receive any
6 payments for medical expenses, and whether or not this publication continues to
7 operate, you are responsible for the payment of your own medical bills.

8 g. No payments between subscribers described in subd. 9. c. are made through
9 the association.”.

10 **1348.** Page 1799, line 8: after that line insert:

11 “SECTION 4796m. 601.415 (4) of the statutes is repealed.”.

12 **1349.** Page 1800, line 18: after that line insert:

13 “SECTION 4804b. 609.77 of the statutes is created to read:

14 **609.77 Coverage of breast reconstruction.** Health maintenance
15 organizations, limited service health organizations and preferred provider plans are
16 subject to s. 632.895 (13).”.

17 **1350.** Page 1800, line 20: delete lines 20 and 21 and substitute:

18 “**609.78 Coverage of treatment for the correction of**
19 **temporomandibular disorders.** Health maintenance organizations,”.

20 **1351.** Page 1801, line 1: delete “**services**” and substitute “**and ambulatory**
21 **surgery center charges**”.

22 **1352.** Page 1809, line 9: delete lines 9 to 13 and substitute:

23 “SECTION 4830ec. 619.12 (2) (e) of the statutes, as affected by 1997 Wisconsin
24 Act (this act), is renumbered 149.12 (2) (e) and amended to read:

1 149.12 (2) (e) No person who is eligible for health care benefits creditable
2 coverage, other than those benefits specified in s. 632.745 (11) (b) 1. to 12., that are
3 is provided by an employer on a self-insured basis or through health insurance is
4 eligible for coverage under the plan.

5 **SECTION 4830em.** 619.12 (2) (e) 1. of the statutes is renumbered 619.12 (2) (e)
6 and amended to read:

7 619.12 (2) (e) ~~Except as provided in subd. 2., no~~ No person who is eligible for
8 health care benefits, other than those benefits specified in s. 632.745 (11) (b) 1. to 12.,
9 that are provided by an employer on a self-insured basis or through health insurance
10 is eligible for coverage under the plan.”.

11 **1353.** Page 1811, line 14: delete “(2) (a) 2.” and substitute “(2) (a) 3.”.

12 **1354.** Page 1812, line 1: delete that line and substitute:

13 “**149.144** (title) **Insurer Adjustments to insurer assessments and**
14 **provider payment rates for**”.

15 **1355.** Page 1812, line 12: delete “increase” and substitute “increase adjust”.

16 **1356.** Page 1812, line 14: delete “(2) (a) 2.” and substitute “(2) (a) 3.”.

17 **1357.** Page 1812, line 14: delete “charges discount” and substitute
18 “payment”.

19 **1358.** Page 1812, line 15: delete “(2) (a) 3.” and substitute “(2) (a) 4.”.

20 **1359.** Page 1812, line 18: delete “the increase in the insurer” and substitute
21 “any increase in insurer”.

22 **1360.** Page 1813, line 17: on lines 17 and 22, delete “(2) (a) 3. or (3)”.

1 **1361.** Page 1813, line 19: after “446” insert “and certified under s. 49.45 (2)
2 (a) 11”.

3 **1362.** Page 1813, line 24: after “physician” insert “who is”.

4 **1363.** Page 1813, line 24: delete “when” and substitute “when if the service
5 or article is”.

6 **1364.** Page 1813, line 25: after “state” insert “and who is certified under s.
7 49.45 (2) (a) 11. and if the service or article is provided by a provider certified under
8 s. 49.45 (2) (a) 11.”.

9 **1365.** Page 1814, line 5: after “(intro.)” insert “, (a)”.

10 **1366.** Page 1814, line 7: after that line insert:

11 “(a) Any charge for treatment for cosmetic purposes other than surgery for the
12 repair or treatment of an injury or a congenital bodily defect. Breast reconstruction
13 incident to a mastectomy shall not be considered treatment for cosmetic purposes.”.

14 **1367.** Page 1818, line 15: on lines 15 and 23, delete “board” and substitute
15 “board department”.

16 **1368.** Page 1821, line 1: delete “by” and substitute “by”.

17 **1369.** Page 1821, line 16: delete lines 16 to 20 and substitute:

18 “**SECTION 4869m.** 619.15 (3) (f) of the statutes, as created by 1997 Wisconsin
19 Act (this act), is repealed.”.

20 **1370.** Page 1824, line 8: delete lines 8 to 11 and substitute:

21 “**SECTION 4891c.** 619.165 (1) (d) of the statutes is renumbered 619.165 (1) (d)
22 1. and amended to read:

1 619.165 (1) (d) 1. ~~The Subject to subd. 2., the~~ board shall establish and
2 implement the method for determining the household income of an eligible person
3 under par. (b).

4 **SECTION 4891r.** 619.165 (1) (d) of the statutes, as affected by 1997 Wisconsin
5 Act (this act), is renumbered 149.165 (3), and 149.165 (3) (a) and (b) (intro.), as
6 renumbered, are amended to read:

7 149.165 (3) (a) ~~Subject to subd. 2., the board~~ par. (b), the department shall
8 establish and implement the method for determining the household income of an
9 eligible person under ~~par. (b)~~ sub. (2).

10 (b) (intro.) In determining household income under ~~par. (b), the board~~ sub. (2),
11 the department shall consider information submitted by an eligible person on a
12 completed federal profit or loss from farming form, schedule F, if all of the following
13 apply:

14 **SECTION 4891m.** 619.165 (1) (d) 2. of the statutes is created to read:

15 619.165 (1) (d) 2. In determining household income under par. (b), the board
16 shall consider information submitted by an eligible person on a completed federal
17 profit or loss from farming form, schedule F, if all of the following apply:

18 a. The person is a farmer, as defined in s. 102.04 (3).

19 b. The person was not eligible to claim the homestead credit under subch. VIII
20 of ch. 71 in the preceding taxable year.”.

21 **1371.** Page 1825, line 21: after that line insert:

22 “**SECTION 4910c.** 628.34 (3) (a) of the statutes, as affected by 1995 Wisconsin
23 Act 289, is amended to read:

1 628.34 (3) (a) No insurer may unfairly discriminate among policyholders by
2 charging different premiums or by offering different terms of coverage except on the
3 basis of classifications related to the nature and the degree of the risk covered or the
4 expenses involved, subject to ss. 632.365 and, 632.745 and 632.748. Rates are not
5 unfairly discriminatory if they are averaged broadly among persons insured under
6 a group, blanket or franchise policy, and terms are not unfairly discriminatory
7 merely because they are more favorable than in a similar individual policy.

8 **SECTION 4910e.** 628.34 (3) (b) of the statutes, as affected by 1995 Wisconsin Act
9 289, is amended to read:

10 628.34 (3) (b) No insurer may refuse to insure or refuse to continue to insure,
11 or limit the amount, extent or kind of coverage available to an individual, or charge
12 an individual a different rate for the same coverage because of a mental or physical
13 disability except when the refusal, limitation or rate differential is based on either
14 sound actuarial principles supported by reliable data or actual or reasonably
15 anticipated experience, subject to ss. ~~632.745, 632.747, 632.749, 635.09 and 635.26~~
16 632.746 to 632.7495.

17 **SECTION 4910g.** 628.36 (2) (b) 1. of the statutes is amended to read:

18 628.36 (2) (b) 1. Except for health maintenance organizations, preferred
19 provider plans, and limited service health organizations ~~and the small employer~~
20 ~~health insurance plan under subch. II of ch. 635~~, no health care plan may prevent
21 any person covered under the plan from choosing freely among providers who have
22 agreed to participate in the plan and abide by its terms, except by requiring the
23 person covered to select primary providers to be used when reasonably possible.

24 **SECTION 4910i.** 628.36 (2) (b) 3. of the statutes is amended to read:

1 628.36 (2) (b) 3. Except as provided in subd. 4., no provider may be denied the
2 opportunity to participate in a health care plan, other than a health maintenance
3 organization, a limited service health organization, or a preferred provider plan ~~or~~
4 ~~the small employer health insurance plan under subch. II of ch. 635, under the terms~~
5 of the plan.

6 **SECTION 4910k.** 628.36 (2) (b) 5. of the statutes is amended to read:

7 628.36 (2) (b) 5. ~~Except for the small employer health insurance plan under~~
8 ~~subch. II of ch. 635 to the extent determined by the small employer insurance board~~
9 ~~under s. 635.23 (1) (b), all All health care plans, including health maintenance~~
10 organizations, limited service health organizations and preferred provider plans are
11 subject to s. 632.87 (3).

12 **SECTION 4910m.** 631.01 (4) of the statutes is amended to read:

13 631.01 (4) ANNUITIES AND GROUP POLICIES FOR ELEEMOSYNARY INSTITUTIONS. This
14 chapter, and ch. 632 ~~and the health insurance mandates under ch. 632 that apply to~~
15 ~~the plan under subch. II of ch. 635~~ do not apply to annuities or group policies that
16 are provided on a basis as uniform nationally as state statutes permit to educational,
17 scientific research, religious or charitable institutions organized without profit to
18 any person, for the benefit of employes of such institutions. The commissioner may
19 by order subject such contracts issued by a particular insurer to this chapter, or ch.
20 632 ~~or the health insurance mandates under ch. 632 that apply to the plan under~~
21 ~~subch. II of ch. 635~~ or any portion of those provisions upon a finding, after a hearing,
22 that the interests of Wisconsin insureds or creditors or the public of this state so
23 require.”.

24 **1372.** Page 1826, line 3: delete lines 3 to 22 and substitute:

1 “**SECTION 4915m.** 632.70 of the statutes is repealed.

2 **SECTION 4916m.** 632.745 of the statutes, as affected by 1995 Wisconsin Acts
3 289 and 453, is repealed and recreated to read:

4 **632.745 Coverage requirements for group and individual health**
5 **benefit plans; definitions.** In this section and ss. 632.746 to 632.7495:

6 (1) “Affiliation period” means the period which, under the terms of health
7 insurance coverage offered by a health maintenance organization, must expire
8 before the health insurance coverage becomes effective.

9 (2) “Beneficiary” has the meaning given in section 3 (8) of the federal Employee
10 Retirement Income Security Act of 1974.

11 (3) “Bona fide association” means an association that satisfies all of the
12 following:

13 (a) The association has been actively in existence for at least 5 years.

14 (b) The association has been formed and maintained in good faith for purposes
15 other than obtaining insurance.

16 (c) The association does not condition membership in the association on any
17 health status-related factor of an individual, including an employee of an employer
18 or a dependent of an employee.

19 (d) The association makes health insurance coverage offered through the
20 association available to all members, regardless of any health status-related factor
21 of those members or individuals eligible for coverage through a member.

22 (e) The association does not make health insurance coverage offered through
23 the association available other than in connection with a member of the association.

1 (f) The association meets any additional requirements that are imposed by a
2 rule of the commissioner designed to prevent the use of an association for risk
3 segmentation.

4 (4) (a) Except as provided in par. (b), “creditable coverage” means coverage
5 under any of the following:

- 6 1. A group health plan.
- 7 2. Health insurance.
- 8 3. Part A or part B of title XVIII of the federal Social Security Act.
- 9 4. Title XIX of the federal Social Security Act, except for coverage consisting
10 solely of benefits under section 1928 of that act.
- 11 5. Chapter 55 of title 10 of the United States Code.
- 12 6. A medical care program of the federal Indian health service or of an
13 American Indian tribal organization.
- 14 7. A state health benefits risk pool.
- 15 8. A health plan offered under chapter 89 of title 5 of the United States Code.
- 16 9. A public health plan, as defined in regulations issued by the federal
17 department of health and human services.
- 18 10. A health coverage plan under section 5 (e) of the federal Peace Corps Act,
19 22 USC 2504 (e).

20 (b) “Creditable coverage” does not include coverage consisting solely of
21 coverage of excepted benefits, as defined in section 2791 (c) of P.L. 104-191.

22 (5) (a) Except as provided in par. (b), “eligible employe” means an employe who
23 works on a permanent basis and has a normal work week of 30 or more hours. The
24 term includes a sole proprietor, a business owner, including the owner of a farm
25 business, a partner of a partnership and a member of a limited liability company if

1 the sole proprietor, business owner, partner or member is included as an employe
2 under a health benefit plan of an employer, but the term does not include an employe
3 who works on a temporary or substitute basis.

4 (b) For purposes of a group health benefit plan, or a self-insured health plan,
5 that is offered by the state under s. 40.51 (6) or by the group insurance board under
6 s. 40.51 (7), “eligible employe” has the meaning given in s. 40.02 (25).

7 **(6)** (a) “Employer” means any of the following:

8 1. An individual, firm, corporation, partnership, limited liability company or
9 association that is actively engaged in a business enterprise in this state, including
10 a farm business.

11 2. A municipality, as defined in s. 16.70 (8).

12 3. The state.

13 (b) For purposes of this definition, all of the following apply:

14 1. All persons treated as a single employer under subsection (b), (c), (m) or (o)
15 of section 414 of the Internal Revenue Code of 1986 shall be treated as one employer.

16 2. “Employer” includes any predecessor of an employer.

17 **(7)** “Enrollment date” means, with respect to an individual covered under a
18 group health plan or health insurance, the date of enrollment of the individual under
19 the plan or insurance or, if earlier, the first day of the waiting period for such
20 enrollment.

21 **(8)** “Federal continuation provision” means any of the following:

22 (a) Section 4980B of the Internal Revenue Code of 1986, except for section
23 4980B (f) (1) of that code insofar as it relates to pediatric vaccines.

24 (b) Part 6 of subtitle B of title I of the federal Employee Retirement Income
25 Security Act of 1974, except for section 609 of that act.

1 (c) Title XXII of P.L. 104-191.

2 (9) "Group health benefit plan" means a health benefit plan that is issued by
3 an insurer to or through an employer on behalf of a group consisting of at least 2
4 employes or a group including at least 2 eligible employes. The term includes
5 individual health benefit plans covering eligible employes when 3 or more are sold
6 to or through an employer.

7 (10) "Group health plan" means any of the following:

8 (a) An employe welfare plan, as defined in section 3 (1) of the federal Employee
9 Retirement Security Act of 1974, to the extent that the employe welfare plan provides
10 medical care, including items and services paid for as medical care, to employes or
11 to their dependents, as defined under the terms of the employe welfare plan, directly
12 or through insurance, reimbursement or otherwise.

13 (b) Any program that would not otherwise be an employe welfare benefit plan
14 and that is established or maintained by a partnership, to the extent that the
15 program provides medical care, including items and services paid for as medical care,
16 to present or former partners of the partnership or to their dependents, as defined
17 under the terms of the program, directly or through insurance, reimbursement or
18 otherwise.

19 (11) (a) Except as provided in par. (b), "health benefit plan" means any hospital
20 or medical policy or certificate.

21 (b) "Health benefit plan" does not include any of the following:

22 1. Coverage that is only accident or disability income insurance, or any
23 combination of the 2 types.

24 2. Coverage issued as a supplement to liability insurance.

1 3. Liability insurance, including general liability insurance and automobile
2 liability insurance.

3 4. Worker’s compensation or similar insurance.

4 5. Automobile medical payment insurance.

5 6. Credit-only insurance.

6 7. Coverage for on-site medical clinics.

7 8. Other similar insurance coverage, as specified in regulations issued by the
8 federal department of health and human services, under which benefits for medical
9 care are secondary or incidental to other insurance benefits.

10 9. If provided under a separate policy, certificate or contract of insurance, or if
11 otherwise not an integral part of the policy, certificate or contract of insurance:
12 limited-scope dental or vision benefits; benefits for long-term care, nursing home
13 care, home health care, community-based care, or any combination of those benefits;
14 and such other similar, limited benefits as are specified in regulations issued by the
15 federal department of health and human services under section 2791 of P.L. 104-191.

16 10. Hospital indemnity or other fixed indemnity insurance or coverage only for
17 a specified disease or illness, if all of the following apply:

18 a. The benefits are provided under a separate policy, certificate or contract of
19 insurance.

20 b. There is no coordination between the provision of such benefits and any
21 exclusion of benefits under any group health plan maintained by the same plan
22 sponsor.

23 c. Such benefits are paid with respect to an event without regard to whether
24 benefits are provided with respect to such an event under any group health plan
25 maintained by the same plan sponsor.

1 11. Benefits that are provided under a separate policy, certificate or contract
2 of insurance and that are medicare supplemental health insurance, as defined in
3 section 1882 (g) (1) of the federal Social Security Act, coverage supplemental to the
4 coverage provided under chapter 55 of title 10 of the United States Code or similar
5 supplemental coverage provided as supplemental to coverage under a group health
6 plan.

7 12. Other insurance exempted by rule of the commissioner.

8 **(12)** “Health insurance” includes health benefit plans but does not include
9 group health plans.

10 **(13)** “Health maintenance organization” has the meaning given in s. 609.01 (2).

11 **(14)** “Health status-related factor” means any of the factors listed in s. 632.748
12 (1) (a).

13 **(15)** “Insurer” means an insurer that is authorized to do business in this state,
14 in one or more lines of insurance that includes health insurance, and that offers
15 health benefit plans covering individuals in this state or eligible employes of one or
16 more employers in this state. The term includes a health maintenance organization,
17 a preferred provider plan, as defined in s. 609.01 (4), an insurer operating as a
18 cooperative association organized under ss. 185.981 to 185.985 and a limited service
19 health organization, as defined in s. 609.01 (3).

20 **(16)** “Large employer” means, with respect to a calendar year and a plan year,
21 an employer that employed an average of at least 51 employes on business days
22 during the preceding calendar year, or that is reasonably expected to employ an
23 average of at least 51 employes on business days during the current calendar year
24 if the employer was not in existence during the preceding calendar year, and that
25 employs at least 2 employes on the first day of the plan year.

1 **(17)** “Large group market” means the health insurance market under which
2 individuals obtain health insurance coverage on behalf of themselves and their
3 dependents, directly or through any arrangement, under a group health benefit plan
4 maintained by a large employer.

5 **(18)** “Late enrollee” means, with respect to coverage under a group health plan
6 or health insurance coverage, a participant, beneficiary or individual who enrolls
7 under the plan or coverage at any time other than during any of the following:

8 (a) The first period in which the individual is eligible to enroll under the plan
9 or coverage.

10 (b) A special enrollment period under s. 632.746 (7).

11 **(19)** “Network plan” means health insurance coverage of an insurer under
12 which the financing and delivery of medical care, including items and services paid
13 for as medical care, are provided, in whole or in part, through a defined set of
14 providers under contract with the insurer.

15 **(20)** “Participant” has the meaning given in section 3 (7) of the federal
16 Employee Retirement Income Security Act of 1974. “Participant” includes an
17 individual who is, or may become, eligible to receive a benefit, or whose beneficiaries
18 may be eligible to receive any such benefit, in connection with a group health plan
19 or group health benefit plan if the individual is any of the following:

20 (a) A partner in relation to a partnership and the group health plan or group
21 health benefit plan is maintained by the partnership.

22 (b) A self-employed individual with one or more employees who are participants
23 in the group health plan or group health benefit plan and the group health plan or
24 group health benefit plan is maintained by the self-employed individual.

1 (21) “Placed for adoption” or “placement for adoption” means, with respect to
2 the placement for adoption of a child with a person, the assumption and retention by
3 the person of a legal obligation for the total or partial support of the child in
4 anticipation of the adoption of the child. A child’s placement for adoption with a
5 person terminates upon the termination of the person’s legal obligation for support.

6 (22) “Plan sponsor” has the meaning given in section 3 (16) (B) of the federal
7 Employee Retirement Income Security Act of 1974.

8 (23) “Preexisting condition exclusion” means, with respect to coverage, a
9 limitation or exclusion of benefits relating to a condition of an individual that existed
10 before the individual’s date of enrollment for coverage.

11 (24) “Self-insured health plan” means a self-insured health plan of the state
12 or a county, city, village, town or school district.

13 (25) “Small employer” has the meaning given in s. 635.02 (7).

14 (26) “Small group market” means the health insurance market under which
15 individuals obtain health insurance coverage on behalf of themselves and their
16 dependents, directly or through any arrangement, under a group health benefit plan
17 maintained by, or obtained through, a small employer.

18 (27) “Waiting period” means, with respect to a group health plan or health
19 insurance coverage and an individual who is a potential participant or beneficiary
20 in the group health plan or who is potentially covered by the health insurance
21 coverage, the period that must pass with respect to the individual before the
22 individual is eligible for benefits under the terms of the plan or coverage.

23 **SECTION 4917m.** 632.746 of the statutes is created to read:

24 **632.746 Preexisting condition; portability; restrictions; and special**
25 **enrollment periods.** (1) (a) Subject to subs. (2) and (3), an insurer that offers a

1 group health benefit plan may, with respect to a participant or beneficiary under the
2 plan, impose a preexisting condition exclusion only if the exclusion relates to a
3 condition, whether physical or mental, regardless of the cause of the condition, for
4 which medical advice, diagnosis, care or treatment was recommended or received
5 within the 6-month period ending on the participant's or beneficiary's enrollment
6 date under the plan.

7 (b) A preexisting condition exclusion under par. (a) may not extend beyond 12
8 months, or 18 months with respect to a late enrollee, after the participant's or
9 beneficiary's enrollment date under the plan.

10 (2) (a) An insurer offering a group health benefit plan may not treat genetic
11 information as a preexisting condition under sub. (1) without a diagnosis of a
12 condition related to the information.

13 (b) An insurer offering a group health benefit plan may not impose a
14 preexisting condition exclusion relating to pregnancy as a preexisting condition.

15 (c) Subject to par. (e), an insurer offering a group health benefit plan may not
16 impose a preexisting condition exclusion with respect to an individual who is covered
17 under creditable coverage on the last day of the 30-day period beginning with the
18 day on which the individual is born.

19 (d) Subject to par. (e), an insurer offering a group health benefit plan may not
20 impose a preexisting condition exclusion with respect to an individual who is adopted
21 or placed for adoption before attaining the age of 18 years and who is covered under
22 creditable coverage on the last day of the 30-day period beginning with the day on
23 which the individual is adopted or placed for adoption. This paragraph does not
24 apply to coverage before the day on which the individual is adopted or placed for
25 adoption.

1 (e) Paragraphs (c) and (d) do not apply to an individual after the end of the first
2 continuous period during which the individual was not covered under any creditable
3 coverage for at least 63 days. For purposes of this paragraph, any waiting period or
4 affiliation period for coverage under a group health plan or group health benefit plan
5 shall not be taken into account in determining the period before enrollment in the
6 group health plan or group health benefit plan.

7 (3) (a) The length of time during which any preexisting condition exclusion
8 under sub. (1) may be imposed shall be reduced by the aggregate of the participant's
9 or beneficiary's periods of creditable coverage on his or her enrollment date under the
10 group health benefit plan.

11 (b) With respect to enrollment of an individual under a group health plan or a
12 group health benefit plan, a period of creditable coverage after which the individual
13 was not covered under any creditable coverage for a period of at least 63 days before
14 enrollment in the group health plan or group health benefit plan may not be counted.
15 For purposes of this paragraph, any waiting period or affiliation period for coverage
16 under the group health plan or group health benefit plan shall not be taken into
17 account in determining the period before enrollment in the group health plan or
18 group health benefit plan.

19 (c) No period of creditable coverage before July 1, 1996, may be counted.
20 Individuals who need to establish creditable coverage for periods before July 1, 1996,
21 and who would have such coverage but for this paragraph may be given credit for
22 creditable coverage for such periods through the presentation of documents or other
23 means provided by the federal secretary of health and human services, consistent
24 with section 104 of P.L. 104-191.

1 (d) 1. An insurer offering a group health benefit plan shall count a period of
2 creditable coverage without regard to the specific benefits for which the individual
3 had coverage during the period.

4 2. Notwithstanding subd. 1., an insurer offering a group health benefit plan
5 may elect to apply par. (a) on the basis of coverage of benefits within each of several
6 classes or categories of benefits specified in regulations issued by the federal
7 department of health and human services under P.L. 104-191. The election shall be
8 made on a uniform basis for all participants and beneficiaries. Under the election,
9 an insurer shall count a period of creditable coverage with respect to any class or
10 category of benefits if any level of benefits is covered within the class or category.

11 3. An insurer that makes an election under subd. 2. shall prominently state in
12 any disclosure statements concerning the coverage offered, and to each employer at
13 the time of the offer or sale of coverage, that the insurer has made the election and
14 what the effect of the election is.

15 (e) Periods of creditable coverage shall be established through the presentation
16 of certifications described in sub. (4) or in any other manner specified in regulations
17 issued by the federal department of health and human services under P.L. 104-191.

18 (4) (a) On and after October 1, 1996, an insurer that provides health benefit
19 plan coverage shall provide the certification described in par. (b) upon the happening
20 of any of the following events:

21 1. An individual ceases to be covered under the health benefit plan or otherwise
22 becomes covered under a federal continuation provision. The certification required
23 under this subdivision may be provided, to the extent practicable, at a time
24 consistent with notices required under any applicable federal continuation provision
25 or s. 632.897.

1 2. An individual ceases to be covered under a federal continuation provision.

2 3. Upon the request of an individual that is made not later than 24 months after
3 the date of the cessation of the individual's coverage under subd. 1. or 2., whichever
4 is later.

5 (b) The certification required under this subsection shall be a written
6 certification that includes all of the following information:

7 1. The period of creditable coverage of the individual under the health benefit
8 plan and the coverage, if any, under the federal continuation provision.

9 2. The waiting period, if any, or affiliation period, if any, imposed with respect
10 to the individual for coverage under the health benefit plan.

11 (c) Upon the happening after June 30, 1996, and before October 1, 1996, of an
12 event described in par. (a) 1. to 3., an insurer providing health benefit plan coverage
13 shall provide a certification described in par. (b) if the individual with respect to
14 whom the certification is provided requests the certification in writing.

15 (d) If an individual seeks to establish creditable coverage with respect to a
16 period for which a certification is not required because of the happening of an event
17 described in par. (a) 1. to 3. before July 1, 1996, all of the following apply:

18 1. The individual may present other credible evidence of the coverage in order
19 to establish the period of creditable coverage.

20 2. An insurer may not be subject to any penalty or enforcement action with
21 respect to the crediting or not crediting of the individual's coverage under subd. 1.
22 if the insurer has sought to comply in good faith with any applicable requirements
23 under this subsection.

24 **(5)** (a) If an insurer that made an election under sub. (3) (d) 2. enrolls an
25 individual for coverage under a group health benefit plan and the individual provides

1 a certification under sub. (4), upon the request of that insurer or the group health
2 benefit plan the insurer that issued the certification shall promptly disclose to the
3 requesting insurer or group health benefit plan information on coverage of classes
4 or categories of health benefits available under the coverage on which the
5 certification was based.

6 (b) The insurer providing the information may charge the requesting insurer
7 or plan for the reasonable cost of disclosing the information.

8 (c) An insurer providing information under this subsection shall comply with
9 regulations issued by the federal department of health and human services under
10 section 2701 (e) (3) of P.L. 104-191.

11 **(6)** An insurer offering a group health benefit plan shall permit an employe who
12 is not enrolled but who is eligible for coverage under the terms of the group health
13 benefit plan, or a participant's or employe's dependent who is not enrolled but who
14 is eligible for coverage under the terms of the group health benefit plan, to enroll for
15 coverage under the terms of the plan if all of the following apply:

16 (a) The employe or dependent was covered under a group health plan or had
17 health insurance coverage at the time coverage was previously offered to the employe
18 or dependent.

19 (b) The employe or participant stated in writing at the time coverage was
20 previously offered that coverage under a group health plan or health insurance
21 coverage was the reason for declining enrollment under the insurer's group health
22 benefit plan. This paragraph applies only if the insurer required such a statement
23 at the time coverage was previously offered and provided the employe or participant,
24 at the time coverage was previously offered, with notice of the requirement and the
25 consequences of the requirement.

1 (c) The employe or dependent is currently covered under the group health plan
2 or health insurance or, under the terms of the group health benefit plan, the employe
3 or participant requests enrollment no later than 30 days after the date on which the
4 coverage under par. (a) is exhausted or terminated.

5 (7) (a) If par. (b) applies, an insurer offering a group health benefit plan shall
6 provide for a special enrollment period during which any of the following may occur:

7 1. A person who marries an individual and who is otherwise eligible for
8 coverage may be enrolled under the plan as a dependent of the individual.

9 2. A person who is born to, adopted by or placed for adoption with, an individual
10 may be enrolled under the plan as a dependent of the individual.

11 3. An individual who has met any waiting period applicable to becoming a
12 participant under the plan, who is eligible to be enrolled under the plan and who
13 failed to enroll during a previous enrollment period or such an individual's spouse,
14 or both, may be enrolled under the plan.

15 (b) An insurer under par. (a) is required to provide for a special enrollment
16 period if all of the following apply:

17 1. The group health benefit plan makes coverage available for dependents of
18 participants under the plan.

19 2. The individual is a participant under the plan, or the individual has met any
20 waiting period applicable to becoming a participant under the plan and is eligible to
21 be enrolled under the plan but failed to enroll during a previous enrollment period.

22 3. A person becomes a dependent of the individual through marriage, birth,
23 adoption or placement for adoption.

24 (c) A special enrollment period provided for under this subsection shall be for
25 a period of not less than 30 days and shall begin on the later of either of the following:

1 1. The date dependent coverage is made available under the group health
2 benefit plan.

3 2. The date of the marriage, birth, adoption or placement for adoption described
4 in par. (a), whichever is applicable.

5 (d) If an individual seeks to enroll a dependent during the first 30 days of a
6 special enrollment period, the coverage of the dependent shall become effective on
7 the following date:

8 1. If the person becomes a dependent through marriage, not later than the first
9 day of the first month beginning after the date on which the completed request for
10 enrollment is received.

11 2. If the person becomes a dependent through birth, the date of birth.

12 3. If the person becomes a dependent through adoption or placement for
13 adoption, the date of the adoption or placement for adoption.

14 **(8)** (a) A health maintenance organization that offers a group health benefit
15 plan and that does not impose any preexisting condition exclusion under sub. (1) with
16 respect to a particular coverage option may impose an affiliation period for that
17 coverage option, but only if all of the following apply:

18 1. The affiliation period is applied uniformly without regard to any health
19 status-related factors.

20 2. The affiliation period does not exceed 2 months, or 3 months with respect to
21 a late enrollee.

22 (b) A health maintenance organization that imposes an affiliation period under
23 this subsection is not required to provide health care services or benefits during the
24 affiliation period. A health maintenance organization may not charge a premium to
25 a participant or beneficiary for any coverage that is provided during an affiliation

1 period. An affiliation period shall begin on the enrollment date and run concurrently
2 with any waiting period under the group health benefit plan.

3 (c) A health maintenance organization under par. (a) may use methods other
4 than those described in par. (a) to address adverse selection, if the methods are
5 approved by the commissioner.

6 **(9)** (a) Except as provided in pars. (b) and (c), requirements used by an insurer
7 in determining whether to provide coverage under a group health benefit plan to an
8 employer, including requirements for minimum participation of eligible employees
9 and minimum employer contributions, shall be applied uniformly among all
10 employers that apply for or receive coverage from the insurer.

11 (b) An insurer may do all of the following:

12 1. Vary its minimum participation requirements or minimum employer
13 contribution requirements only by the size of the employer group based on the
14 number of eligible employees.

15 2. Unless the commissioner by rule permits more frequent change, increase the
16 minimum participation requirements or minimum employer contribution
17 requirements no more than one time during a calendar year and, except as otherwise
18 permitted under this subsection, only if the requirements are applied uniformly to
19 all employers applying for coverage and to all renewing employers effective on the
20 date of renewal.

21 3. Except as limited or restricted by rule of the commissioner, establish
22 separate participation requirements or employer contribution requirements that
23 uniformly apply to all employers that provide a choice of coverage to employees or
24 their dependents. Except as limited or restricted by rule of the commissioner, an

1 insurer may establish separate uniform requirements based on the number or type
2 of choice of coverage provided by the employer.

3 (c) Except as provided in par. (b), an insurer may vary requirements used by
4 the insurer in determining whether to provide coverage under a group health benefit
5 plan to a large employer, but only if the requirements are applied uniformly among
6 all large employers that have the same number of eligible employees.

7 (d) In applying minimum participation requirements with respect to an
8 employer, an insurer may not count eligible employees who have other coverage that
9 is creditable coverage in determining whether the applicable percentage of
10 participation is met, except that an insurer may count eligible employees who have
11 coverage under another health benefit plan that is sponsored by that employer and
12 that is creditable coverage.

13 (e) This subsection does not apply to a group health benefit plan offered by the
14 state under s. 40.51 (6) or by the group insurance board under s. 40.51 (7).

15 **(10)** (a) 1. Except as provided in rules promulgated under subd. 3. or 4., if an
16 insurer offers a group health benefit plan to an employer, the insurer shall offer
17 coverage to all of the eligible employees of the employer and their dependents. Except
18 as provided in rules promulgated under subd. 3. or 4., an insurer may not offer
19 coverage to only certain individuals in an employer group or to only part of the group,
20 except for an eligible employee who has not yet satisfied an applicable waiting period,
21 if any.

22 2. Except as provided in rules promulgated under subd. 3., if the state or a
23 county, city, village, town or school district offers coverage under a self-insured
24 health plan, it shall offer coverage to all of its eligible employees and their dependents.
25 Except as provided in rules promulgated under subd. 3., the state or a county, city,

1 village, town or school district may not offer coverage to only certain individuals in
2 the employer group or to only part of the group, except for an eligible employe who
3 has not yet satisfied an applicable waiting period, if any.

4 3. The secretary of employe trust funds, with the approval of the group
5 insurance board, shall promulgate rules related to offering coverage to eligible
6 employes under a group health benefit plan, or a self-insured health plan, offered
7 by the state under s. 40.51 (6) or by the group insurance board under s. 40.51 (7). The
8 rules shall conform to the intent of subds. 1. and 2. and may not allow the state or
9 the group insurance board to refuse to offer coverage to an eligible employe or
10 dependent for reasons related to health condition.

11 4. The commissioner may promulgate rules permitting exceptions to the
12 requirement under subd. 1. for classes of eligible employes or their dependents. No
13 rule promulgated under this subdivision may permit an insurer to refuse to offer to
14 provide coverage to an eligible employe or his or her dependent for reasons related
15 to health condition.

16 (b) 1. An insurer may not modify a group health benefit plan with respect to
17 an employer or an eligible employe or dependent, through riders, endorsements or
18 otherwise, to restrict or exclude coverage for certain diseases or medical conditions
19 otherwise covered by the group health benefit plan.

20 2. The state or a county, city, village, town or school district may not modify a
21 self-insured health plan with respect to an eligible employe or dependent, through
22 riders, endorsements or otherwise, to restrict or exclude coverage for certain diseases
23 or medical conditions otherwise covered by the self-insured health plan.

24 3. Nothing in this paragraph limits the authority of the group insurance board
25 to fulfill its obligations as trustee under s. 40.03 (6) (d) or to design or modify

1 procedures or provisions pertaining to enrollment, premium transmitted or coverage
2 of eligible employes for health care benefits under s. 40.51 (1).

3 **SECTION 4918m.** 632.747 (1) (intro.) of the statutes, as created by 1995
4 Wisconsin Act 289, is amended to read:

5 632.747 (1) EMPLOYE BECOMES ELIGIBLE AFTER COMMENCEMENT OF COVERAGE.
6 (intro.) If Unless otherwise permitted by rule of the commissioner, if an insurer
7 provides coverage under a group health benefit plan, the insurer shall provide
8 coverage under the group health benefit plan to an eligible employe who becomes
9 eligible for coverage after the commencement of the employer's coverage, and to the
10 eligible employe's dependents, regardless of health condition or claims experience,
11 if all of the following apply:

12 **SECTION 4919m.** 632.747 (2) of the statutes, as created by 1995 Wisconsin Act
13 289, is repealed.

14 **SECTION 4920m.** 632.747 (3) (a) of the statutes, as created by 1995 Wisconsin
15 Act 289, is amended to read:

16 632.747 (3) (a) The eligible employe was covered as a dependent under
17 qualifying creditable coverage when he or she waived coverage under the
18 self-insured health plan.

19 **SECTION 4921m.** 632.747 (3) (b) of the statutes, as created by 1995 Wisconsin
20 Act 289, is amended to read:

21 632.747 (3) (b) The eligible employe's coverage under the qualifying creditable
22 coverage has terminated or will terminate due to a divorce from the insured under
23 the qualifying creditable coverage, the death of the insured under the qualifying
24 creditable coverage, loss of employment by the insured under the qualifying

1 creditable coverage or involuntary loss of coverage under the qualifying creditable
2 coverage by the insured under the qualifying creditable coverage.

3 **SECTION 4922m.** 632.747 (3) (c) of the statutes, as created by 1995 Wisconsin
4 Act 289, is amended to read:

5 632.747 (3) (c) The eligible employe applies for coverage under the self-insured
6 health plan not more than 30 days after termination of his or her coverage under the
7 qualifying creditable coverage.

8 **SECTION 4923m.** 632.748 of the statutes is created to read:

9 **632.748 Prohibiting discrimination. (1)** (a) Subject to subs. (3) and (4), an
10 insurer may not establish rules for the eligibility of any individual to enroll, or for
11 the continued eligibility of any individual to remain enrolled, under a group health
12 benefit plan based on any of the following factors with respect to the individual or
13 a dependent of the individual:

- 14 1. Health status.
- 15 2. Medical condition, including both physical and mental illnesses.
- 16 3. Claims experience.
- 17 4. Receipt of health care.
- 18 5. Medical history.
- 19 6. Genetic information.
- 20 7. Evidence of insurability, including conditions arising out of acts of domestic
21 violence.

22 8. Disability.

23 (b) For purposes of par. (a), rules for eligibility to enroll under a group health
24 benefit plan include rules defining any applicable waiting periods for enrollment.

1 (2) An insurer offering a group health benefit plan may not require any
2 individual, as a condition of enrollment or continued enrollment under the plan, to
3 pay, on the basis of any health status-related factor with respect to the individual
4 or a dependent of the individual, a premium or contribution that is greater than the
5 premium or contribution for a similarly situated individual enrolled under the plan.

6 (3) To the extent consistent with s. 632.746, sub. (1) shall not be construed to
7 do any of the following:

8 (a) Require a group health benefit plan to provide particular benefits other
9 than those provided under the terms of the plan.

10 (b) Prevent a group health benefit plan from establishing limitations or
11 restrictions on the amount, level, extent or nature of benefits or coverage for
12 similarly situated individuals enrolled under the plan.

13 (4) Nothing in sub. (1) shall be construed to do any of the following:

14 (a) Restrict the amount that an insurer may charge an employer for coverage
15 under a group health benefit plan.

16 (b) Prevent an insurer offering a group health benefit plan from establishing
17 premium discounts or rebates, or from modifying otherwise applicable copayments
18 or deductibles, in return for adherence to programs of health promotion and disease
19 prevention.

20 (c) Provide an exception from, or limit, the rate regulation under s. 635.05.

21 **SECTION 4924m.** 632.749 of the statutes, as created by 1995 Wisconsin Act 289,
22 is repealed and recreated to read:

23 **632.749 Contract termination and renewability.** (1) (a) Except as
24 provided in subs. (2) to (4) and notwithstanding s. 631.36 (2) to (4m), an insurer that

1 offers a group health benefit plan shall renew such coverage or continue such
2 coverage in force at the option of the employer and, if applicable, plan sponsor.

3 (b) At the time of coverage renewal, the insurer may modify a group health
4 benefit plan issued in the large group market.

5 (2) Notwithstanding s. 631.36 (2) to (4m), an insurer may nonrenew or
6 discontinue a group health benefit plan, but only if any of the following applies:

7 (a) The plan sponsor has failed to pay premiums or contributions in accordance
8 with the terms of the group health benefit plan or in a timely manner.

9 (b) The plan sponsor has performed an act or engaged in a practice that
10 constitutes fraud or made an intentional misrepresentation of material fact under
11 the terms of the coverage.

12 (c) The plan sponsor has failed to comply with a material plan provision that
13 is permitted under law relating to employer contribution or group participation
14 rules.

15 (d) The insurer is ceasing to offer coverage in the market in which the group
16 health benefit plan is included in accordance with sub. (3) and any other applicable
17 state law.

18 (e) In the case of a group health benefit plan that the insurer offers through a
19 network plan, there is no longer an enrollee under the plan who resides, lives or
20 works in the service area of the insurer or in an area in which the insurer is
21 authorized to do business and, in the case of the small group market, the insurer
22 would deny enrollment under the plan under s. 635.19 (2) (a) 1.

23 (f) In the case of a group health benefit plan that is made available only through
24 one or more bona fide associations, the employer ceases to be a member of the
25 association on which the coverage is based. Coverage may be terminated if this

1 paragraph applies only if the coverage is terminated uniformly without regard to any
2 health status-related factor of any covered individual.

3 (3) (a) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue
4 offering in this state a particular type of group health benefit plan offered in either
5 the large group market or the group market other than the large group market, but
6 only if all of the following apply:

7 1. The insurer provides notice of the discontinuance to each employer and, if
8 applicable, plan sponsor for whom the insurer provides coverage of this type in this
9 state, and to the participants and beneficiaries covered under the coverage, at least
10 90 days before the date on which the coverage will be discontinued.

11 2. The insurer offers to each employer and, if applicable, plan sponsor for whom
12 the insurer provides coverage of this type in this state the option to purchase from
13 among all of the other group health benefit plans that the insurer offers in the market
14 in which is included the type of group health benefit plan that is being discontinued,
15 except that in the case of the large group market, the insurer must offer each
16 employer and, if applicable, plan sponsor the option to purchase one other group
17 health benefit plan that the insurer offers in the large group market.

18 3. In exercising the option to discontinue coverage of this particular type and
19 in offering the option to purchase coverage under subd. 2., the insurer acts uniformly
20 without regard to any health status-related factor of any covered participants or
21 beneficiaries or any participants or beneficiaries who may become eligible for
22 coverage.

23 (b) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue offering
24 in this state all group health benefit plans in the large group market or in the group

1 market other than the large group market, or in both such group markets, but only
2 if all of the following apply:

3 1. The insurer provides notice of the discontinuance to the commissioner and
4 to each employer and, if applicable, plan sponsor for whom the insurer provides
5 coverage of this type in this state, and to the participants and beneficiaries covered
6 under the coverage, at least 180 days before the date on which the coverage will be
7 discontinued.

8 2. All group health benefit plans issued or delivered for issuance in this state
9 in the affected market or markets are discontinued and coverage under such group
10 health benefit plans is not renewed.

11 3. The insurer does not issue or deliver for issuance in this state any group
12 health benefit plan in the affected market or markets before 5 years after the day on
13 which the last group health benefit plan is discontinued under subd. 2.

14 (4) This section does not apply to a group health benefit plan offered by the
15 state under s. 40.51 (6) or by the group insurance board under s. 40.51 (7).

16 **SECTION 4925m.** 632.7495 of the statutes is created to read:

17 **632.7495 Guaranteed renewability of individual health insurance**
18 **coverage.** (1) (a) Except as provided in subs. (2) and (3) and notwithstanding s.
19 631.36 (2) to (4m), an insurer that provides individual health benefit plan coverage
20 shall renew such coverage or continue such coverage in force at the option of the
21 insured individual and, if applicable, the association through which the individual
22 has coverage.

23 (b) At the time of coverage renewal, the insurer may modify the individual
24 health benefit plan coverage policy form as long as the modification is consistent with

1 state law and effective on a uniform basis among all individuals with coverage under
2 that policy form.

3 (2) Notwithstanding s. 631.36 (2) to (4m), an insurer may nonrenew or
4 discontinue the individual health benefit plan coverage of an individual, but only if
5 any of the following applies:

6 (a) The individual or, if applicable, the association through which the
7 individual has coverage has failed to pay premiums or contributions in accordance
8 with the terms of the health insurance coverage or in a timely manner.

9 (b) The individual or, if applicable, the association through which the
10 individual has coverage has performed an act or engaged in a practice that
11 constitutes fraud or made an intentional misrepresentation of material fact under
12 the terms of the health insurance coverage.

13 (c) The insurer is ceasing to offer individual health benefit plan coverage in
14 accordance with sub. (3) and any other applicable state law.

15 (d) In the case of individual health benefit plan coverage that the insurer offers
16 through a network plan, the individual no longer resides, lives or works in the service
17 area or in an area in which the insurer is authorized to do business. Coverage may
18 be terminated if this paragraph applies only if the coverage is terminated uniformly
19 without regard to any health status-related factor of covered individuals.

20 (e) In the case of individual health benefit plan coverage that the insurer offers
21 only through one or more bona fide associations, the individual ceases to be a member
22 of the association on which the coverage is based. Coverage may be terminated if this
23 paragraph applies only if the coverage is terminated uniformly without regard to any
24 health status-related factor of covered individuals.

1 (f) The individual is eligible for medicare and the commissioner by rule permits
2 coverage to be terminated.

3 (3) (a) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue
4 offering in this state a particular type of individual health benefit plan coverage, but
5 only if all of the following apply:

6 1. The insurer provides notice of the discontinuance to each individual for
7 whom the insurer provides coverage of this type in this state and, if applicable, to the
8 association through which the individual has coverage at least 90 days before the
9 date on which the coverage will be discontinued.

10 2. The insurer offers to each individual for whom the insurer provides coverage
11 of this type in this state and, if applicable, to the association through which the
12 individual has coverage the option to purchase any other type of individual health
13 insurance coverage that the insurer offers for individuals.

14 3. In electing to discontinue coverage of this particular type and in offering the
15 option to purchase coverage under subd. 2., the insurer acts uniformly without
16 regard to any health status-related factor of enrolled individuals or individuals who
17 may become eligible for the type of coverage described under subd. 2.

18 (b) Notwithstanding s. 631.36 (2) to (4m), an insurer may discontinue offering
19 individual health benefit plan coverage in this state, but only if all of the following
20 apply:

21 1. The insurer provides notice of the discontinuance to the commissioner and
22 to each individual for whom the insurer provides individual health benefit plan
23 coverage in this state and, if applicable, to the association through which the
24 individual has coverage at least 180 days before the date on which the coverage will
25 be discontinued.

1 2. All individual health benefit plan coverage issued or delivered for issuance
2 in this state is discontinued and coverage under such coverage is not renewed.

3 3. The insurer does not issue or deliver for issuance in this state any individual
4 health benefit plan coverage before 5 years after the day on which the last individual
5 health benefit plan coverage is discontinued under subd. 2.

6 **SECTION 4929w.** 632.76 (2) (a) of the statutes, as affected by 1995 Wisconsin
7 Act 289, is amended to read:

8 632.76 (2) (a) No claim for loss incurred or disability commencing after 2 years
9 from the date of issue of the policy may be reduced or denied on the ground that a
10 disease or physical condition existed prior to the effective date of coverage, unless the
11 condition was excluded from coverage by name or specific description by a provision
12 effective on the date of loss. This paragraph does not apply to a group health benefit
13 plan, as defined in s. 632.745 (1)(e) (9), which is subject to s. ~~632.745 (2)~~ 632.746.”.

14 **1373.** Page 1826, line 22: after that line insert:

15 “**SECTION 4929m.** 632.755 (title) of the statutes is amended to read:

16 **632.755 (title) Public assistance and early intervention services.**

17 **SECTION 4929n.** 632.755 (1g) (a) of the statutes is amended to read:

18 632.755 (1g) (a) A disability insurance policy may not exclude a person or a
19 person’s dependent from coverage because the person or the dependent is eligible for
20 assistance under ch. 49 or because the dependent is eligible for early intervention
21 services under s. 51.44.

22 **SECTION 4929p.** 632.755 (1g) (b) of the statutes is amended to read:

23 632.755 (1g) (b) A disability insurance policy may not terminate its coverage
24 of a person or a person’s dependent because the person or the dependent is eligible

1 for assistance under ch. 49 or because the dependent is eligible for early intervention
2 services under s. 51.44.

3 **SECTION 4929r.** 632.755 (1g) (c) of the statutes is amended to read:

4 632.755 (1g) (c) A disability insurance policy may not provide different benefits
5 of coverage to a person or the person's dependent because the person or the
6 dependent is eligible for assistance under ch. 49 or because the dependent is eligible
7 for early intervention services under s. 51.44 than it provides to persons and their
8 dependents who are not eligible for assistance under ch. 49 or for early intervention
9 services under s. 51.44.

10 **SECTION 4929t.** 632.755 (2) of the statutes is amended to read:

11 632.755 (2) Benefits provided by a disability insurance policy shall be primary
12 to those benefits provided under ch. 49 or under s. 51.44 or 253.05.”.

13 **1374.** Page 1827, line 20: delete “\$2,000 \$7,000” and substitute “\$2,000”.

14 **1375.** Page 1827, line 22: delete “\$1,800 \$6,300” and substitute “\$1,800”.

15 **1376.** Page 1828, line 2: delete “\$3,000 \$7,000” and substitute “\$3,000”.

16 **1377.** Page 1828, line 5: delete “\$2,700 \$6,300” and substitute “\$2,700”.

17 **1378.** Page 1828, line 7: delete lines 7 to 24 and substitute:

18 “632.895 (11) TREATMENT FOR THE CORRECTION OF TEMPOROMANDIBULAR
19 DISORDERS. (a) Every disability insurance policy, and every self-insured health plan
20 of the state or a county, city, village, town or school district, that provides coverage
21 of any diagnostic or surgical procedure involving a bone, joint, muscle or tissue shall
22 provide coverage for diagnostic procedures and medically necessary surgical or
23 nonsurgical treatment for the correction of temporomandibular disorders, including

1 medically necessary surgery for the correction of functional deformities of the
2 maxilla or mandible, if all of the following apply:

3 1. The condition is caused by congenital, developmental or acquired deformity,
4 disease or injury.

5 2. Under the accepted standards of the profession of the health care provider
6 rendering the service, the procedure or device is reasonable and appropriate for the
7 diagnosis or treatment of the condition.

8 3. The purpose of the procedure or device is to control or eliminate infection,
9 pain, disease or dysfunction.

10 (b) 1. The coverage required under this subsection for nonsurgical treatment
11 includes coverage for prescribed intraoral splint therapy devices.

12 2. The coverage required under this subsection does not include coverage for
13 cosmetic or elective orthodontic care, periodontic care or general dental care.

14 (c) The coverage required under this subsection may be subject to any
15 limitations, exclusions or cost-sharing provisions that apply generally under the
16 disability insurance policy or self-insured health plan.”.

17 **1379.** Page 1829, line 1: delete lines 1 to 5 and substitute:

18 “632.895 (12) HOSPITAL AND AMBULATORY SURGERY CENTER CHARGES AND
19 ANESTHETICS FOR DENTAL CARE. (a) In this subsection, “ambulatory surgery center”
20 has the meaning given in s. 49.45 (6r) (a) 1.

21 (b) Every disability insurance policy, and every self-insured health plan of the
22 state or a county, city, village, town or school district, shall cover hospital or
23 ambulatory surgery center charges incurred, and anesthetics provided, in

1 conjunction with dental care that is provided to a covered individual in a hospital or
2 ambulatory surgery center, if any of the following applies.”.

3 **1380.** Page 1829, line 11: substitute “(c)” for “(b)”.

4 **1381.** Page 1829, line 11: delete “par. (a)” and substitute “this subsection”.

5 **1382.** Page 1829, line 13: after that line insert:

6 “**SECTION 4931m.** 632.896 (4) of the statutes, as affected by 1995 Wisconsin Act
7 289, is amended to read:

8 632.896 (4) PREEXISTING CONDITIONS. Notwithstanding ss. ~~632.745(2)~~ 632.746
9 and 632.76 (2) (a), a disability insurance policy that is subject to sub. (2) and that is
10 in effect when a court makes a final order granting adoption or when the child is
11 placed for adoption may not exclude or limit coverage of a disease or physical
12 condition of the child on the ground that the disease or physical condition existed
13 before coverage is required to begin under sub. (3).”.

14 **1383.** Page 1829, line 13: after that line insert:

15 “**SECTION 4930v.** 632.895 (13) of the statutes is created to read:

16 632.895 (13) BREAST RECONSTRUCTION. (a) Every disability insurance policy,
17 and every self-insured health plan of the state or a county, city, village, town or school
18 district, that provides coverage of the surgical procedure known as a mastectomy
19 shall provide coverage of breast reconstruction incident to a mastectomy.

20 (b) The coverage required under par. (a) may be subject to any limitations,
21 exclusions or cost-sharing provisions that apply generally under the disability
22 insurance policy or self-insured health plan.”.

23 **1384.** Page 1829, line 20: delete the material beginning with that line and
24 ending with page 1830, line 13, and substitute:

1 **SECTION 4932b.** 632.898 of the statutes is repealed.

2 **SECTION 4932d.** Subchapter I (title) of chapter 635 [precedes 635.01] of the
3 statutes is repealed.

4 **SECTION 4932f.** 635.01 of the statutes is amended to read:

5 **635.01 Scope.** This ~~subchapter~~ chapter applies to all group health insurance
6 plans, policies or certificates, written on risks or operations in this state, providing
7 coverage for employes of a small employer, or employes of a small employer and the
8 employer, and to individual health insurance policies, written on risks or operations
9 in this state, providing coverage for employes of a small employer, or employes of a
10 small employer and the employer when 3 or more are sold to or through a small
11 employer.

12 **SECTION 4932h.** 635.02 (intro.) of the statutes is amended to read:

13 **635.02 Definitions.** (intro.) In this ~~subchapter~~ chapter:

14 **SECTION 4932j.** 635.02 (1c) of the statutes is repealed.

15 **SECTION 4932L.** 635.02 (1p) of the statutes is created to read:

16 635.02 (1p) “Bona fide association” has the meaning given in s. 632.745 (3).

17 **SECTION 4932p.** 635.02 (3c) of the statutes is repealed.

18 **SECTION 4932q.** 635.02 (3f) of the statutes is repealed.

19 **SECTION 4932r.** 635.02 (3g) of the statutes is created to read:

20 635.02 (3g) “Employer” has the meaning given in s. 632.745 (6).

21 **SECTION 4932s.** 635.02 (3k) of the statutes is created to read:

22 635.02 (3k) “Group health benefit plan” has the meaning given in s. 632.745
23 (9).

24 **SECTION 4932t.** 635.02 (3m) of the statutes is repealed and recreated to read:

25 635.02 (3m) “Health benefit plan” has the meaning given in s. 632.745 (11).

1 **SECTION 4932u.** 635.02 (4t) of the statutes is created to read:

2 635.02 (4t) “Network plan” has the meaning given in s. 632.745 (19).

3 **SECTION 4932v.** 635.02 (7) of the statutes is repealed and recreated to read:

4 635.02 (7) “Small employer” means, with respect to a calendar year and a plan
5 year, an employer that employed an average of at least 2 but not more than 50
6 employes on business days during the preceding calendar year, or that is reasonably
7 expected to employ an average of at least 2 but not more than 50 employes on
8 business days during the current calendar year if the employer was not in existence
9 during the preceding calendar year, and that employs at least 2 employes on the first
10 day of the plan year.

11 **SECTION 4932w.** 635.02 (9) of the statutes is created to read:

12 635.02 (9) “Small group market” has the meaning given in s. 632.745 (26).

13 **SECTION 4932x.** 635.09 of the statutes is repealed.

14 **SECTION 4932y.** 635.11 of the statutes is renumbered 635.11 (1m), and 635.11
15 (1m) (intro.), as renumbered, is amended to read:

16 635.11 (1m) (intro.) Before the sale of a plan or policy subject to this ~~subchapter~~
17 chapter, a small employer insurer shall disclose to a small employer all of the
18 following:

19 **SECTION 4933c.** 635.11 (1m) (e) of the statutes is created to read:

20 635.11 (1m) (e) As part of the small employer insurer’s solicitation and sales
21 materials, the availability of the information under par. (f).

22 **SECTION 4933e.** 635.11 (1m) (f) of the statutes is created to read:

23 635.11 (1m) (f) Upon the request of the small employer, the following
24 information:

1 1. The provisions, if any, of the plan or policy relating to preexisting condition
2 exclusions.

3 2. The benefits and premiums available under all health insurance coverage
4 offered by the small employer insurer for which the small employer is qualified.

5 **SECTION 4933g.** 635.11 (2m) of the statutes is created to read:

6 635.11 (2m) Information required to be disclosed under this section shall be
7 provided in a manner that is understandable to a small employer and shall be
8 sufficient to reasonably inform a small employer of the small employer's rights and
9 obligations under the health insurance coverage.

10 **SECTION 4933i.** 635.11 (3m) of the statutes is created to read:

11 635.11 (3m) A small employer insurer is not required under this section to
12 disclose information that is proprietary or trade secret information under applicable
13 law.

14 **SECTION 4934c.** 635.13 (1) of the statutes is amended to read:

15 635.13 (1) RECORDS. A small employer insurer shall maintain at its principal
16 place of business complete and detailed records relating to its rating methods and
17 practices and its renewal underwriting methods and practices, and shall make the
18 records available to the commissioner and the small employer insurance board upon
19 request.

20 **SECTION 4935m.** 635.18 (1) of the statutes is amended to read:

21 635.18 (1) Every small employer insurer shall actively market health benefit
22 plan coverage, ~~including basic health benefit plans,~~ to small employers in the state.
23 ~~If a small employer insurer denies coverage to a small employer under a health~~
24 ~~benefit plan that is not a basic health benefit plan on the basis of the health status~~
25 ~~or claims experience of the small employer or its eligible employees or their~~

1 ~~dependents, the small employer insurer shall offer the small employer the~~
2 ~~opportunity to purchase a basic health benefit plan.~~

3 **SECTION 4935p.** 635.18 (3) (c) of the statutes is repealed.

4 **SECTION 4935r.** 635.18 (7) of the statutes is amended to read:

5 635.18 (7) A 3rd-party administrator that enters into a contract, agreement
6 or other arrangement with a small employer insurer to provide administrative,
7 marketing or other services related to the offering of health benefit plans to small
8 employers in this state is subject to this ~~subchapter~~ chapter as if it were a small
9 employer insurer.

10 **SECTION 4936c.** 635.19 of the statutes is created to read:

11 **635.19 Issuance of coverage in small group market.** (1) (a) Except as
12 provided in subs. (2) to (6), a small employer insurer that offers a group health benefit
13 plan in the small group market shall do all of the following:

14 1. Accept any small employer in the state that applies for such coverage.

15 2. Accept for enrollment under such coverage any eligible individual who
16 applies for enrollment during the period in which the individual first becomes
17 eligible to enroll under the terms of the group health benefit plan.

18 3. Place no restriction on an eligible individual under par. (b) that is
19 inconsistent with s. 632.746 or 632.748.

20 (b) For purposes of this section, whether an individual is an “eligible
21 individual” in relation to a small employer shall be determined in accordance with
22 all of the following:

23 1. The terms of the group health benefit plan under which the individual is
24 applying for enrollment.

1 2. Rules of the small employer insurer offering the group health benefit plan
2 under which the individual is applying for enrollment, which rules must apply
3 uniformly in this state to small employers in the small group market.

4 3. All state laws that apply to small employer insurers and the small group
5 market.

6 **(2)** (a) A small employer insurer that offers a group health benefit plan in the
7 small group market through a network plan may do any of the following:

8 1. Limit the small employers that may apply for such coverage to those with
9 eligible individuals who reside, live or work in the service area of the network plan.

10 2. Within the service area of the network plan, deny such coverage to small
11 employers if the small employer insurer demonstrates to the commissioner all of the
12 following:

13 a. That the insurer does not have the capacity to deliver services adequately
14 to enrollees of any additional groups because of its obligations to existing group
15 contract holders and enrollees.

16 b. That the insurer is applying this subdivision uniformly to all small
17 employers without regard to the claims experience of those small employers or their
18 employes or employes' dependents or any other health status-related factor of those
19 employes or their dependents.

20 (b) A small employer insurer that denies coverage under par. (a) 2. in any
21 service area may not offer coverage in the small group market in that service area
22 for 180 days after the date on which the coverage was denied.

23 **(3)** (a) A small employer insurer that offers a group health benefit plan in the
24 small group market may deny small employers coverage under such a plan in the

1 small group market if the small employer insurer demonstrates to the commissioner
2 all of the following:

3 1. That the insurer does not have the financial reserves necessary to
4 underwrite additional coverage.

5 2. That the insurer is applying this paragraph uniformly to all small employers
6 in the small group market in the state in accordance with applicable state law and
7 without regard to the claims experience of those small employers or their employes
8 or employes' dependents or any other health status-related factor of those employes
9 or their dependents.

10 (b) A small employer insurer that denies coverage under par. (a) may not offer
11 a group health benefit plan in the small group market in the state for 180 days after
12 the date on which the coverage was denied or until the insurer demonstrates to the
13 commissioner that the insurer has sufficient financial reserves to underwrite
14 additional coverage, whichever is later.

15 (4) Subsection (1) shall not be construed to preclude a small employer insurer
16 from establishing, for the offering of a group health benefit plan in the small group
17 market, any of the following:

18 (a) Rules or requirements relating to the minimum level or amount of small
19 employer contribution toward the premium for the enrollment of participants and
20 beneficiaries.

21 (b) Rules or requirements relating to the minimum number or percentage of
22 participants or beneficiaries that must be enrolled in relation to a specified number
23 or percentage of eligible individuals or employes of a small employer.

24 (5) Subsection (1) does not apply to a group health benefit plan offered by a
25 small employer insurer in the small group market if all of the following apply:

1 (a) The group health benefit plan is offered in the small group market only
2 through one or more bona fide associations.

3 (b) The small employer insurer offering the group health benefit plan makes
4 the coverage available to all members of a bona fide association regardless of any
5 health status-related factors of the members or individuals eligible for coverage
6 through the members.

7 (c) The small employer insurer offering the group health benefit plan complies
8 with any rules of the commissioner that are reasonably designed to prevent the use
9 of an association for risk segmentation.

10 (6) The commissioner may by rule permit an exception to sub. (1) with respect
11 to a small employer for which coverage is nonrenewed or discontinued for a reason
12 specified under s. 632.749 (2) (a) or (b).

13 **SECTION 4937m.** Subchapter II of chapter 635 [precedes 635.20] of the statutes,
14 as affected by 1995 Wisconsin Act 289, is repealed.”.

15 **1385.** Page 1830, line 14: delete the material beginning with that line and
16 ending with page 1831, line 2.

17 **1386.** Page 1831, line 10: after that line insert:

18 “**SECTION 4946d.** 706.13 (1) of the statutes is amended to read:

19 706.13 (1) In addition to any criminal penalty or civil remedy provided by law,
20 any person who submits for filing, entering in the judgment and lien docket or
21 recording, any lien, claim of lien, lis pendens, writ of attachment, financing
22 statement or any other instrument relating to a security interest in or the title in to
23 real or personal property, ~~knowing~~ and who knows or should have known that the
24 contents or any part of the contents ~~to be~~ of the instrument are false, a sham or

1 frivolous, is liable in tort to any person interested in the property whose title is
2 thereby impaired, for punitive damages of \$1,000 plus any actual damages caused
3 by the filing, entering or recording.”.

4 **1387.** Page 1831, line 12: after that line insert:

5 “SECTION 4948m. 753.06 (8) (e) of the statutes is amended to read:

6 753.06 (8) (e) Oconto county. The circuit has one branch. Commencing August
7 1, 1998, the circuit has 2 branches.”.

8 **1388.** Page 1831, line 12: after that line insert:

9 “SECTION 4950g. 755.09 (1) of the statutes is amended to read:

10 755.09 (1) Every judge shall keep his or her office and hold court ~~only in the~~
11 ~~municipal hall of the town, village or city in which elected or if no room is available~~
12 ~~in the municipal hall, in any adequate facility provided by the governing body may~~
13 ~~authorize him or her to temporarily keep office and hold court elsewhere in the~~
14 ~~municipality of the city, village or town, other than at a place prohibited under sub.~~
15 (2). The judge may issue process or perform ministerial functions at any place in the
16 county.

17 **SECTION 4950m.** 755.19 of the statutes is created to read:

18 **755.19 Municipal court commissioners. (1) APPOINTMENT.** First class cities
19 may create the office of municipal court commissioner. The municipal court
20 commissioner shall be an attorney licensed to practice in this state and shall
21 complete annual educational credits consistent with supreme court requirements for
22 municipal judges. The common council shall establish the number of positions and
23 set the term, the additional qualifications and the compensation for the office. The
24 presiding judge of the municipal court shall be the appointing authority and may

1 terminate the employment of a municipal court commissioner at will and without
2 cause. The municipal court commissioner shall be supervised by the judge whose
3 cases the commissioner is hearing. Each municipal court commissioner shall take
4 and file the official oath in the office of the clerk of the municipal court of the 1st class
5 city for which appointed before performing any duty of the office.

6 **(2) POWERS AND DUTIES.** Under the supervision of a municipal judge, a
7 municipal court commissioner may do all of the following:

8 (a) Under ss. 800.04 and 800.095 (4) and (5), conduct initial appearances and
9 receive noncontested forfeiture pleas, order the revocation or suspension of driving
10 privileges and impose forfeitures, impose community service and restitution
11 according to the schedule adopted by the municipal court where appointed, and issue
12 dispositional and sanction orders pursuant to ch. 938.

13 (b) Issue warrants for those who do not appear as scheduled or as summoned.

14 (c) Conduct hearings on warrant returns.

15 (d) Schedule indigency hearings.

16 (e) Make a finding on the indigency of defendants.

17 (f) Enforce alternative judgments for failure to comply with court orders.

18 (g) Conduct court proceedings and exercise any power authorized by statute.

19 **(3) NEW HEARINGS AND APPEALS OF MUNICIPAL COURT COMMISSIONER RULINGS.** A
20 motion for a new hearing or appeal of a contested ruling by a municipal court
21 commissioner shall be filed with the municipal court no later than the 20th day after
22 the commissioner makes the ruling. The motion shall be heard by the supervising
23 municipal judge under the procedure consistent with the procedure adopted by the
24 judicial district on motions to reopen judgments before the municipal court. Nothing

1 in this subsection shall be construed as altering the time periods for filing a notice
2 of appeal from a final judgment or filing a motion of relief from judgment.

3 **SECTION 4950r.** 757.23 of the statutes is amended to read:

4 **757.23 Court commissioner, when disqualified.** A municipal court
5 commissioner, a court commissioner, or any judge acting as a court commissioner,
6 shall not act or take part in the decision of, or make any order in any matter or
7 proceeding in which he or she is a party, or in which his or her rights would be in any
8 manner affected by his or her decision or order thereon, or in which he or she is
9 interested, or in which his or her law partner, or any person connected with him or
10 her as employer, employe or clerk, or in the law business in any manner, shall be
11 interested or appear as a party, agent, attorney or counsel. Any municipal court
12 commissioner, court commissioner or judge, acting as a court commissioner, violating
13 this section shall forfeit \$25 for each violation, and shall also be subject to removal
14 from office.”.

15 **1389.** Page 1831, line 12: after that line insert:

16 **“SECTION 4951g.** 757.48 (1) (b) of the statutes is amended to read:

17 757.48 (1) (b) The guardian ad litem shall be allowed reasonable compensation
18 for his or her services such as is customarily charged by attorneys in this state for
19 comparable services. If the court orders a county to pay the compensation of the
20 guardian ad litem, the amount ordered may not exceed the compensation paid to
21 private attorneys under s. 977.08 (4m) (b). When a court appoints a guardian ad
22 litem for a person with a developmental disability, the court shall require the
23 guardian ad litem, as a condition of accepting the appointment, to submit a written
24 detailed statement of the services he or she plans to provide for the developmentally

1 disabled person. In addition, as a condition of receipt of compensation from a county,
2 a guardian ad litem shall provide an accounting of the services he or she did provide
3 to the developmentally disabled person on a form that the circuit court develops and
4 provides to the guardian ad litem. If a court-appointed guardian ad litem is required
5 to submit an accounting of the services he or she provided to a person with a
6 development disability, the guardian of that person with a development disability
7 shall receive a copy of that accounting and may comment to the court regarding that
8 accounting. The court may require, before issuing an order regarding the payment
9 of compensation to the guardian ad litem, that the guardian ad litem and the
10 guardian of the developmentally disabled person engage in one of the dispute
11 resolution processes under s. 802.12 to resolve any dispute regarding the services
12 that the guardian ad litem provided to the developmentally disabled person. If the
13 attorney of record is also the guardian ad litem, the attorney shall be entitled only
14 to attorney fees and shall receive no compensation for services as guardian ad litem.”.

15 **1390.** Page 1832, line 15: delete that line and substitute “48.57 (3m) (b) 2. or,
16 49.145 (2) (s), 49.19 (4) (h) 1. b. or 49.775 (2) (bm) if all of the following apply:”.

17 **1391.** Page 1848, line 4: delete “49.153 (3),” and substitute “49.153 (3),”.

18 **1392.** Page 1849, line 21: after that line insert:

19 “**SECTION 5036m.** 767.47 (6) (a) of the statutes is amended to read:

20 767.47 (6) (a) Whenever the state brings the action to determine paternity
21 pursuant to an assignment under s. 46.261, 48.57 (3m) (b) 2., 49.153 (3) (a), 49.19 (4)
22 (h) 1. or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157 or 49.159,
23 the natural mother of the child may not be compelled to testify about the paternity
24 of the child if it has been determined that the mother has good cause for refusing to

1 cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B) and the
2 federal regulations promulgated pursuant to this statute, as of July 1, 1981, and
3 pursuant to any rules promulgated by the department which define good cause in
4 accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B) in
5 effect on July 1, 1981.

6 **SECTION 5036n.** 767.47 (6) (b) of the statutes is amended to read:

7 767.47 (6) (b) Nothing in par. (a) prevents the state from bringing an action to
8 determine paternity pursuant to an assignment under s. 48.57 (3m) (b) 2., ~~49.153 (3)~~
9 ~~(a)~~, 49.19 (4) (h) 1. or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157
10 or 49.159, where evidence other than the testimony of the mother may establish the
11 paternity of the child.”.

12 **1393.** Page 1878, line 5: after that line insert:

13 “**SECTION 5165b.** 799.24 (1) of the statutes is amended to read:

14 799.24 (1) ENTRY OF JUDGMENT OR ORDER; NOTICE OF ENTRY THEREOF. When a
15 judgment or an order is rendered, the judge, court commissioner or clerk of circuit
16 court shall immediately enter it in the court record and note the date thereof which
17 shall be the date of entry of judgment or order. The clerk of circuit court, except in
18 municipal and county forfeiture actions, shall mail a notice of entry of judgment to
19 the parties or their attorneys at their last-known address within 5 days of its entry.
20 Upon payment of the exact amount of the fee prescribed in s. 814.62 (3) (c), the clerk
21 of circuit court shall enter the judgment in the judgment and lien docket.”.

22 **1394.** Page 1878, line 5: after that line insert:

23 “**SECTION 5165c.** Subchapter IX (title) of chapter 779 [precedes 779.80] of the
24 statutes is amended to read:

1 **SECTION 5165m.** 779.80 (3) (intro.) of the statutes is renumbered 779.80 (3) (ae)
2 and amended to read:

3 779.80 (3) (ae) ~~No such lien shall be~~ A lien under this section is not effective
4 unless the health care provider files a written notice ~~containing~~ under this
5 paragraph. The notice shall contain the name and address of the injured person, the
6 date and location of the event causing ~~sueh~~ the injuries, the name and ~~location~~
7 address of the ~~hospital~~ health care provider, and if ascertainable by reasonable
8 diligence, the names and addresses of the persons alleged to be liable for damages
9 sustained by ~~sueh~~ the injured person~~;~~. The notice shall be filed in the office of the
10 clerk of circuit court in the county in which sueh the injuries ~~have occurred, or in the~~
11 county in which sueh ~~hospital~~ the health care provider is located~~;~~, or in the county in
12 which suit for recovery of such damages is pending~~;~~. The notice shall be filed prior
13 to the payment of any moneys to ~~sueh~~ the injured person or legal representatives, but
14 in no event later than 60 days after ~~discharge of such injured person from the hospital~~
15 the date that the health care provider last provided services to the injured person for
16 the injuries.

17 **SECTION 5165o.** 779.80 (3) (a) of the statutes is renumbered 779.80 (3) (am) and
18 amended to read:

19 779.80 (3) (am) The clerk of circuit court shall enter all ~~hospital~~ liens created
20 under this section in the judgment and lien docket, including the name of the injured
21 person, the date of the event causing the injury and the name of the ~~hospital or other~~
22 ~~institution~~ health care provider making the claim. The clerk of circuit court shall
23 receive the fee prescribed in s. 814.61 (5) for entering each lien.

24 **SECTION 5165q.** 779.80 (3) (b) and (c) of the statutes are amended to read:

1 779.80 (3) (b) Within 10 days after filing of the notice of lien under par. (ae),
2 the ~~hospital~~ health care provider shall send by certified mail or registered mail or
3 serve personally a copy of such ~~the~~ notice with the date of filing thereof to or upon
4 the injured person and the person alleged to be liable for damages sustained by such
5 the injured person, if ascertained by reasonable diligence. If ~~such hospital~~ the health
6 care provider fails to give notice if the name and address of the person injured or the
7 person allegedly liable for the injury are known or should be known, the lien ~~shall~~
8 be is void.

9 (c) The ~~hospital~~ health care provider shall also serve a copy of such ~~the~~ notice
10 under par. (ae), as provided in par. (b), to any insurer ~~which~~ that has insured such
11 the person alleged to be liable for the injury against such liability, if the name and
12 address may be ascertained by reasonable diligence.

13 **SECTION 5165s.** 779.80 (4) of the statutes is amended to read:

14 779.80 (4) After filing and service of the notice of lien, no release of any
15 judgment, claim or demand by the injured person ~~shall be~~ is valid as against such
16 the lien under this section, and the person making any payment to such ~~the~~ injured
17 person or legal representatives as compensation for the injuries sustained shall, for
18 a period of one year ~~from~~ after the date of such ~~the~~ payment, remain liable to the
19 ~~hospital~~ health care provider for the amount of such ~~the~~ lien.

20 **SECTION 5165u.** 779.80 (5) of the statutes is amended to read:

21 779.80 (5) ~~Such lien shall~~ The lien under this section does not in any way
22 prejudice or interfere with any lien or contract ~~which~~ that may be made by such ~~the~~
23 injured person or legal representatives with any attorney ~~or attorneys~~ for legal
24 services rendered with respect to the claim of the injured person or legal
25 representatives against the person alleged to be liable for such ~~the~~ injury. ~~Said lien~~

1 shall also be subservient to actual Actual taxable court costs, and actual
2 disbursements made by the attorney in prosecuting the court action have priority
3 over the lien under this section.

4 **SECTION 5165x.** 779.80 (6) of the statutes is amended to read:

5 779.80 (6) ~~No hospital is~~ A health care provider is not entitled to any lien under
6 this section if the person injured is eligible for compensation under ch. 102 or any
7 other worker's compensation act.”.

8 **1395.** Page 1882, line 9: after that line insert:

9 “**SECTION 5175g.** 806.10 (1) (intro.) of the statutes is amended to read:

10 806.10 (1) (intro.) At the time of entry of a judgment directing in whole or in
11 part the payment of money, or a judgment naming a spouse under s. 806.15 (4), and
12 upon payment of the exact amount of the fee prescribed in s. 814.61 (5) (b), the clerk
13 of circuit court shall enter the judgment in the judgment and lien docket, arranged
14 alphabetically, including all of the following:

15 **SECTION 5175m.** 806.10 (3) of the statutes is amended to read:

16 806.10 (3) Every clerk of circuit court who enters a judgment or decree and
17 enters upon the judgment and lien docket a date or time other than that of its actual
18 entry or neglects to enter the same at the proper time shall be liable ~~in treble~~
19 ~~damages~~ to the party injured.”.

20 **1396.** Page 1883, line 16: after that line insert:

21 “**SECTION 5189p.** 814.61 (13) of the statutes is amended to read:

22 814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,
23 whenever a person not receiving benefits under s. 49.148, ~~49.153~~ or 49.155 or aid
24 under s. 49.19, 49.46, 49.465, 49.468 or 49.47 files a petition requesting child

1 support, maintenance or family support payments, \$10 in addition to any other fee
2 required under this section. This subsection does not apply to a petition filed by the
3 state or its delegate.”.

4 **1397.** Page 1884, line 21: after that line insert:

5 “SECTION 5194m. 814.65 (1) of the statutes is amended to read:

6 814.65 (1) COURT COSTS. In a municipal court action, except an action for
7 violation of an ordinance in conformity with s. 347.48 (2m), the municipal judge shall
8 collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether
9 it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant
10 or summons or the action is tried as a contested matter. Of each \$15 fee received by
11 the judge under this subsection, the municipal treasurer shall pay monthly
12 ~~one-third~~ \$5 to the state treasurer for deposit in the general fund and shall retain
13 the balance for the use of the municipality.”.

14 **1398.** Page 1886, line 5: after that line insert:

15 “SECTION 5200f. 846.04 of the statutes is renumbered 846.04 (1) and amended
16 to read:

17 846.04 (1) The plaintiff may, in the complaint, demand judgment for any
18 deficiency that may remain due the plaintiff after sale of the mortgaged premises
19 against every party who is personally liable for the debt secured by the mortgage.
20 Judgment may be rendered for any deficiency remaining after applying the proceeds
21 of sale to the amount due. The judgment for deficiency shall be ordered in the original
22 judgment and separately rendered against the party liable on or after the
23 confirmation of sale. The judgment for deficiency shall be entered in the judgment
24 and lien docket and, except as provided in subs. (2) and (3), enforced as in other cases.

1 A mortgage foreclosure deficiency judgment entered on property devoted primarily
2 to agricultural use, as defined in s. 91.01 (5), on and after the effective date of this
3 subsection [revisor inserts date], shall be recorded as an agriculture judgment.

4 **SECTION 5200g.** 846.04 (2) of the statutes is created to read:

5 846.04 (2) Except as provided in sub. (3), if a mortgage foreclosure deficiency
6 judgment is entered on property devoted primarily to agricultural use, as defined in
7 s. 91.01 (5), an action on the deficiency judgment shall be commenced within 10 years
8 after the date on which the mortgage foreclosure deficiency judgment is entered or
9 be barred.

10 **SECTION 5200h.** 846.04 (3) of the statutes is created to read:

11 846.04 (3) If a mortgage foreclosure deficiency judgment was entered before
12 January 1, 1990, on property devoted primarily to agricultural use, as defined in s.
13 91.01 (5), an action on the deficiency judgment shall be commenced within 2 years
14 after the effective date of this subsection [revisor inserts date], or be barred. If the
15 deficiency judgment remains unsatisfied in a mortgage foreclosure deficiency
16 judgment action entered before the effective date of this subsection [revisor
17 inserts date], the defendant in that action shall notify the clerk of circuit court of the
18 existence of that deficiency judgment and of the date that an action on that deficiency
19 judgment shall be commenced or be barred. Not later than 60 days prior to 2 years
20 after the effective date of this subsection [revisor inserts date], if notified of an
21 unsatisfied deficiency judgment by the defendant in that action, the clerk of each
22 circuit court in which a mortgage foreclosure deficiency judgment on property
23 devoted primarily to agricultural use, as defined in s. 91.01 (5), was entered before
24 January 1, 1990, and remains unsatisfied, shall, upon payment by the defendant in
25 that action of the costs of the publication and certified mail, do all of the following:

1 (a) Publish a notice as a class 1 notice under ch. 985, in the official newspaper
2 of the county where the mortgage foreclosure deficiency judgment was entered,
3 stating that the party holding the mortgage foreclosure deficiency judgment is
4 required to commence an action on the deficiency judgment prior to 2 years after the
5 effective date of this paragraph [revisor inserts date], or be barred from any
6 further action on that deficiency judgment.

7 (b) Notify by certified mail the primary plaintiff in the action for the mortgage
8 foreclosure deficiency judgment that the plaintiff is required to commence an action
9 on the deficiency judgment prior to 2 years after the effective date of this paragraph
10 [revisor inserts date], or be barred from any further action on that deficiency
11 judgment.”.

12 **1399.** Page 1889, line 22: delete “any other vehicle having a gross vehicle
13 weight rating” and substitute “motor truck having a registered weight”.

14 **1400.** Page 1890, line 17: after that line insert:

15 “**SECTION 5217g.** 893.40 of the statutes is amended to read:

16 **893.40 Action on judgment or decree; court of record.** ~~An~~ Except as
17 provided in s. 846.04 (2) and (3), action upon a judgment or decree of a court of record
18 of any state or of the United States shall be commenced within 20 years after the
19 judgment or decree is entered or be barred.”.

20 **1401.** Page 1893, line 3: after that line insert:

21 “**SECTION 5225m.** 895.483 (1) of the statutes is amended to read:

22 895.483 (1) A regional emergency response team, a member of such a team, and
23 a local agency, as defined in s. 166.22 (1) (c), that contracts with the ~~state emergency~~
24 ~~response board~~ division of emergency management in the department of military

1 affairs for the provision of a regional emergency response team, are immune from
2 civil liability for acts or omissions related to carrying out responsibilities under a
3 contract under s. 166.215 (1).”.

4 **1402.** Page 1898, line 2: after that line insert:

5 “SECTION 5246d. 938.22 (1) (a) of the statutes is amended to read:

6 938.22 (1) (a) The county board of supervisors may establish a secure detention
7 facility or a shelter care facility or both or the county boards of supervisors for 2 or
8 more counties may jointly establish a secure detention facility or a shelter care
9 facility or both in accordance with ss. 46.16, 46.20 and 301.36. A private entity may
10 establish a secure detention facility in accordance with ss. 301.36 and 301.37 and
11 contract with one or more county boards of supervisors under s. 938.222 for holding
12 juveniles in the private secure detention facility.

13 SECTION 5247d. 938.22 (1) (b) of the statutes is amended to read:

14 938.22 (1) (b) Subject to sub. (3) (ar), in counties having a population of less
15 than 500,000, the nonjudicial operational policies of the a public secure detention
16 facility or shelter care facility shall be determined by the county board of supervisors
17 or, in the case of a public secure detention facility or shelter care facility established
18 by 2 or more counties, by the county boards of supervisors for the 2 or more counties
19 jointly. Those policies shall be executed by the superintendent appointed under sub.
20 (3) (a).

21 SECTION 5247g. 938.22 (1) (c) of the statutes is amended to read:

22 938.22 (1) (c) In counties having a population of 500,000 or more, the
23 nonjudicial operational policies of the a public secure detention facility and the
24 detention section of the ~~juvenile delinquency~~ children’s court center shall be

1 established by the county board of supervisors, and the execution thereof shall be the
2 responsibility of the director of the children’s court center.

3 **SECTION 5247i.** 938.22 (1) (d) of the statutes is created to read:

4 938.22 (1) (d) The nonjudicial operational policies of a private secure detention
5 facility shall be established by the private entity operating the secure detention
6 facility. Those policies shall be executed by the superintendent appointed under sub.
7 (3) (bm).

8 **SECTION 5248d.** 938.22 (2) (a) of the statutes is amended to read:

9 938.22 (2) (a) Counties shall submit plans for the secure detention facility or
10 juvenile portion of the county jail to the department of corrections and submit plans
11 for the shelter care facility to the department of health and family services. A private
12 entity that proposes to establish a secure detention facility shall submit plans for the
13 secure detention facility to the department of corrections. The applicable
14 department shall review the submitted plans. ~~The counties~~ A county or a private
15 entity may not implement any such plan unless the applicable department has
16 approved the plan. The department of corrections shall promulgate rules
17 establishing minimum requirements for the approval of the operation of secure
18 detention facilities and the juvenile portion of county jails. The plans and rules shall
19 be designed to protect the health, safety and welfare of the juveniles in these
20 facilities.

21 **SECTION 5249d.** 938.22 (3) (bm) of the statutes is created to read:

22 938.22 (3) (bm) A private secure detention facility shall be in the charge of a
23 superintendent appointed by the private entity operating the secure detention
24 facility.

25 **SECTION 5249g.** 938.22 (3) (c) of the statutes is amended to read:

1 938.22 (3) (c) All superintendents appointed under par. (a) ~~or~~, (b) or (bm) after
2 May 1, 1992, shall, within one year after that appointment, successfully complete an
3 administrative training program approved or provided by the department of justice.

4 **SECTION 5249m.** 938.22 (5) of the statutes is amended to read:

5 938.22 (5) A county board of supervisors, or 2 or more county boards of
6 supervisors jointly, may contract with privately operated secure detention facilities,
7 shelter care facilities or home detention programs for purchase of services. A county
8 board of supervisors may delegate this authority to its county department.”.

9 **1403.** Page 1899, line 12: after that line insert:

10 “**SECTION 5253m.** 938.222 of the statutes is created to read:

11 **938.222 Contracts with private entities for secure detention facility**
12 **services. (1)** The county board of supervisors of any county may contract with a
13 private entity that operates a secure detention facility for the use of the secure
14 detention facility for the holding of juveniles who meet the criteria under s. 48.208,
15 938.17 (1), 938.183 (1m) (a) or 938.208 or who are subject to a disposition under s.
16 938.17 (1) (b) or 938.34 (3) (f), a sanction under s. 938.355 (6) (d) 1. or short-term
17 detention under s. 938.355 (6d) or 938.534 (1).

18 **(2) (a)** A contract under sub. (1) shall require all of the following:

19 1. That the private secure detention facility meet or exceed the minimum
20 requirements for the approval and operation of a secure detention facility
21 established by the department by rules promulgated under s. 938.22 (2) (a) and that
22 the private secure detention facility be approved by the department under s. 301.36.

1 2. That the private secure detention facility provide educational programming,
2 health care and other care that is equivalent to that which a juvenile would receive
3 if held in a public secure detention facility.

4 (b) In addition to the requirements under par. (a), a contract under sub. (1) shall
5 include all of the following:

6 1. The rates to be paid by the county for holding a juvenile in the private secure
7 detention facility and the charges to be paid by the county for any extraordinary
8 medical and dental expenses and any programming provided for a juvenile who is
9 held in the private secure detention facility.

10 2. An agreement that the county retains jurisdiction over a juvenile who is held
11 in the private secure detention facility.

12 3. An agreement that the private secure detention facility is subject to
13 investigation and inspection by the department under s. 301.36.

14 4. Any other matters that are necessary and appropriate concerning the
15 obligations, responsibilities and rights of the contracting counties and the
16 department.”.

17 **1404.** Page 1907, line 12: after that line insert:

18 “**SECTION 5275g.** 938.396 (1m) (a) of the statutes is amended to read:

19 938.396 (**1m**) (a) ~~If requested by the school district administrator of a public~~
20 ~~school district, a~~ A law enforcement agency, on its own initiative or on the request
21 of the school district administrator of a public school district or the school district
22 administrator’s designee, may, subject to official agency policy, provide to the school
23 district administrator or designee any information in its records relating to the use,
24 possession or distribution of alcohol or a controlled substance or controlled substance

1 analog by a ~~pupil~~ juvenile enrolled in the public school district. The information shall
2 be used by the school district as provided under s. 118.127 (2).

3 **SECTION 5275h.** 938.396 (1m) (am) of the statutes is amended to read:

4 938.396 (1m) (am) ~~If requested by a school district administrator of a public~~
5 ~~school district, a~~ A law enforcement agency, on its own initiative or on the request
6 of the school district administrator of a public school district or the school district
7 administrator's designee, may, subject to official agency policy, provide to the school
8 district administrator or designee any information in its records relating to the
9 illegal possession by a juvenile of a dangerous weapon, as defined in s. 939.22 (10).
10 The information shall be used by the school district as provided in s. 118.127 (2).

11 **SECTION 5275k.** 938.396 (1m) (ar) of the statutes is created to read:

12 938.396 (1m) (ar) A law enforcement agency, on its own initiative or on the
13 request of the school district administrator of a public school district or the school
14 district administrator's designee, may, subject to official agency policy, provide to the
15 school district administrator or designee any information in its records relating to
16 an act for which a juvenile enrolled in the school district was taken into custody
17 under s. 938.19 based on a law enforcement officer's belief that the juvenile was
18 committing or had committed an act that is a violation specified in s. 938.34 (4h) (a).
19 The information shall be used by the school district as provided in s. 118.127 (2).

20 **SECTION 5275m.** 938.396 (1m) (b) of the statutes is amended to read:

21 938.396 (1m) (b) ~~If requested by the school district administrator of a public~~
22 ~~school district, a~~ A law enforcement agency, on its own initiative or on the request
23 of the school district administrator of a public school district or the school district
24 administrator's designee, may disclose, subject to official agency policy, provide to
25 the school district administrator or designee any information in its records relating

1 to the act for which a juvenile enrolled in the public school district was adjudged
2 delinquent. The information shall be used by the school district as provided in s.
3 118.127 ~~(3)~~ (2).”.

4 **1405.** Page 1913, line 4: after that line insert:

5 “**SECTION 5336m.** 943.60 (1) of the statutes is amended to read:

6 943.60 (1) Any person who submits for filing, entering or recording any lien,
7 claim of lien, lis pendens, writ of attachment, financing statement or any other
8 instrument relating to a security interest in or title in to real or personal property,
9 knowing and who knows or should have known that the contents or any part of the
10 contents ~~to be of the instrument~~ are false, a sham or frivolous, is guilty of a Class E
11 D felony.”.

12 **1406.** Page 1914, line 19: after that line insert:

13 “**SECTION 5343j.** 946.68 (1) of the statutes is renumbered 946.68 (1r) (a) and
14 amended to read:

15 946.68 (1r) (a) ~~Whoever~~ Except as provided in pars. (b) and (c), whoever sends
16 or delivers to another any document which simulates ~~a summons, complaint, or court~~
17 legal process is guilty of a Class E felony.

18 (b) If the document under par. (a) is sent or delivered with intent thereby to
19 induce payment of a claim, the person is guilty of a Class B misdemeanor D felony.

20 **SECTION 5343k.** 946.68 (1g) of the statutes is created to read:

21 946.68 (1g) In this section, “legal process” includes a subpoena, summons,
22 complaint, warrant, injunction, writ, notice, pleading, order or other document that
23 directs a person to perform or refrain from performing a specified act and compliance
24 with which is enforceable by a court or governmental agency.

1 **SECTION 5343L.** 946.68 (1r) (c) of the statutes is created to read:

2 946.68 (1r) (c) If the document under par. (a) simulates any criminal process,
3 the person is guilty of a Class D felony.

4 **SECTION 5343m.** 946.68 (2) of the statutes is amended to read:

5 946.68 (2) Proof that ~~the~~ a document specified under sub. (1r) was mailed or
6 was delivered to any person with intent that it be forwarded to the intended recipient
7 is sufficient proof of sending.

8 **SECTION 5343t.** 946.69 (2) (intro.) of the statutes is amended to read:

9 946.69 (2) (intro.) Whoever does any of the following is guilty of a Class ~~A~~
10 misdemeanor E felony.”.

11 **1407.** Page 1914, line 23: after that line insert:

12 “**SECTION 5346e.** 951.01 (3f) of the statutes is created to read:

13 951.01 (3f) “Fire department” includes a volunteer fire department and a
14 department under s. 61.66.

15 **SECTION 5346f.** 951.095 (title) of the statutes is amended to read:

16 **951.095** (title) **Harassment of police and fire animals.**

17 **SECTION 5346g.** 951.095 (1) (intro.) of the statutes is amended to read:

18 951.095 (1) (intro.) No person may do any of the following to any animal that
19 is used by a law enforcement agency or fire department to perform agency or
20 department functions or duties:

21 **SECTION 5346h.** 951.18 (2m) of the statutes is amended to read:

22 951.18 (2m) Any person who violates s. 951.095 is subject to a Class B
23 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing
24 that the animal that is the victim is used by a law enforcement agency or fire

1 department to perform agency or department functions or duties, is guilty of a Class
2 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the
3 animal that is the victim is used by a law enforcement agency or fire department to
4 perform agency or department functions or duties and causing injury to the animal,
5 is guilty of a Class E felony. Any person who intentionally violates s. 951.095,
6 knowing that the animal that is the victim is used by a law enforcement agency or
7 fire department to perform agency or department functions or duties and causing
8 death to the animal, is guilty of a Class D felony.”.

9 **1408.** Page 1914, line 23: after that line insert:

10 “**SECTION 5346d.** 949.06 (5) (a) of the statutes is amended to read:

11 949.06 (5) (a) Except as provided in pars. (b) to (e), the department shall make
12 awards under this section from the appropriations under s. 20.455 (5) (b), (j) (kj) and
13 (m).”.

14 **1409.** Page 1927, line 22: after that line insert:

15 “**SECTION 5491d.** 980.06 (2) (c) of the statutes is amended to read:

16 980.06 (2) (c) If the court finds that the person is appropriate for supervised
17 release, the court shall notify the department. The department and the county
18 department under s. 51.42 in the county of residence of the person, as determined
19 under s. 980.105, shall prepare a plan that identifies the treatment and services, if
20 any, that the person will receive in the community. The plan shall address the
21 person’s need, if any, for supervision, counseling, medication, community support
22 services, residential services, vocational services, and alcohol or other drug abuse
23 treatment. The department may contract with a county department, under s. 51.42
24 (3) (aw) 1. d., with another public agency or with a private agency to provide the

1 treatment and services identified in the plan. The plan shall specify who will be
2 responsible for providing the treatment and services identified in the plan. The plan
3 shall be presented to the court for its approval within 21 days after the court finding
4 that the person is appropriate for supervised release, unless the department, county
5 department and person to be released request additional time to develop the plan.
6 If the county department of the person's county of residence declines to prepare a
7 plan, the department may arrange for another county to prepare the plan if that
8 county agrees to prepare the plan and if the person will be living in that county. If
9 the department is unable to arrange for another county to prepare a plan, the court
10 shall designate a county department to prepare the plan, order the county
11 department to prepare the plan and place the person on supervised release in that
12 county, except that the court may not so designate the county department in ~~the a~~
13 county where ~~the a~~ facility in which the person was ~~committed~~ placed for
14 institutional care is located unless that county is also the person's county of
15 residence.”.

16 **1410.** Page 1929, line 15: after that line insert:

17 “**SECTION 5491y.** 980.08 (5) of the statutes is amended to read:

18 980.08 (5) If the court finds that the person is appropriate for supervised
19 release, the court shall notify the department. The department and the county
20 department under s. 51.42 in the county of residence of the person, as determined
21 under s. 980.105, shall prepare a plan that identifies the treatment and services, if
22 any, that the person will receive in the community. The plan shall address the
23 person's need, if any, for supervision, counseling, medication, community support
24 services, residential services, vocational services, and alcohol or other drug abuse

1 treatment. The department may contract with a county department, under s. 51.42
2 (3) (aw) 1. d., with another public agency or with a private agency to provide the
3 treatment and services identified in the plan. The plan shall specify who will be
4 responsible for providing the treatment and services identified in the plan. The plan
5 shall be presented to the court for its approval within 60 days after the court finding
6 that the person is appropriate for supervised release, unless the department, county
7 department and person to be released request additional time to develop the plan.
8 If the county department of the person's county of residence declines to prepare a
9 plan, the department may arrange for another county to prepare the plan if that
10 county agrees to prepare the plan and if the person will be living in that county. If
11 the department is unable to arrange for another county to prepare a plan, the court
12 shall designate a county department to prepare the plan, order the county
13 department to prepare the plan and place the person on supervised release in that
14 county, except that the court may not so designate the county department in the a
15 county where the a facility in which the person was ~~committed~~ placed for
16 institutional care is located unless that county is also the person's county of
17 residence.”.

18 **1411.** Page 1930, line 19: after that line insert:

19 “**SECTION 5503h.** 1995 Wisconsin Act 27, section 9148 (3z) (b) is amended to
20 read:

21 [1995 Wisconsin Act 27] Section 9148 (3z) (b) Any person who holds a permit,
22 license or certificate issued by the department of revenue that expires on or after
23 December 31, 1995, for an activity for which a business tax registration certificate
24 is required on or after January 1, 1996, shall, ~~upon application,~~ be issued at no charge

1 a business tax registration certificate under section 73.03 (50) of the statutes, as
2 created by this act, that expires on a date that is determined by the department of
3 revenue and that is between January 1, 1998, and December 31, 1999.”.

4 **1412.** Page 1934, line 4: delete lines 4 and 5.

5 **1413.** Page 1934, line 7: delete that line.

6 **1414.** Page 1934, line 8: after that line insert:

7 “**SECTION 5509m.** 1995 Wisconsin Act 445, section 14 is repealed.

8 **SECTION 5510d.** 1995 Wisconsin Act 445, section 23 (1) is amended to read:

9 [1995 Wisconsin Act 445] Section 23 (1) The repeal of sections 14.26 (4m) and
10 20.395 (5) (qr) of the statutes and the amendment of sections 341.14 (6r) ~~(bm)~~ 1. (by
11 SECTION 14), (c) (by SECTION 16) and (e) (by SECTION 18) and 341.16 (1) (b) (by SECTION
12 22) of the statutes take effect on January 1, 1999.”.

13 **1415.** Page 1934, line 9: delete lines 9 to 12 and substitute:

14 “**SECTION 5510em.** 1995 Wisconsin Act 445, section 23 (2) is amended to read:

15 [1995 Wisconsin Act 445] Section 23 (2) The repeal of sections 13.101 (3m),
16 20.525 (1) (k) and ~~(qr)~~, 20.865 (4) (c), ~~25.40 (2) (b)~~ 20p. and 341.14 (6r) (bg) and (f) 52.
17 of the statutes takes effect on July 1, 1999.”.

18 **1416.** Page 1934, line 13: delete lines 13 to 19 and substitute:

19 “**SECTION 5510j.** 1995 Wisconsin Act 453, section 5g is repealed.

20 **SECTION 5510n.** 1995 Wisconsin Act 453, section 12 (1) (b) is repealed.”.

21 **1417.** Page 1935, line 2: delete “young adults” and substitute “young adults
22 not more than 21 years of age and who are not violent offenders, as determined by
23 the department of corrections”.

24 **1418.** Page 1935, line 13: after that line insert:

1 “(1c) SUPPLEMENTAL TITLE FEE MATCHING. Notwithstanding section 20.855 (4) (f)
2 of the statutes, as created by this act, the transfer of funds from the general fund to
3 the environmental fund in an amount equal to the amount of supplemental title fees
4 collected under section 342.14 (3m) of the statutes, as affected by this act, for 1997
5 shall be made no later than October 15, 1997, or the 15th day after the date on which
6 certification is made under SECTION 9149 (1c) of this act, whichever is later.”.

7 **1419.** Page 1940, line 22: after that line insert:

8 “(10mg) EDUCATIONAL TECHNOLOGY BLOCK GRANTS AND LIBRARY AIDS.
9 Notwithstanding sections 43.70 (2) and 44.72 (2) (a) of the statutes, as affected by
10 this act, educational technology block grants and library aids shall be distributed in
11 the 1997-98 school year to eligible school districts, including union high school
12 districts, in proportion to the number of persons who resided in each school district,
13 as specified under section 43.70 (1) of the statutes, as affected by this act, on June
14 30, 1997, as estimated by the department of public instruction.”.

15 **1420.** Page 1941, line 2: delete “September 1, 1997” and substitute “January
16 1, 1998

17 **1421.** Page 1941, line 19: after that line insert:

18 “(12pg) AID TO WISCONSIN LAKE SCHOONER EDUCATION ASSOCIATION. From the
19 appropriation under section 20.505 (1) (gm) of the statutes, as created by this act, the
20 department of administration shall provide financial assistance in an amount not to
21 exceed \$200,000 to the Wisconsin Lake Schooner Education Association for the
22 construction of a tall sailing ship to represent this state as a part of the
23 sesquicentennial of Wisconsin statehood in 1998. The department shall provide the
24 assistance authorized under this subsection upon written agreement with the

1 Wisconsin Lake Schooner Education Association to use the assistance for the
2 purpose specified in this subsection. The agreement shall permit the Wisconsin Lake
3 Schooner Education Association to be reimbursed for expenses incurred prior to the
4 effective date of this subsection. This subsection does not apply after May 31, 1999,
5 or after the date on which the governor notifies the director of the historical society
6 of acceptance of the report under section 14.26 (6) of the statutes, as affected by this
7 act, whichever is later.”

8 **1422.** Page 1941, line 22: after that line insert:

9 “(13m) REPEAL OF THE DEPOSITORY SELECTION BOARD.

10 (a) *Rules and orders.* All rules promulgated by the depository selection board
11 that are in effect on the effective date of this paragraph remain in effect until their
12 specified expiration dates or until amended or repealed by the state treasurer. All
13 orders issued by the depository selection board that are in effect on the effective date
14 of this paragraph remain in effect until their specified expiration dates or until
15 modified or rescinded by the state treasurer.

16 (b) *Pending matters.* Any matter pending with the depository selection board
17 on the effective date of this paragraph is transferred to the state treasurer and all
18 materials submitted to or actions taken by the depository selection board with
19 respect to the pending matter are considered as having been submitted to or taken
20 by the state treasurer.”

21 **1423.** Page 1941, line 22: after that line insert:

22 “(13p) EDUCATIONAL TECHNOLOGY HARDWARE AND SOFTWARE PURCHASES. The
23 technology for educational achievement in Wisconsin board shall use the procedure
24 under section 227.24 of the statutes to propose emergency rules establishing

1 standards and specifications for purchases of educational technology hardware and
2 software by school districts, cooperative educational service agencies, technical
3 college districts and the board of regents of the University of Wisconsin System under
4 section 44.71 (2) (g) of the statutes, as created by this act. Prior to promulgation of
5 emergency rules under this subsection, the board shall submit the proposed
6 emergency rules to the cochairpersons of the joint committee on finance. If the
7 cochairpersons of the committee do not notify the board that the committee has
8 scheduled a meeting for the purpose of reviewing the proposed emergency rules
9 within 14 working days after the date of the board's submittal, the board shall
10 promulgate the emergency rules as proposed by the board. If, within 14 working days
11 after the date of the board's submittal, the cochairpersons of the committee notify the
12 board that the committee has scheduled a meeting for the purpose of reviewing the
13 proposed emergency rules, the board shall promulgate the emergency rules only
14 upon approval of the committee. Notwithstanding section 227.24 (1) (a) and (2) (b)
15 of the statutes, the board need not provide evidence of the necessity of preserving the
16 public peace, health, safety or welfare in promulgating rules under this subsection.
17 Notwithstanding section 227.24 (3) of the statutes, no statement is required to be
18 filed with such emergency rules.”.

19 **1424.** Page 1941, line 22: after that line insert:

20 “(13g) UNIVERSITY OF WISCONSIN SYSTEM REAL ESTATE STUDY. The department of
21 administration shall contract with a private consulting firm to study the
22 introduction of a value-based approach to the management of real estate under the
23 jurisdiction of the board of regents of the University of Wisconsin System, and the
24 planning, design, authorization and approval processes for construction projects on

1 such real estate. In the study, the contractor shall assess a sample portion of existing
2 real estate managed by the board of regents, other than at the University of
3 Wisconsin-Madison, which shall include at least 1,000,000 but not more than
4 2,000,000 square feet of interior space in buildings utilized for various purposes,
5 including administrative, instructional and recreational purposes. The contractor
6 shall assess the existing processes for management of the real estate and for
7 planning, design, authorization and approval of construction projects on the real
8 estate and shall also assess an alternative approach for these processes using a
9 value-based analysis. The contractor shall then compare the 2 approaches,
10 determine possible changes in the current approach from which the state could
11 realize savings and project the estimated amount of savings that would be realized.
12 The contractor shall include in its study an analysis of whether the board of regents
13 is scheduling classes in such a manner as to permit the state to obtain the greatest
14 possible value for its investment in instructional facilities under the management
15 of the board.”.

16 **1425.** Page 1941, line 22: after that line insert:

17 “(13n) UNBUDGETED INCREASES IN COMPENSATION, FRINGE BENEFITS AND RELATED
18 ADJUSTMENTS.

19 (a) *Amounts available for lapses.* Of the amounts appropriated under section
20 20.865 (4) (a) of the statutes, \$7,326,000 in fiscal year 1997-98 and \$14,674,000 in
21 fiscal year 1998-99 may be used only for lapses under this subsection. From the
22 amounts appropriated under section 20.865 (4) (a) of the statutes, no more than
23 \$7,326,000 in fiscal year 1997-98 and no more than \$14,674,000 in fiscal year
24 1998-99 may be used for lapses under this subsection.

1 (b) *Department of administration reports.* If the secretary of administration
2 determines that the total amount to be expended under section 20.865 (1) (c), (ci) and
3 (d) of the statutes for the 1997–98 fiscal year or the 1998–99 fiscal year will exceed
4 the amount for that fiscal year that is designated under “General Purpose Revenue”
5 under the heading “Summary of Compensation Reserves -- All Funds” in the
6 summary schedule under section 20.005 (1) of the statutes, the secretary shall
7 submit a report to the cochairpersons of the joint committee on finance indicating the
8 amount by which the secretary estimates that the total amount to be expended will
9 exceed the amount in the summary schedule.

10 (c) *Passive review procedure; lapses.* If the cochairpersons of the joint
11 committee on finance do not notify the secretary of administration that the
12 committee has scheduled a meeting for the purpose of reviewing a report submitted
13 under paragraph (b) within 14 working days after the date of the report’s submittal,
14 there is lapsed from the appropriation account under section 20.865 (4) (a) of the
15 statutes to the general fund an amount equal to the lesser of the amount specified
16 in the report or the amount available under paragraph (a) for lapses for that fiscal
17 year. If, within 14 working days after the date of the report’s submittal, the
18 cochairpersons of the committee notify the secretary that the committee has
19 scheduled a meeting for the purpose of reviewing the report, the committee may
20 direct the secretary to lapse an amount determined by the committee from the
21 appropriation account under section 20.865 (4) (a) of the statutes to the general fund,
22 not to exceed the amount available under paragraph (a) for lapses for that fiscal
23 year.”.

1 **1426.** Page 1942, line 8: delete “October 1, 1997” and substitute “the 60th day
2 after the effective date of this subsection”.

3 **1427.** Page 1942, line 12: after that line insert:

4 “(1h) LAND AND WATER CONSERVATION PROGRAM FUNDING FOR COUNTY STAFF. The
5 department of agriculture, trade and consumer protection shall allocate \$500,000
6 from the appropriation account under section 20.115 (7) (qd) of the statutes in fiscal
7 year 1998–99 for funding land and water conservation staff in counties that on July
8 1, 1997, do not receive funding for staff under the nonpoint source water pollution
9 abatement program under section 281.65 of the statutes. The department of
10 agriculture, trade and consumer protection and the department of natural resources
11 shall develop a plan for distributing the funding to counties and shall submit the plan
12 to the land and water conservation board for approval.”.

13 **1428.** Page 1942, line 13: delete lines 13 to 18.

14 **1429.** Page 1942, line 18: after that line insert:

15 “(2m) FARM MEDIATION AND ARBITRATION BOARD.

16 (a) *Rules.* All rules promulgated by the farm mediation and arbitration board
17 that are in effect on the effective date of this paragraph remain in effect until their
18 specified expiration date or until amended or repealed by the department of
19 agriculture, trade and consumer protection.

20 (b) *Pending matters.* Any matter pending with the farm mediation and
21 arbitration board on the effective date of this paragraph is transferred to the
22 department of agriculture, trade and consumer protection and all materials
23 submitted to or actions taken by the farm mediation and arbitration board with

1 respect to the pending matter are considered as having been submitted to or taken
2 by the department of agriculture, trade and consumer protection.”.

3 **1430.** Page 1942, line 18: after that line insert:

4 “(2w) EXTENSION OF CERTAIN COMMERCIAL PESTICIDE APPLICATOR CERTIFICATIONS.
5 Notwithstanding section 94.705 (1) (b) of the statutes, the department of agriculture,
6 trade and consumer protection may extend, for one year beyond the scheduled
7 expiration date, commercial pesticide applicator certifications that are scheduled to
8 expire in 1998 for pesticide applicators certified in the categories of forest pest
9 control, ornamental and turf pest control or right-of-way pest control. The
10 department may extend the certifications without requiring retesting under section
11 94.705 (2) of the statutes.”.

12 **1431.** Page 1942, line 18: after that line insert:

13 “(3xr) EMERGENCY RULES CONCERNING FISH FARMING. The department of
14 agriculture, trade and consumer protection may promulgate emergency rules under
15 section 227.24 of the statutes implementing section 95.60 of the statutes, as created
16 by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the
17 emergency rules may remain in effect until January 1, 1999, or the date on which
18 permanent rules take effect, whichever is sooner. Notwithstanding section 227.24
19 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the
20 necessity of preservation of public peace, health, safety or welfare in promulgating
21 the rules under this subsection.

22 (3xs) MEMORANDUM OF UNDERSTANDING RELATING TO FISH FARMING. The
23 department of agriculture, trade and consumer protection and the department of
24 natural resources shall enter into a memorandum of understanding relating to the

1 regulation of fish farming being transferred from the department of natural
2 resources to the department of agriculture, trade and consumer protection.”.

3 **1432.** Page 1942, line 19: after that line insert:

4 “(1g) PERCENT-FOR-ARTS PROGRAM. The authorized FTE positions for the arts
5 board are decreased by 1.0 PR position to reflect elimination of the percent-for-arts
6 program.”.

7 **1433.** Page 1942, line 20: delete “By September 1, 1997” and substitute
8 “Within 30 days after the effective date of this subsection”.

9 **1434.** Page 1955, line 10: after that line insert (and adjust the appropriate
10 totals accordingly):

11 “(m) OTHER PROJECTS

12 1. *Projects financed by existing general fund supported*
13 *borrowing:*

14 Nash Auto Museum \$ 1,000,000

15 (Total project all funding sources \$8,000,000)

16 2. *Projects financed by gifts, grants and other receipts:*

17 Nash Auto Museum 7,000,000

18 (Total project all funding sources \$8,000,000)

19 3. *Program totals:*

20 Existing general fund supported borrowing 1,000,000

21 Gifts, grants and other receipts 7,000,000

22 Total — All sources of funds \$ 8,000,000”.

1 **1435.** Page 1960, line 9: increase the dollar amount by \$1,000,000, and
2 adjust the appropriate totals accordingly.

3 **1436.** Page 1963, line 16: after that line insert:

4 “(12zt) NASH AUTO MUSEUM.

5 (a) After funding all other enumerated projects to be funded from public debt
6 contracted under section 20.866 (2) (z) of the statutes, in allocating any remaining
7 existing but unused bonding authority under section 20.866 (2) (z) of the statutes,
8 the building commission shall give priority to funding the Nash Auto Museum
9 project over funding unenumerated minor projects.

10 (b) If the building commission approves the Nash Auto Museum project, the
11 building commission shall authorize the contracting of public debt under section
12 20.866 (2) (z) of the statutes, as affected by this act, for the purpose of making a
13 payment to the Kenosha Historical Society to provide facilities suitable for the
14 maintenance, storage and display of its collection of Nash automobiles and other
15 historical materials. The total amount of the payments under this paragraph shall
16 be determined by the building commission, but shall not exceed the lesser of the
17 amount enumerated in the state building program for the project under existing
18 general fund supported borrowing or 12.5% of the cost of the project. The building
19 commission may not make payments under this paragraph unless the department
20 of administration has reviewed and approved the plans for the project.
21 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
22 administration shall not supervise any services or work or let any contract for the
23 project. Sections 16.87 and 16.89 of the statutes do not apply to the project.”.

24 **1437.** Page 1963, line 19: after “department” insert “of transportation”.

1 **1438.** Page 1963, line 21: after that line insert:

2 “**SECTION 9109. Nonstatutory provisions; circuit courts.**

3 (1ttg) CIRCUIT COURT BRANCH, 1998. The initial election for circuit judge for
4 branch 2 of the circuit court for Oconto County shall be at the spring election of 1998
5 for a term commencing August 1, 1998, and ending July 31, 2004.

6 (1tug) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit
7 courts are increased by 1.0 GPR circuit judge position on August 1, 1998, to be funded
8 from the appropriation under section 20.625 (1) (a) of the statutes, to provide an
9 additional circuit court judge for the circuit court branch for Oconto County created
10 by this act.

11 (1tvq) COURT REPORTER POSITION. The authorized FTE positions for the circuit
12 courts are increased by 1.0 GPR court reporter position on August 1, 1998, to be
13 funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide
14 one additional court reporter for the circuit court branch for Oconto County created
15 by this act.”.

16 **1439.** Page 1963, line 21: after that line insert:

17 “(14t) STATE FAIR PARK RACETRACK IMPROVEMENTS. Notwithstanding section
18 18.04 (2) of the statutes, the building commission may not authorize public debt to
19 be contracted under section 20.866 (2) (zz) of the statutes for the building project
20 identified under subsection (1) (g) 2. as “Racetrack improvements” until the
21 legislative audit bureau has notified the building commission that the bureau has
22 completed the review required under SECTION 9132 (2t) of this act.”.

23 **1440.** Page 1969, line 2: after that line insert:

24 “(7f) GRANT OR LOAN FOR PEDESTRIAN BRIDGE PROJECT.

1 (a) The department of commerce may make a grant or loan of not more than
2 \$1,200,000 from the appropriations under section 20.143 (1) (c) and (ie) of the
3 statutes, as affected by this act, to a person for a project that includes a pedestrian
4 bridge, if all of the following apply:

5 1. The project is located in the city of Madison and bounded by Regent Street,
6 North Murray Street, West Dayton Street, North Frances Street, Frances Court and
7 West Washington Avenue.

8 2. The person submits a plan to the department of commerce detailing the
9 proposed use of the grant or loan and the secretary of commerce approves the plan.

10 3. The person enters into a written agreement with the department of
11 commerce that specifies the grant or loan terms and the conditions for use of the
12 grant or loan proceeds, including reporting and auditing requirements.

13 4. The person agrees in writing to submit to the department of commerce,
14 within 6 months after spending the full amount of the grant or loan, a report
15 detailing how the grant or loan proceeds were used.

16 (b) If the department of commerce makes a loan under this subsection, the
17 department of commerce shall deposit in the appropriation account under section
18 20.143 (1) (ie) of the statutes, as affected by this act, any moneys received in
19 repayment of the loan.

20 (c) The department of commerce may not pay grant or loan proceeds under this
21 subsection after January 1, 1999.”.

22 **1441.** Page 1969, line 20: delete the material beginning with that line and
23 ending with page 1970, line 2.

1 **1442.** Page 1970, line 4: delete “December 1, 1997,” and substitute “February
2 1, 1998.”.

3 **1443.** Page 1970, line 16: delete “December 1, 1997,” and substitute
4 “February 1, 1998.”.

5 **1444.** Page 1971, line 3: delete “December 1, 1997,” and substitute “February
6 1, 1998.”.

7 **1445.** Page 1971, line 20: delete “January” and substitute “March”.

8 **1446.** Page 1972, line 9: delete “January” and substitute “March”.

9 **1447.** Page 1972, line 16: delete “January” and substitute “March”.

10 **1448.** Page 1972, line 22: after that line insert:

11 “(5z) GANG VIOLENCE PREVENTION COUNCIL. The authorized FTE positions for
12 the department of corrections, funded from the appropriation under section 20.410
13 (3) (a) of the statutes, as affected by this act, are decreased by 1.0 GPR position to
14 reflect the elimination of the gang violence prevention council.”.

15 **1449.** Page 1972, line 22: after that line insert:

16 “(5n) PRISON INDUSTRIES BOARD.

17 (a) 1. Notwithstanding section 15.145 (2) of the statutes, as affected by this
18 act, the member of the prison industries board appointed under section 15.145 (2) (a),
19 1995 stats., to represent ex-offenders who served time in the Wisconsin state
20 prisons, may continue to serve as a member of the board until such time that the
21 additional member who represents private labor organizations is appointed to the
22 prison industries board.

1 2. Notwithstanding section 15.145 (2) of the statutes, as affected by this act,
2 the member of the prison industries board appointed under section 15.145 (2) (b),
3 1995 stats., to represent the University of Wisconsin System, may continue to serve
4 as a member of the board until such time that the additional member who represents
5 the department of administration is appointed to the prison industries board.

6 3. Notwithstanding section 15.145 (2) of the statutes, as affected by this act,
7 the member of the prison industries board appointed under section 15.145 (2) (e),
8 1995 stats., to represent potential customers of prison industries, may continue to
9 serve as a member of the board until such time that the member who represents
10 private business and industry is appointed to the prison industries board.

11 (b) Notwithstanding the length of term specified in section 15.145 (2) (intro.)
12 of the statutes, as affected by this act, the initial term of the additional member
13 appointed to represent private business and industry shall expire on May 1, 1999,
14 the initial term of the additional member appointed to represent private labor
15 organizations shall expire on May 1, 2001, and the initial term of the member
16 appointed to represent the department of administration shall expire on May 1,
17 2003.”.

18 **1450.** Page 1972, line 22: after that line insert:

19 **“SECTION 9119. Nonstatutory provisions; financial institutions.**

20 (1h) REPEAL OF CONSUMER CREDIT REVIEW BOARD; PENDING MATTERS. All matters
21 pending before the consumer credit review board on the effective date of this
22 subsection are terminated without prejudice. Notwithstanding section 227.53 (1) (a)
23 2. of the statutes, a person may seek review, under section 227.53 of the statutes, of
24 any matter which is pending before the consumer credit review board on the effective

1 date of this subsection. In order to seek such review, the person shall file a petition
2 for review, in the manner specified in section 227.53 of the statutes, and shall serve
3 the petition upon all parties under section 227.48 of the statutes, within 30 days after
4 the effective date of this subsection.”.

5 **1451.** Page 1972, line 22: after that line insert:

6 “(5c) DISPLACEMENT.

7 (a) The department of corrections shall consult with the prison industries board
8 for the purpose of developing proposed rules defining “displacement” under section
9 303.01 (5m) of the statutes, as created by this act.

10 (b) The department of corrections shall submit in proposed form the rules
11 required under section 303.01 (5m) of the statutes, as created by this act, to the
12 legislative council staff under section 227.15 (1) of the statutes no later than the first
13 day of the 3th month beginning after the completion of the federal department of
14 justice’s 1997 audit of the prison employment program under section 303.01 (2) (em)
15 of the statutes, as affected by this act.”.

16 **1452.** Page 1974, line 13: after that line insert:

17 “**SECTION 9121. Nonstatutory provisions; governor.**

18 (1) EFFICIENCY MEASURES. The governor shall endeavor to ensure that the
19 expenditures from the appropriation under section 20.525 (1) (a) of the statutes shall
20 be less than the amounts shown under section 20.525 (1) (a) of the statutes in the
21 schedule under section 20.005 (3) of the statutes by at least \$51,400 for the 1997–98
22 fiscal year and by at least \$51,400 for the 1998–99 fiscal year.”.

23 **1453.** Page 1977, line 5: after that line insert:

1 “(km) *General program operations*. Notwithstanding section 20.435 (3) (kw)
2 of the statutes, as created by this act, in fiscal year 1997–98 the department of health
3 and family services may expend not more than \$202,500 from the appropriation
4 account under section 20.435 (3) (kw) of the statutes, as created by this act, for
5 general program operations relating to providing services for children and families
6 under section 48.48 (17) of the statutes, as created by this act.”.

7 **1454.** Page 1977, line 21: delete lines 21 and 22 and substitute:

8 “(a) The effective date of this paragraph.”.

9 **1455.** Page 1977, line 25: after that line insert:

10 “(3g) ELIMINATION OF PESTICIDE REVIEW BOARD.

11 (a) *Contracts*. All contracts entered into by the pesticide review board in effect
12 on the effective date of this paragraph are terminated on that date. All contracts
13 entered into by the department of health and family services in effect on the effective
14 date of this paragraph that are primarily related to the functions of the pesticide
15 review board, as determined by the secretary of administration, are terminated on
16 that date.

17 (b) *Rules, orders and permits*. All rules promulgated or orders issued by the
18 pesticide review board that are in effect on the effective date of this paragraph are
19 rescinded on that date. All permits issued by the pesticide review board that are in
20 effect on the effective date of this paragraph remain in effect until their expiration
21 date or until rescinded by the department of agriculture, trade and consumer
22 protection, whichever comes first.

23 (c) *Pending matters*. Any matter pending with the pesticide review board on
24 the effective date of this paragraph is terminated and all materials submitted to or

1 actions taken before the effective date of this paragraph by the pesticide review board
2 with respect to the pending matter are considered to be void.”.

3 **1456.** Page 1978, line 9: after that line insert:

4 “(4t) BLASTOMYCOSIS STUDY. The department of health and family services, in
5 cooperation with other state agencies, shall study whether there is a correlation
6 between the presence of wetlands and the increase in cases of blastomycosis. The
7 department shall submit a report on the results of the study to the legislature in the
8 manner provided in section 13.172 (2) of the statutes no later than June 30, 1999.”.

9 **1457.** Page 1979, line 22: after that line insert:

10 “(6m) OSTEOPOROSIS PREVENTION AND EDUCATION. From the appropriation
11 account under section 20.435 (5) (cb) of the statues, as created by this act, the
12 department of health and family services may create an osteoporosis prevention and
13 education program to raise public awareness concerning the causes and nature of
14 osteoporosis, the risk factors for developing osteoporosis, the value of prevention and
15 early detection of osteoporosis and options for diagnosing and treating osteoporosis.”.

16 **1458.** Page 1980, line 11: delete “9.5” and substitute “10.0”.

17 **1459.** Page 1981, line 17: after “board” insert “and the department of
18 workforce development”.

19 **1460.** Page 1982, line 14: delete “January” and substitute “April”.

20 **1461.** Page 1982, line 17: after that line insert:

21 “(12p) BOARD ON HUNGER.

22 (a) *Contracts.* All contracts entered into by the board on hunger in effect on the
23 effective date of this paragraph remain in effect and are transferred to the
24 department of health and family services. The department of health and family

1 services shall carry out any such contractual obligations until modified or rescinded
2 by the department of health and family services to the extent allowed under the
3 contract.

4 (b) *Rules and orders.* All rules promulgated by the board on hunger that are
5 in effect on the effective date of this paragraph remain in effect until their specified
6 expiration date or until amended or repealed by the department of health and family
7 services. All orders issued by the board on hunger that are in effect on the effective
8 date of this paragraph remain in effect until their specified expiration date or until
9 modified or rescinded by the department of health and family services.

10 (c) *Pending matters.* Any matter pending with the board on hunger on the
11 effective date of this paragraph is transferred to the department of health and family
12 services and all materials submitted to or actions taken by the board on hunger with
13 respect to the pending matter are considered as having been submitted to or taken
14 by the department of health and family services.

15 (d) *Equipment and records.* On the effective date of this paragraph, all
16 furniture, equipment, supplies and records of the board on hunger are transferred
17 to the department of health and family services.

18 (e) *Assets and liabilities.* On the effective date of this paragraph, the assets and
19 liabilities of the board on hunger shall become the assets and liabilities of the
20 department of health and family services.”.

21 **1462.** Page 1982, line 17: after that line insert:

22 “(13b) NURSING HOME OCCUPANCY RATE STANDARD. The department of health and
23 family services, in applying the 91% occupancy rate standard for nursing homes for

1 the 1997-99 fiscal biennium, shall use a facility's rate for the most recently
2 completed one-year period.”.

3 **1463.** Page 1982, line 17: after that line insert:

4 “(13d) DIRECT CARE SERVICES. Of the amounts budgeted for the 1997-98 fiscal
5 year for an aggregate increase in payments to nursing homes from the
6 appropriations under section 20.435 (5) (b) and (o) of the statutes, as affected by this
7 act, no funding in excess of that needed to meet the parameters set forth for the
8 nursing home formula need be used to increase the direct care target above 103% of
9 the statewide median.”.

10 **1464.** Page 1982, line 17: after that line insert:

11 “(12j) TAX CREDIT FOR CARE OF ELDERLY PERSONS. The department of health and
12 family services shall, in consultation with the department of revenue, develop
13 proposed legislation to create a tax credit for individuals who provide care for elderly
14 persons. The department of health and family services shall submit the report to the
15 legislature in the manner provided under section 13.172 (2) of the statutes no later
16 than January 30, 1998.”.

17 **1465.** Page 1982, line 17: after that line insert:

18 “(14j) WISCONSIN RESOURCE CENTER POSITIONS. The authorized FTE positions
19 for the department of health and family services are increased by 15.0 PR positions,
20 to be funded from the appropriation under section 20.435 (2) (kx) of the statutes, to
21 provide additional staffing for the Wisconsin Resource Center.”.

22 **1466.** Page 1983, line 1: delete “By October 1, 1997” and substitute “Within
23 30 days after the effective date of this subsection”.

1 **1467.** Page 1983, line 6: after “revenue.” insert “The report may not include
2 any appropriation reductions relating to burial sites preservation.”.

3 **1468.** Page 1983, line 17: after that line insert:

4 “(2m) AGENCY REQUEST.

5 (a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
6 information under section 16.42 of the statutes for purposes of the 1999–2001
7 biennial budget bill, the historical society shall submit a dollar amount for the
8 2000–01 fiscal year for the appropriation under section 20.245 (1) (a) of the statutes
9 that is \$205,000 less than the total amount appropriated under section 20.245 (1) (a)
10 of the statutes for the 1998–99 fiscal year, before submitting any information
11 relating to any increase or decrease in the dollar amount for that appropriation for
12 the 1999–2001 fiscal biennium.

13 (b) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
14 information under section 16.42 of the statutes for purposes of the 1999–2001
15 biennial budget bill, the historical society shall submit a dollar amount for the
16 2000–01 fiscal year for the appropriation under section 20.245 (1) (am) of the statutes
17 that is \$205,000 more than the total amount appropriated under section 20.245 (1)
18 (am) of the statutes for the 1998–99 fiscal year, before submitting any information
19 relating to any increase or decrease in the dollar amount for that appropriation for
20 the 1999–2001 fiscal biennium.”.

21 **1469.** Page 1985, line 8: after that line insert:

22 “(5g) ALLOCATION FOR EQUIPMENT FOR COUNTY CHILD SUPPORT AGENCIES. Of the
23 amounts appropriated to the department of workforce development under section
24 20.445 (3) (a) of the statutes, as affected by this act, \$150,000 in fiscal year 1997–98

1 shall be allocated for the purchase of kids information and data system (KIDS)
2 equipment for county child support agencies. Of the amounts appropriated to the
3 department of workforce development under section 20.445 (3) (n) of the statutes,
4 \$600,000 in fiscal year 1997-98 shall be allocated for the purchase of kids
5 information and data system (KIDS) equipment for county child support agencies.”.

6 **1470.** Page 1985, line 8: after that line insert:

7 “(5qh) LEARNFARE SANCTIONS. Using the procedure under section 227.24 of the
8 statutes, the department of workforce development may promulgate rules required
9 under section 49.26 of the statutes, as affected by this act, for the period before the
10 effective date of the permanent rules promulgated under section 49.26 of the
11 statutes, as affected 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) (a) and (2)
13 (b) of the statutes, the department of workforce development need not provide
14 evidence of the necessity of preservation of the public peace, health, safety or welfare
15 in promulgating rules under this subsection.”.

16 **1471.** Page 1991, line 7: after that line insert:

17 **“SECTION 9129. Nonstatutory provisions; joint committee on finance.**

18 (1m) ELECTIONS BOARD DATA BASE CONVERSION. Of the amount appropriated to
19 the joint committee on finance under section 20.865 (4) (a) of the statutes for the
20 1997-99 fiscal biennium, \$102,800 is allocated for enhancement of the computerized
21 data base of the elections board to enable registrants to file campaign finance reports
22 with the board by means of electronic transmission and to permit members of the
23 public to access the data base electronically.”.

24 **1472.** Page 1993, line 11: delete “January” and substitute “April”.

1 **1473.** Page 1994, line 6: after that line insert:

2 “(1to) VENDING MACHINES. The legislative audit bureau shall study the
3 feasibility of replacing the sales tax on food and beverages sold from vending
4 machines with a permit fee imposed on the owners of those machines, the fiscal
5 effects of that change and the possible constitutional problems that would arise from
6 that change. The legislative audit bureau shall report the results of its study to the
7 legislature, in the manner provided under section 13.172 (2) of the statutes, on or
8 before February 1, 1998.”.

9 **1474.** Page 1998, line 15: after that line insert:

10 “(2t) REVIEW OF RACETRACK OPERATION CONTRACT COMPLIANCE. No later than July
11 1, 1998, the legislative audit bureau shall review any contract entered into by the
12 state fair park board with respect to the operation of a racetrack on the grounds of
13 the state fair park to determine whether the racetrack operator has complied with
14 all of the terms of the contract. The legislative audit bureau shall notify the building
15 commission when the bureau has completed its review under this subsection.”.

16 **1475.** Page 1998, line 19: delete lines 19 to 23 and substitute “shall allocate
17 \$14,000,000 to supplement payments under section 49.775 of the statutes, as created
18 by this act, for the support of dependent children of recipients under the federal
19 supplemental security income program or under section 49.77 of the statutes.”.

20 **1476.** Page 1999, line 1: delete “(ed) of the statutes, as affected” and
21 substitute “(ky) of the statutes”.

22 **1477.** Page 1999, line 2: delete the material beginning with “by” and ending
23 with “purposes” on line 3 and substitute “for the purpose”.

24 **1478.** Page 1999, line 5: delete lines 5 and 6 and substitute:

1 “1. The department of health and family services submits to the committee a
2 request for the funds.”

3 **1479.** Page 1999, line 8: delete “secretaries of the” and substitute “secretary
4 of”.

5 **1480.** Page 1999, line 9: delete “departments” and substitute “health and
6 family services”.

7 **1481.** Page 1999, line 11: delete lines 11 to 16 and substitute:

8 “(c) 1. If the department of health and family services certifies that federal law
9 does not recognize payments made under section 49.775 of the statutes, as created
10 by this act, as meeting the maintenance-of-effort requirements under 42 USC
11 1382g, the committee shall supplement the appropriation account under section
12 20.435 (7) (ky) of the statutes by an amount sufficient to make payments under
13 section 49.775 of the statutes, as created by this act, but not to exceed \$14,000,000.

14 2. If the department of health and family services certifies that the federal
15 government recognizes payments made under section 49.775 of the statutes, as
16 created by this act, as meeting the maintenance-of-effort requirements under 42
17 USC 1382g, the committee shall supplement the appropriation account under
18 section 20.435 (7) (ky) of the statutes by an amount sufficient, but not to exceed
19 \$14,000,000, to make payments under section 49.775 of the statutes, as created by
20 this act, and to ensure that benefit levels under section 49.77 of the statutes need not
21 be modified solely to reinstate those benefits for legal immigrants.”.

22 **1482.** Page 1999, line 18: delete “appropriations” and substitute
23 “appropriation under section 20.435 (7) (ky) of the statutes”.

24 **1483.** Page 1999, line 19: after that line insert:

1 “(4z) PARTICIPATING EMPLOYMENT BY ANNUITANTS IN THE WISCONSIN RETIREMENT
2 SYSTEM.

3 (a) The retirement research committee is requested to study the extent to
4 which participants in the Wisconsin retirement system are concurrently receiving
5 a salary from a participating employer in the Wisconsin retirement system and an
6 annuity from the Wisconsin retirement system.

7 (b) If the retirement research committee conducts the study specified in
8 paragraph (a), the retirement research committee shall submit a report of its
9 findings and recommendations to the joint survey committee on retirement systems
10 by March 8, 1998. At the time that the retirement research committee submits the
11 report to the joint survey committee on retirement systems, the retirement research
12 committee may also submit proposed legislation that is necessary to implement the
13 retirement research committee’s recommendations.

14 (6zg) EFFICIENCY MEASURES. The joint committee on legislative organization
15 shall endeavor to ensure that expenditures from the sum of general purpose revenue
16 appropriations under section 20.765 of the statutes shall be less than the sum of the
17 amounts shown for general purpose revenue appropriations under section 20.765 of
18 the statutes in the schedule under section 20.005 (3) of the statutes by at least
19 \$893,200 for the 1997–98 fiscal year and by at least \$893,200 for the 1998–99 fiscal
20 year.”.

21 **1484.** Page 1999, line 19: after that line insert:

22 “(3x) AUDIT OF MASS TRANSIT SERVICES.

23 (a) In this subsection, “mass transit system” has the meaning given in section
24 85.20 (1) (e) of the statutes.

1 (b) The legislative audit bureau shall conduct a financial audit of mass transit
2 services provided to the campuses of the University of Wisconsin System. As part
3 of its audit, the bureau shall examine the subsidies provided to mass transit systems
4 by the University of Wisconsin System and compare the revenue derived from fares
5 to the operating expenses of mass transit systems. The bureau shall submit its audit
6 report to the joint committee on finance by December 31, 1998.”.

7 **1485.** Page 2000, line 3: after that line insert:

8 **“SECTION 9136. Nonstatutory provisions; military affairs.**

9 (1m) EMERGENCY MANAGEMENT.

10 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets
11 and liabilities of the state emergency response board shall become the assets and
12 liabilities of the division of emergency management in the department of military
13 affairs.

14 (b) *Tangible personal property.* On the effective date of this paragraph, all
15 tangible personal property of the state emergency response board is transferred to
16 the division of emergency management in the department of military affairs.

17 (c) *Contracts.* All contracts entered into by the state emergency response board
18 that are in effect on the effective date of this paragraph are transferred to the division
19 of emergency management in the department of military affairs. The division of
20 emergency management in the department of military affairs shall carry out any
21 obligations under such a contract until modified or rescinded by the division of
22 emergency management in the department of military affairs to the extent allowed
23 under the contract.

1 (d) *Rules and orders.* All rules promulgated by the state emergency response
2 board that are in effect on the effective date of this paragraph remain in effect until
3 their specified expiration dates or until amended or repealed by the division of
4 emergency management in the department of military affairs. All orders issued by
5 the state emergency response board that are in effect on the effective date of this
6 paragraph remain in effect until their specified expiration dates or until modified or
7 rescinded by the division of emergency management in the department of military
8 affairs.

9 (e) *Pending matters.* Any matter pending with the state emergency response
10 board on the effective date of this paragraph is transferred to the division of
11 emergency management in the department of military affairs and all materials
12 submitted to or actions taken by the state emergency response board with respect to
13 a pending matter are considered as having been submitted to or taken by the division
14 of emergency management in the department of military affairs.”.

15 **1486.** Page 2000, line 11: substitute “(1) (a) and (2) (b)” for “(1) and (3)”.

16 **1487.** Page 2000, line 17: delete lines 17 to 20.

17 **1488.** Page 2000, line 21: delete the material beginning with that line and
18 ending with page 2001, line 3.

19 **1489.** Page 2001, line 3: after that line insert:

20 “(2hg) CLEAN WATER FUND HARDSHIP ASSISTANCE APPLICATION DEADLINE.
21 Notwithstanding the requirement in section 281.58 (13) (d) of the statutes that a
22 municipality, as defined in section 281.01 (6) of the statutes, submit a complete
23 application no later than June 30 of the preceding fiscal year in order to be ranked
24 on the clean water fund financial hardship assistance funding list for a fiscal year

1 and notwithstanding the requirement in section 281.58 (9) (a) of the statutes, as
2 affected by this act, that a municipality have an approved facility plan before
3 submitting an application for clean water fund assistance, the department of natural
4 resources shall rank a project of a town sanitary district that is eligible for clean
5 water fund financial hardship assistance under section 281.58 (13) (b) of the
6 statutes, as affected by this act, on the clean water fund financial hardship
7 assistance funding list for the 1997-98 fiscal year if all of the following apply:

8 (a) The town sanitary district submits a complete application no later than the
9 effective date of this paragraph.

10 (b) The project is for the construction of a new wastewater treatment plant.

11 (c) The town sanitary district is located on USH 45, north of STH 64.

12 (d) The town sanitary district had 197 connections on December 31, 1996, of
13 which 161 were residential connections.”.

14 **1490.** Page 2002, line 10: after that line insert:

15 “(5) PERMIT GUARANTEE PROGRAM. The department of natural resources shall
16 submit proposed rules required under section 299.05 of the statutes, as created by
17 this act, to the legislative council staff for review under section 227.15 (1) of the
18 statutes no later than the first day of the 13th month beginning after the effective
19 date of this subsection.”.

20 **1491.** Page 2003, line 6: substitute “March 1, 1998” for “December 1, 1997”.

21 **1492.** Page 2003, line 6: after that line insert:

22 “(7gm) HYDROGEOLOGIST POSITION AUTHORIZATION. The authorized FTE
23 positions for the department of natural resources are increased by 6.0 PR
24 hydrogeologist positions, to be funded from the appropriation under section 20.370

1 (2) (dh) of the statutes, as affected by this act, for the purpose of performing services
2 related to remedying environmental contamination.”.

3 **1493.** Page 2004, line 12: delete the material beginning with that line and
4 ending with page 2005, line 2.

5 **1494.** Page 2005, line 11: after that line insert:

6 “(8m) CLEAN WATER FUND HARDSHIP ASSISTANCE FOR THE VILLAGE OF WHEELER.

7 (a) Notwithstanding section 281.58 (13) (c) of the statutes, during fiscal year
8 1997–98, the department of natural resources shall provide a clean water fund
9 financial hardship assistance grant of \$213,000, rather than a loan, for a project in
10 the village of Wheeler in Dunn County.

11 (b) The limits under section 281.59 (3e) (b) and (e) of the statutes, as affected
12 by this act, may be exceeded by the amount necessary to fund the grant under
13 paragraph (a).”.

14 **1495.** Page 2005, line 11: after that line insert:

15 “(8c) ALLOCATION OF CLEAN WATER FUND HARDSHIP ASSISTANCE.

16 (a) Notwithstanding section 281.59 (3e) (d) and (e) of the statutes, as affected
17 by this act, in the 1997–99 fiscal biennium the department of natural resources may
18 allocate for clean water fund financial hardship assistance an amount up to
19 \$20,160,000 from the amount under section 281.59 (3e) (b) 1. of the statutes, as
20 affected by this act, and the department of natural resources and the department of
21 administration may allocate for clean water fund financial assistance other than
22 financial hardship assistance an amount up to \$70,040,000 from the amount under
23 section 281.59 (3e) (b) 1. of the statutes, as affected by this act.

1 (b) From the amount that the department of natural resources is authorized
2 to allocate under paragraph (a) for clean water fund financial hardship assistance,
3 the department shall allocate an amount in fiscal year 1997-98 that is sufficient to
4 fund the Pell Lake Sanitary District and Lake Como Beach Sanitary District projects
5 in Walworth County.”.

6 **1496.** Page 2007, line 12: after that line insert:

7 “(9c) RECREATIONAL BOATING PROJECT; LONE ROCK BOAT LANDING. From the
8 appropriation under section 20.370 (5) (cq) of the statutes, the department of natural
9 resources shall provide to Richland County the amount that is necessary for soil
10 erosion control at Lone Rock boat landing on the Wisconsin River, but the amount
11 may not exceed \$10,000. Notwithstanding section 30.92 (4) (b) 2. of the statutes, as
12 affected by this act, Richland County need not contribute any moneys to match the
13 amount provided under this subsection. The amount expended under this
14 subsection shall be considered an expenditure for an inland water project as provided
15 in section 30.92 (4) (b) 6. of the statutes. This project need not be placed on the priority
16 list under section 30.92 (3) (a) of the statutes. This subsection does not apply after
17 June 30, 2000.”.

18 **1497.** Page 2008, line 1: substitute “(1) (a) and (2) (b)” for “(1) and (3)”.

19 **1498.** Page 2008, line 12: substitute “(1) (a) and (2) (b)” for “(1) and (3)”.

20 **1499.** Page 2008, line 14: delete lines 14 to 21.

21 **1500.** Page 2009, line 15: delete that line and substitute “staff for review
22 under section 227.15 (1) of the statutes within 45 days after the effective date of this
23 paragraph”.

24 **1501.** Page 2009, line 21: after that line insert:

1 “(12m) FARM-RAISED FISH; RULES FOR FISH FARM PERMITS. The department of
2 natural resources shall consult with the aquaculture industry advisory council
3 appointed by the secretary of agriculture and with the Wisconsin Aquaculture
4 Association in promulgating the rules under section 29.521 (2) (f) of the statutes, as
5 created by this act. The department shall submit the proposed rules under section
6 29.521 (2) (f) of the statutes, as created by this act, for review under section 227.15
7 (1) of the statutes no later than the first day of the 7th month beginning after the
8 effective date of this subsection.”.

9 **1502.** Page 2010, line 3: delete “October 1, 1997” and substitute “the 30th day
10 beginning after publication”.

11 **1503.** Page 2010, line 17: delete “By October 1, 1997” and substitute “Within
12 30 days after the effective date of this subsection”.

13 **1504.** Page 2012, line 15: delete “education” and substitute “instruction”.

14 **1505.** Page 2013, line 12: after that line insert:

15 “(5r) EXPENDITURE OF FUNDS BY THE STANDARDS DEVELOPMENT COUNCIL. The
16 department of public instruction shall provide to the standards development council,
17 at its request, in the 1997-99 fiscal biennium up to \$49,000 from the appropriation
18 under section 20.255 (1) (dw) of the statutes to review and modify proposed standards
19 under section 14.23 of the statutes, as created by this act.”.

20 **1506.** Page 2013, line 12: after that line insert:

21 “(6m) ADDITIONAL AID FOR COUNTY HANDICAPPED CHILDREN’S EDUCATION BOARDS.
22 From the appropriation under section 20.255 (2) (bi) of the statutes, as created by this
23 act, the department of public instruction, in the 1997-98 fiscal year, shall pay to each
24 county handicapped children’s education board whose aid under section 121.135 of

1 the statutes in the 1996-97 school year was less than its aid under section 121.135
2 of the statutes in the 1995-96 school year the amount by which its aid under section
3 121.135 of the statutes in the 1996-97 school year was less than its aid under section
4 121.135 of the statutes in the 1995-96 school year. If the appropriation under section
5 20.255 (2) (bi) of the statutes, as created by this act, is insufficient to pay the full
6 amount of aid under this subsection, the moneys shall be prorated among the entitled
7 county handicapped children's education boards.”.

8 **1507.** Page 2013, line 12: after that line insert:

9 “(7s) REPORT ON DEBT SERVICE. Within 30 days after the effective date of this
10 subsection, each school board shall submit to the department of public instruction
11 a schedule of its debt service payments. Within 30 days after the effective date of this
12 subsection, the common council of a 1st class city shall submit to the department of
13 public instruction a schedule of its debt service payments on debt issued on behalf
14 of the school district operating under chapter 119 of the statutes.”.

15 **1508.** Page 2013, line 12: after that line insert:

16 “(6sr) YOUTH OPTIONS PROGRAM.

17 (a) Using the procedure under section 227.24 of the statutes, the department
18 of public instruction shall promulgate the rules required under section 118.55 (7r)
19 (dg) 3. of the statutes, as created by this act, for the period before the effective date
20 of the permanent rules promulgated under that section, but not to exceed the period
21 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
22 section 227.24 (1) and (3) of the statutes, the department is not required to make a
23 finding of emergency.

1 (b) Notwithstanding section 118.37 (5) (b), 1995 stats., and SECTION 9340 (5x)
2 of this act, the rules promulgated under section 118.55 (7r) (dg) 3. of the statutes, as
3 created by this act, apply to pupils attending a technical college under section 118.37,
4 1995 stats., in the 1998 spring semester.”.

5 **1509.** Page 2015, line 24: after that line insert:

6 “(2sb) EXECUTIVE ASSISTANTS. The authorized FTE positions for the public
7 service commission are increased by 2.0 PR executive assistant positions, to be
8 funded from the appropriation under section 20.155 (1) (g) of the statutes, for the
9 purpose of the assisting the commissioners of the public service commission.

10 (2sbb) POSITION DECREASE. The authorized FTE positions for the public service
11 commission are decreased by 2.0 PR positions to reflect an offsetting position
12 reduction for the positions authorized under subsection (2sb).”.

13 **1510.** Page 2015, line 25: delete the material beginning with that line and
14 ending with page 2016, line 9.

15 **1511.** Page 2016, line 9: after that line insert:

16 **“SECTION 9142. Nonstatutory provisions; regulation and licensing.**

17 (1mg) LICENSING OF CERTAIN DENTISTS.

18 (a) Notwithstanding section 447.04 (1) (a) of the statutes, the dentistry
19 examining board shall grant a license to practice dentistry under chapter 447 of the
20 statutes to an individual who submits an application to the department of regulation
21 and licensing by July 1, 1998, pays the fee specified in section 440.05 (2) of the
22 statutes and submits evidence satisfactory to the dentistry examining board that he
23 or she satisfies all of the following:

1 1. Is licensed to practice dentistry in another jurisdiction of the United States
2 or Canada.

3 2. Meets the requirements of section DE 2.04 (1) (a) to (d) and (f) to (i) of the
4 Wisconsin Administrative Code that are in effect on the effective date of this
5 subdivision.

6 3. Has completed a clinical licensure examination that was comparable to the
7 examination that was required for licensure by the dentistry examining board at the
8 time that the individual was granted an initial license to practice dentistry in the
9 other jurisdiction.

10 (b) A license granted under paragraph (a) has the same force and effect as a
11 license granted under chapter 447 of the statutes and is subject to renewal under
12 section 447.05 of the statutes.”.

13 **1512.** Page 2016, line 14: after that line insert:

14 “(2mf) TAX AMNESTY. The department of revenue shall submit a proposal for a
15 tax amnesty program to be conducted during the 1997–98 fiscal year to the joint
16 committee on finance at the committee’s 4th quarterly meeting in 1997 under section
17 13.10 of the statutes. This proposed tax amnesty program shall be materially similar
18 to the tax amnesty program conducted in 1985. The joint committee on finance may
19 modify the department’s proposal to ensure that it is materially similar to the tax
20 amnesty program conducted in 1985.”.

21 **1513.** Page 2016, line 17: after that line insert:

22 “(2r) ALTERNATE FUELS TAX RATES. Notwithstanding section 78.405 of the
23 statutes, as affected by this act, the department of revenue shall calculate the rates

1 for the alternate fuel tax on November 1, 1997, and those rates are effective from
2 November 1, 1997, until April 1, 1998.”.

3 **1514.** Page 2016, line 17: after that line insert:

4 “(2v) DRUG TAX. The legislature intends that, irrespective of the
5 constitutionality of the affix and display requirements under section 139.89 of the
6 statutes and the rules that interpret that section, all other civil and administrative
7 procedures that are related to the civil obligation to pay the tax, interest and
8 penalties required under subchapter IV of chapter 139 of the statutes are severable
9 from those affix and display requirements and are to remain in full force and effect.
10 To the extent necessary to effectuate the legislature’s intent, the civil obligation to
11 pay the tax, interest and penalties required under subchapter IV of chapter 139 of
12 the statutes is retroactively reimposed beginning with the effective date under 1989
13 Wisconsin Act 122, section 3203 (48) (a).”.

14 **1515.** Page 2018, line 2: after that line insert:

15 “**SECTION 9146. Nonstatutory provisions; supreme court.**

16 (1) EFFICIENCY MEASURES. The supreme court shall endeavor to ensure that
17 expenditures from the sum of general purpose revenue appropriations under
18 sections 20.625, 20.660 and 20.680 of the statutes shall be less than the sum of the
19 amounts shown for general purpose revenue appropriations under sections 20.625,
20 20.660 and 20.680 of the statutes in the schedule under section 20.005 (3) of the
21 statutes by at least \$1,175,000 for the 1997–98 fiscal year and by at least \$1,175,000
22 for the 1998–99 fiscal year.”.

23 **1516.** Page 2018, line 17: delete lines 17 to 21.

24 **1517.** Page 2018, line 21: after that line insert:

1 “(2x) GRANTS TO TEN CHIMNEY FOUNDATION, INC. From the appropriation under
2 section 20.380 (1) (b) of the statutes, as affected by this act, the department of tourism
3 shall make a grant not exceeding \$50,000 to the Ten Chimney Foundation, Inc., to
4 develop and facilitate a private fund-raising effort by the foundation if the
5 foundation makes a matching fund contribution that is equal to the amount of the
6 grant made under this subsection.”.

7 **1518.** Page 2019, line 7: after that line insert:

8 “(1gm) IGNITION INTERLOCK DEVICE PROGRAM. On the effective date of this
9 subsection, the authorized FTE positions for the department of transportation are
10 increased by 1.5 SEG positions, to be funded from the appropriation under section
11 20.395 (5) (er) of the statutes, as created by this act, for the purpose of developing and
12 administering the ignition interlock device program under section 110.10 of the
13 statutes, as created by this act.”.

14 **1519.** Page 2019, line 7: after that line insert:

15 “(1h) STUDY OF TRANSPORTATION PROJECTS COMMISSION. The legislative council
16 shall conduct a study of the transportation projects commission and the process of
17 enumerating major highway projects under section 84.013 (3) of the statutes and
18 shall report its findings, conclusions and recommendations, including
19 recommendations regarding improving the process of enumerating major highway
20 projects, to the legislature by May 1, 1999.”.

21 **1520.** Page 2019, line 7: after that line insert:

22 “(1c) SUPPLEMENTAL TITLE FEE MATCHING. Notwithstanding section 85.037 of the
23 statutes, the secretary of transportation shall certify to the secretary of
24 administration the amount of fees collected under section 342.14 (3m) of the statutes

1 during fiscal year 1996–97 no later than October 1, 1997, or the 15th day after the
2 effective date of this subsection, whichever is later.”.

3 **1521.** Page 2019, line 7: after that line insert:

4 “(1gs) MARQUETTE INTERCHANGE DESIGN. Of the amounts appropriated to the
5 department of transportation under section 20.395 (3) (cq) of the statutes, as affected
6 by this act, the department shall allocate \$4,000,000 in fiscal year 1997–98 and
7 \$6,500,000 in fiscal year 1998–99 to design the reconstruction of the I 794—I 43/90
8 interchange, known as the “Marquette Interchange”, in the city of Milwaukee. The
9 department of transportation shall coordinate its design for the interchange with the
10 city of Milwaukee’s design for the 6th Street viaduct project near the interchange.”.

11 **1522.** Page 2019, line 8: delete lines 8 to 16.

12 **1523.** Page 2019, line 17: delete “September 1, 1997” and substitute “the 30th
13 day beginning after publication”.

14 **1524.** Page 2020, line 5: after that line insert:

15 “(1p) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
16 submitting information under section 16.42 of the statutes for purposes of the
17 1997–99 biennial budget bill, the department of transportation shall submit
18 information concerning the appropriations under section 20.395 (3) (bq), (bv) and
19 (bx) of the statutes, as affected by this act, and section 20.395 (3) (br) of the statutes
20 that includes any amounts appropriated under those appropriations for fiscal year
21 1998–99 for any major highway project involving STH 29.”.

22 **1525.** Page 2020, line 6: delete lines 6 to 11.

23 **1526.** Page 2020, line 19: after that line insert:

1 “(1rmg) STH 26 WAYSIDE NEAR CLYMAN. The department of transportation shall
2 close the wayside, as defined in section 84.04 (1) (e) of the statutes, along STH 26 near
3 Clyman, approximately 5 miles north of Watertown, in Dodge County. The
4 department of transportation shall sell the real property that is no longer needed for
5 that wayside in the manner provided under section 84.09 (5) of the statutes.”.

6 **1527.** Page 2021, line 1: before that line insert:

7 “(1ypg) VILLAGE OF HOWARD BRIDGE. The department of transportation shall
8 complete the reconstruction of the Hillcrest Heights bridge in the village of Howard
9 in Brown County not later than December 30, 1998.”.

10 **1528.** Page 2021, line 6: delete lines 6 to 16.

11 **1529.** Page 2021, line 20: delete “January” and substitute “April”.

12 **1530.** Page 2021, line 20: after that line insert:

13 “(2mm) MOBILE TESTING OF MOTOR VEHICLE EMISSIONS. The secretary of
14 transportation shall submit in proposed form the rules required under section 110.20
15 (9) (k) of the statutes, as created by this act, to the legislative council staff under
16 section 227.15 (1) of the statutes no later than the first day of the 10th month
17 beginning after the effective date of this subsection.”.

18 **1531.** Page 2021, line 20: after that line insert:

19 “(2mh) STUDY OF HIGHWAY BYPASSES. The department of transportation shall
20 conduct a study on the effects of planning, constructing and operating highway
21 bypasses on land development patterns and on the economies of local communities
22 that are bypassed. The study shall consider alternative means of assisting
23 businesses from the bypassed communities to acquire land adjacent to newly
24 constructed bypasses for the purpose of business relocation. The secretary of

1 transportation shall report the findings, conclusions and recommendations of the
2 study, including recommendations for assisting local businesses to relocate
3 alongside newly constructed bypasses, to the legislature by June 1, 1999.”.

4 **1532.** Page 2022, line 2: after that line insert:

5 “(3bg) REGISTRATION OF LEASED VEHICLES. Notwithstanding chapter 341 of the
6 statutes, as affected by this act, the department of transportation may, for one year
7 after the effective date of this subsection, issue an original registration of a vehicle
8 under applicable provisions of chapter 341 of the statutes that are in effect on the day
9 before the effective date of this subsection.”.

10 **1533.** Page 2022, line 3: delete lines 3 to 6.

11 **1534.** Page 2022, line 6: after that line insert:

12 “(3f) LAKE ARTERIAL PROJECT NOISE BARRIERS. As part of that project, the
13 department of transportation shall erect noise attenuation barriers along the
14 highways affected by the Lake Arterial Project in Milwaukee County.”.

15 **1535.** Page 2022, line 15: after that line insert:

16 “(3gh) VEHICLE REGISTRATION FEES STUDY. The department of transportation
17 shall conduct a study of the feasibility and desirability of establishing vehicle
18 registration fees to be based on the value of the vehicle or the horsepower motor of
19 the vehicle in lieu of the current vehicle registration fees specified in chapter 341 of
20 the statutes, as affected by this act. The department shall submit a report containing
21 its findings, conclusions and recommendations, including any recommended
22 statutory changes, no later than August 1, 1998, to the appropriate standing
23 committees of the legislature in the manner provided under section 13.172 (3) of the
24 statutes.”.

1 **1536.** Page 2022, line 18: delete “January” and substitute “April”.

2 **1537.** Page 2022, line 19: after that line insert:

3 “(4h) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
4 submitting information under section 16.42 of the statutes for purposes of the
5 1999–2001 biennial budget bill, the department of transportation shall include
6 information concerning the appropriation under section 20.395 (3) (bq) of the
7 statutes, as affected by this act, that increases the amount of that appropriation, and
8 the appropriation under section 20.395 (3) (br) of the statutes that decreases the
9 amount of that appropriation, by an amount equal to the expected savings to be
10 realized in the 1999–2001 fiscal biennium by the treatment of section 86.303 (6) (e)
11 of the statutes by this act.”.

12 **1538.** Page 2022, line 20: delete lines 20 to 25.

13 **1539.** Page 2023, line 1: delete lines 1 to 25.

14 **1540.** Page 2024, line 1: delete lines 1 to 25.

15 **1541.** Page 2025, line 1: delete lines 1 to 6.

16 **1542.** Page 2025, line 14: delete “January” and substitute “April”.

17 **1543.** Page 2027, line 23: delete lines 23 to 25.

18 **1544.** Page 2028, line 1: delete lines 1 to 12.

19 **1545.** Page 2028, line 17: delete the material beginning with “as equally” and
20 ending with “Extension” on line 18.

21 **1546.** Page 2028, line 21: delete “By October 15, 1997” and substitute “Within
22 45 days after the effective date of this paragraph”.

23 **1547.** Page 2029, line 20: after that line insert:

1 “(4g) STUDY OF FACULTY SALARIES. The Robert M. La Follette Institute of Public
2 Affairs at the University of Wisconsin-Madison shall study the method that the
3 board of regents of the University of Wisconsin System uses to compare the salaries
4 of faculty at the University of Wisconsin System to the salaries of faculty at other
5 institutions of higher education in this country. In particular, the Institute shall
6 review the institutions selected as peer institutions for the purpose of such
7 comparisons. In conducting the study, the Institute shall take into account
8 differences in fringe benefits provided by different institutions and the cost of living
9 applicable to faculty at different institutions. The Institute shall report the results
10 of its study to the joint committee on finance by December 1, 1998.”.

11 **1548.** Page 2029, line 20: after that line insert:

12 “(3g) TRANSFER OF RECYCLING MARKET DEVELOPMENT BOARD INCUMBENTS.

13 (a) On the effective date of this subsection, 4 incumbent employes holding
14 positions in the University of Wisconsin System performing duties primarily related
15 to the functions of the recycling market development board, as determined by the
16 secretary of administration, are transferred to the department of commerce to hold
17 4 SEG project positions in the department of commerce, for the period ending on June
18 30, 2001, to perform duties primarily related to the functions of the recycling market
19 development board.

20 (b) Employes transferred under paragraph (a) may transfer with them to the
21 project positions rights and benefits previously earned, as provided in section 230.27
22 (2m) (b) of the statutes.”.

23 **1549.** Page 2029, line 20: after that line insert:

1 “(4h) DISTINGUISHED CHAIR OF MILITARY HISTORY. Of the amount appropriated
2 under section 20.285 (1) (a) of the statutes in the 1998-99 fiscal year, the board of
3 regents of the University of Wisconsin System may expend up to \$250,000 to
4 establish a distinguished chair of military history at the University of
5 Wisconsin-Madison under section 36.25 (42) of the statutes, as created by this act,
6 if the board receives at least \$750,000 in private contributions for the same
7 purpose.”.

8 **1550.** Page 2029, line 20: after that line insert:

9 “(4x) FUNDING OF 1997-99 UNIVERSITY OF WISCONSIN SYSTEM FACULTY AND
10 ACADEMIC STAFF PAY ADJUSTMENTS. Notwithstanding section 16.505 (4) (b) of the
11 statutes, for employes who are eligible to receive compensation adjustments under
12 section 230.12 (3) (e) of the statutes, the board of regents of the University of
13 Wisconsin System may use moneys appropriated under section 20.285 (1) (im) of the
14 statutes, as affected by this act, to pay for the compensation adjustments approved
15 under section 230.12 (3) (e) of the statutes for the 1997-99 biennium, but only up to
16 an amount that equals the difference between the amount that the University of
17 Wisconsin System, under section 20.928 (1) of the statutes, certifies is needed under
18 section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to fully fund the compensation
19 adjustments and the amount that the secretary of administration determines is
20 required under section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to pay for the
21 compensation adjustments.”.

22 **1551.** Page 2030, line 22: after that line insert:

23 “(3tg) NURSING POSITIONS AT THE WISCONSIN VETERANS HOME AT KING. Of the
24 15.0 FTE PR nursing positions for the department of veterans affairs that are

1 created by this act at the Wisconsin Veterans Home at King and funded from the
2 appropriation under section 20.485 (1) (gk) of the statutes, the department of
3 veterans affairs may designate 1.0 position as a nurse practitioner and 1.0 position
4 as a nurse supervisor.”.

5 **1552.** Page 2033, line 8: after that line insert:

6 “(1g) TUITION GRANTS; TRIBALLY CONTROLLED COLLEGES. (a) Each tribally
7 controlled college in this state is requested to develop and, not later than 30 days
8 after the effective date of this paragraph, submit to the higher educational aids board
9 for its review under paragraph (b) a proposed formula for the awarding of grants
10 under section 39.30 of the statutes, as affected by this act, for the 1997–98 academic
11 year to students enrolled at that tribally controlled college.

12 (b) Not later than 21 days following submission of a proposed formula under
13 paragraph (a), the higher educational aids board shall approve, modify or
14 disapprove the proposed formula for the awarding of grants under section 39.30 of
15 the statutes, as affected by this act. No grants may be awarded under section 39.30
16 of the statutes, as affected by this act, for the 1997–98 academic year to students
17 enrolled at the applicable tribally controlled college unless the applicable formula
18 submitted under paragraph (a) is approved or modified by the higher educational
19 aids board under this paragraph.

20 (c) Section 39.30 (2) (f) of the statutes, as affected by this act, does not apply to
21 grant awards subject to this subsection.”.

22 **1553.** Page 2035, line 11: after that line insert:

23 “(2n) SHARED REVENUE TASK FORCE. There is created a shared revenue task
24 force, which shall consist of 4 members appointed by the governor, 2 members

1 appointed by the speaker of the assembly, one member appointed by the assembly
2 minority leader, 2 members appointed by the senate majority leader, one member
3 appointed by the senate minority leader and the secretary of revenue or the
4 secretary's designee. The secretary of revenue or the secretary's designee is the
5 chairperson. The task force shall recommend legislation that will replace the
6 formulas for the shared revenue program, the expenditure restraint program and
7 the small municipalities shared revenue program and that will have an effective date
8 of July 1, 1999. The task force shall submit that proposed legislation to the
9 legislature in the manner provided under section 13.172 (2) of the statutes on or
10 before January 1, 1999.”.

11 **1554.** Page 2035, line 11: after that line insert:

12 “(2m) RETIREMENT HOME EXEMPTION STUDY. There is created a benevolent
13 retirement home for the aged task force, which shall consist of 4 members appointed
14 by the governor, 2 members appointed by the speaker of the assembly, one member
15 appointed by the assembly minority leader, 2 members appointed by the senate
16 majority leader and one member appointed by the senate minority leader. The task
17 force shall investigate the property tax exemption for benevolent retirement homes
18 and all problems that are associated with it. The task force shall submit its report
19 and proposed legislation to the legislature in the manner provided under section
20 13.172 (2) of the statutes on or before June 30, 1999, on which date the task force is
21 dissolved.”.

22 **1555.** Page 2035, line 12: delete the material beginning with that line and
23 ending with page 2036, line 2.

24 **1556.** Page 2036, line 2: after that line insert:

1 “(4m) COMMISSION ON PUBLIC BROADCASTING.

2 (a) In this subsection, “commission” means the commission on public
3 broadcasting created under paragraph (b).

4 (b) There is created a special committee to be called the commission on public
5 broadcasting consisting of the following:

6 1. The secretary of administration or his or her designee.

7 2. The state superintendent of public instruction or his or her designee.

8 3. The director of the technical college system or his or her designee.

9 4. One representative, or his or her designee, of each of the following,
10 appointed within 30 days after the effective date of this subdivision:

11 a. Wisconsin Public Radio, appointed by the educational communications
12 board.

13 b. Wisconsin Public Television, appointed by the educational communications
14 board.

15 c. University of Wisconsin System, appointed by the board of regents of the
16 University of Wisconsin System.

17 d. WMVS-TV and WMVT-TV, appointed by the district board governing the
18 Milwaukee area technical college.

19 5. One representative of each of the following, appointed by the members
20 specified under subdivision 4. within 45 days after the effective date of this
21 subdivision:

22 a. The public broadcasting audience.

23 b. The commercial broadcasting industry.

24 c. The public school system.

1 (c) The educational communications board and the district board governing
2 the Milwaukee area technical college shall provide staff and other support required
3 for the operation of the commission.

4 (d) The commission shall study the future of public broadcasting in this state
5 for the purpose of making recommendations that, if implemented, will be likely to
6 ensure that public broadcasting continues its tradition of distinguished service to
7 this state, utilizes new technologies and functions in the most efficient and
8 cost-effective manner. The study shall include an examination of all of the following:

- 9 1. Future funding issues.
- 10 2. Technological advances and their implication for public broadcasting.
- 11 3. The relationship between public broadcasting and distance education, as
12 defined in section 24.60 (1g) of the statutes, as affected by this act.
- 13 4. The development of new partnerships with the private sector and with other
14 public sector interests.
- 15 5. Alternative organizational or governance structures, including a single
16 public or private organization that is not a current licensee of a radio or television
17 broadcasting station.

18 (e) The commission shall submit a report of its findings, conclusions and
19 recommendations no later than June 30, 1998, to the governor, and to the legislature
20 for distribution to the appropriate standing committees in the manner provided
21 under section 13.172 (3) of the statutes. Upon submittal of its report, the commission
22 shall cease to exist.”.

23 **1557.** Page 2036, line 3: substitute “PERFORMANCE-BASED” for “PERFORMANCE
24 BASED”.

1 **1558.** Page 2036, line 4: after “the” insert “technology for educational
2 achievement in Wisconsin board and the”.

3 **1559.** Page 2037, line 7: after that line insert:

4 “(6ng) EFFICIENCY MEASURES.

5 (a) *Definitions.* In this subsection:

6 1. “State agency” has the meaning given in section 20.001 (1) of the statutes.

7 2. “State operations appropriation” means an appropriation that is not for
8 assistance to local units of government or for individuals or organizations and that
9 funds the administrative operations of a state agency.

10 (b) *Executive branch agencies.*

11 1. Except as provided in subdivision 4., for each of the following state agencies
12 and for each of the following fiscal years, the secretary of administration shall
13 allocate the following amounts among reductions in sum certain, state operations
14 appropriations made to that state agency from general purpose revenue:

State Agency	Amount of Reduction	
	1997-98	1998-99
	Fiscal Year	Fiscal Year
Administration, department of	\$ 925,900	\$ 925,900
Agriculture, trade and consumer protection, department of	171,300	171,300
Commerce, department of	35,900	35,900
Employment relations commission	49,700	49,700
Health and family services, department of	2,101,000	2,083,500

1	Higher educational aids board	13,400	13,400
2	Justice, department of	552,500	552,500
3	Military affairs, department of	108,400	108,400
4	Natural resources, department of	150,400	150,400
5	Personnel commission	14,700	14,700
6	Public instruction, department of	33,200	33,200
7	Revenue, department of	179,800	179,800
8	Tourism, department of	67,300	67,300
9	University of Wisconsin System, board of		
10	regents of	171,400	171,400
11	Workforce development, department of	<u>765,300</u>	<u>765,300</u>
12	TOTALS	\$5,340,200	\$5,322,700

13 2. Except as provided in subdivision 4., of the amounts specified under
14 subdivision 1. for the department of administration, the secretary of administration
15 shall allocate \$211,000 in the 1997-98 fiscal year and \$211,000 in the 1998-99 fiscal
16 year to reductions of state operations appropriations under section 20.505 of the
17 statutes from general purpose revenue, \$579,200 in the 1997-98 fiscal year and
18 \$579,200 in the 1998-99 fiscal year to reductions of state operations appropriations
19 under section 20.475 of the statutes from general purpose revenue and \$135,700 in
20 the 1997-98 fiscal year and \$135,700 in the 1998-99 fiscal year to reductions for the
21 sum of state operations appropriations under section 20.865 (1) and (2) of the
22 statutes from general purpose revenue. Notwithstanding section 20.865 (intro.) of
23 the statutes, appropriations under section 20.865 of the statutes shall be considered
24 to be appropriations to the department of administration for purposes of this

1 subsection. Except as provided in subdivision 4., the secretary of administration
2 shall allocate the amounts specified under subdivision 1. for the board of regents of
3 the University of Wisconsin System to reductions in the appropriation under section
4 20.285 (3) of the statutes.

5 3. Except as provided in subdivision 4., after making the allocation specified
6 under subdivisions 1. and 2., the secretary of administration shall make the lapses
7 in accordance with the allocations.

8 4. a. If, for the 1997-98 fiscal year or the 1998-99 fiscal year, the secretary
9 of administration determines that a state agency specified in subdivision 1. is unable
10 to reduce expenditures from agency state operations appropriations from general
11 purpose revenue in an amount that is at least equal to the amount specified under
12 subdivision 1., the secretary of administration shall submit a plan under this
13 subdivision to the cochairpersons of the joint committee on finance reallocating the
14 amounts of general purpose revenue appropriation reductions for that fiscal year.
15 The total amount of lapses in the plan must equal at least \$5,340,200, if the plan is
16 submitted for the 1997-98 fiscal year, or at least \$5,322,700, if the plan is submitted
17 for the 1998-99 fiscal year.

18 b. If the cochairpersons of the joint committee on finance do not notify the
19 secretary of administration that the committee has scheduled a meeting for the
20 purpose of reviewing the plan within 14 working days after the date of the plan's
21 submittal, the amounts specified in the plan shall be lapsed in the manner specified
22 in the plan. If, within 14 working days after the date of the plan's submittal, the
23 cochairpersons of the committee notify the secretary of administration that the
24 committee has scheduled a meeting for the purpose of reviewing the proposed plan,
25 the committee shall approve, disapprove or modify the plan at the scheduled

1 meeting. If the joint committee approves or modifies the plan, the amounts specified
2 in the plan shall be lapsed in the manner specified in the plan as approved or
3 modified by the committee.”.

4 **1560.** Page 2039, line 23: after that line insert:

5 “(1n) TRIBAL KINSHIP CARE. Notwithstanding section 20.002 (3m) of the
6 statutes, the unencumbered balances in the appropriation accounts under section
7 20.445 (3) (d) and (p), 1995 stats., that are allocated for distribution to federally
8 recognized American Indian tribes or bands immediately before the effective date of
9 this subsection are transferred to the appropriation account under section 20.435 (3)
10 (ke) of the statutes, as created by this act. From the appropriations under section
11 20.435 (3) (cz), (kc) and (ke) of the statutes, as created by this act, the department
12 of health and family services shall reimburse those tribes or bands for payments
13 made under section 48.57 (3m) (am) (intro.) of the statutes, as affected by this act.”.

14 **1561.** Page 2040, line 6: after that line insert:

15 “(2q) VEHICLE, EQUIPMENT AND INFORMATION TECHNOLOGY REVENUE LAPSE.
16 Notwithstanding section 20.001(3) (c) of the statutes, there is lapsed to the
17 conservation fund from the appropriation account of the department of natural
18 resources under section 20.370 (8) (mt) of the statutes, as affected by this act,
19 \$520,000 on the effective date of this subsection and \$520,000 on July 1, 1998.”.

20 **1562.** Page 2041, line 17: after that line insert:

21 “(2p) AUTO POOL VEHICLE REVENUE LAPSE. Notwithstanding section 20.001 (3) (c)
22 of the statutes, there is lapsed to the transportation fund from the appropriation
23 account of the department of transportation under section 20.395 (4) (er) of the

1 statutes \$490,000 on the effective date of this subsection and \$500,000 on July 1,
2 1998.”.

3 **1563.** Page 2042, line 9: after that line insert:

4 **“SECTION 9301. Initial applicability; administration.**

5 (1m) COUNTRY OF ORIGIN FOR STATE MOTOR VEHICLES. The treatment of section
6 16.72 (2) (cm) of the statutes first applies to motor vehicles purchased on the effective
7 date of this subsection.”.

8 **1564.** Page 2042, line 21: delete lines 21 to 24.

9 **1565.** Page 2043, line 1: delete lines 1 and 2.

10 **1566.** Page 2043, line 6: after that line insert:

11 “(2w) GUARDIAN AD LITEM STATEMENT. The treatment of section 757.48 (1) (b) of
12 the statutes first applies to guardians ad litem appointed on the effective date of this
13 subsection.”.

14 **1567.** Page 2044, line 1: delete lines 1 to 5.

15 **1568.** Page 2044, line 21: after that line insert:

16 “(2m) PRISON INDUSTRIES BOARD. Except as provided in SECTION 9111 (5n), the
17 treatment of section 15.145 (2) (intro.) (with respect to the appointment of members
18 of the prison industries board for a 4-year terms) of the statutes first applies to
19 members of the prison industries board appointed on the effective date of this
20 subsection.”.

21 **1569.** Page 2045, line 5: delete lines 5 to 9.

22 **1570.** Page 2045, line 14: after that line insert:

23 **“SECTION 9317. Initial applicability; employment relations department.**

1 (3g) VETERAN'S PREFERENCE POINTS ON CIVIL SERVICE EXAMINATIONS.

2 (a) The treatment of sections 230.03 (9m) and (14) (d) and 230.16 (7) (a) 2., 3.
3 and 4. of the statutes first applies to examinations for, and promotions to, positions
4 in the classified service of the state on the effective date of this subsection.

5 (b) The treatment of section 230.25 (1g) of the statutes first applies to lists of
6 names certified by the administrator of the division of merit recruitment and
7 selection in the department of employment relations on the effective date of this
8 subsection.”.

9 **1571.** Page 2045, line 14: after that line insert:

10 “(3h) SCHOOL DISTRICTS; PERMISSIVE SUBJECTS OF BARGAINING. The treatment of
11 section 111.70 (1) (a) and (4) (o) of the statutes first applies to a collective bargaining
12 agreement that expires or is extended, modified or renewed, whichever occurs first,
13 on the effective date of this subsection.”.

14 **1572.** Page 2045, line 14: after that line insert:

15 “(3f) BINDING ARBITRATION; 1ST CLASS CITIES. The treatment of section 111.70 (4)
16 (jm) 5. of the statutes first applies to petitions for arbitration filed under section
17 111.70 (4) (jm) 1. of the statutes on the effective date of this subsection.”.

18 **1573.** Page 2045, line 15: delete lines 15 to 18.

19 **1574.** Page 2047, line 13: after that line insert:

20 “(12g) MENTAL HEALTH TREATMENT OF MINORS. The treatment of sections 51.13
21 (1) (a), (b), (d) and (e), (2) (a), (b) and (d), (3) (b), (c) and (e), (4) (a) (intro.), (c), (d) and
22 (g) (intro.) and 1., (6) (a) and (7) (title), (a), (b) and (c), 51.14 (3) (a), (b) 3. and 4., (g)
23 and (h) (intro.) and (4) (a), (b), (c) and (g) (intro.), 51.20 (16) (a), 51.22 (2), 51.30 (5)
24 (a) and (b) 1. and 2., 51.35 (3) (a), (b) and (g) and 51.61 (6) of the statutes first applies

1 to individuals who are receiving inpatient or outpatient mental health treatment on
2 the effective date of this subsection regardless of whether admission to an inpatient
3 facility or an outpatient program occurred or was sought prior to the effective date
4 of this subsection.”.

5 **1575.** Page 2048, line 23: delete the material beginning with that line and
6 ending with page 2050, line 12, and substitute:

7 “(3rcg) INSURANCE COVERAGE OF TREATMENT FOR TEMPOROMANDIBULAR DISORDERS
8 AS WELL AS HOSPITAL CHARGES AND ANESTHETICS FOR DENTAL CARE AND BREAST
9 RECONSTRUCTION. The treatment of sections 40.51 (8) (by SECTION 1324m) and (8m)
10 by SECTION 1325m), 60.23 (25) (by SECTION 2178p), 66.184 (by SECTION 2210m), 111.91
11 (2) (n), 120.13 (2) (g) (by SECTION 2860f), 185.981 (4t) (by SECTION 3133m) (with
12 respect to requiring insurance coverage of treatment for temporomandibular
13 disorders, as well as coverage of hospital charges and anesthetics for dental care and
14 coverage of breast reconstruction), 185.983 (1) (intro.) (by SECTION 3134m) (with
15 respect to requiring insurance coverage of treatment for temporomandibular
16 disorders, as well as coverage of hospital charges and anesthetics for dental care and
17 coverage of breast reconstruction), 609.77, 609.78, 609.79 and 632.895 (11), (12) and
18 (13) of the statutes first applies to all of the following:”.

19 **1576.** Page 2051, line 24: delete lines 24 and 25.

20 **1577.** Page 2052, line 15: after that line insert:

21 “(8g) LAND ACQUISITION WITH STEWARDSHIP FUNDING. The treatment of section
22 23.0915 (1m) (c) of the statutes first applies to moneys encumbered from the
23 appropriation under section 20.866 (2) (tz) of the statutes on the effective date of this
24 subsection.”.

1 **1578.** Page 2053, line 4: delete “and the repeal of section 118.37 (1) (title) of
2 the statutes”.

3 **1579.** Page 2053, line 5: delete “apply” and substitute “applies”.

4 **1580.** Page 2053, line 6: after that line insert:

5 “(6t) SCHOOL DISTRICT REVENUE LIMITS AND CALCULATION OF SCHOOL AID. The
6 treatment of sections 121.15 (3m) (a) 1. and 121.91 (4) (a) 3. of the statutes first
7 applies to the calculation of school district revenue limits and school aid for the school
8 year beginning after the effective date of this subsection.”.

9 **1581.** Page 2053, line 6: after that line insert:

10 “(6h) COUNTING HOME-BASED AND PRIVATE SCHOOL PUPILS. The treatment of
11 sections 118.145, 119.04 (1) (with respect to section 118.145 (4) of the statutes),
12 121.004 (7) (e) and 121.05 (1) (a) 12. of the statutes first applies to state aid paid in
13 the 1998-99 fiscal year.”.

14 **1582.** Page 2054, line 4: delete that line and substitute “of sections 71.05 (6)
15 (b) 25. and 71.83 (1) (d) of the statutes first applies to taxable years beginning on”.

16 **1583.** Page 2054, line 5: delete “1999” and substitute “1998”.

17 **1584.** Page 2054, line 12: substitute “statutes” for “statues”.

18 **1585.** Page 2054, line 13: after that line insert:

19 “(1vx) IMMUNITY FOR RETAINING PROOFS OF AGE. The treatment of section 125.039
20 of the statutes first applies to retentions of documents occurring on the effective date
21 of this subsection.”.

22 **1586.** Page 2054, line 13: after that line insert:

1 “(1wo) CHARGE FOR ADMINISTRATIVE COSTS. The renumbering and amendment
2 of section 139.96 of the statutes and the creation of section 139.96 (2) of the statutes
3 first apply to taxes, penalties and interest collected as the result of an arrest made
4 on or after the effective date of this subsection.”.

5 **1587.** Page 2054, line 19: after that line insert:

6 “(3m) EXCESS DISTRIBUTIONS FROM PASSIVE FOREIGN INVESTMENT COMPANIES. The
7 treatment of section 71.05 (6) (a) 20. of the statutes first applies to taxable years
8 beginning on January 1, 1997.”.

9 **1588.** Page 2054, line 20: delete lines 20 to 22.

10 **1589.** Page 2055, line 6: after that line insert:

11 “(7c) STATE AID; COMPUTERS. The treatment of sections 20.835 (1) (e) and 79.095
12 of the statutes first applies to payments made in 2001.”.

13 **1590.** Page 2055, line 6: after that line insert:

14 “(7m) FARM LOSS LIMITS. The treatment of section 71.05 (6) (a) 10. of the statutes
15 first applies to taxable years beginning on January 1, 1999.”.

16 **1591.** Page 2055, line 7: delete lines 7 and 8.

17 **1592.** Page 2056, line 16: delete “(e) and”.

18 **1593.** Page 2056, line 17: after “fuel)” insert “and (j)”.

19 **1594.** Page 2056, line 19: after that line insert:

20 “(10c) INCOME TAX REFUNDS. The treatment of section 71.75 (5) of the statutes
21 first applies to refunds for taxable years beginning on January 1, 2000.”.

22 **1595.** Page 2056, line 19: after that line insert:

1 “(10q) FUEL TAX INDEXING. The treatment of section 78.015 (1) and (3) of the
2 statutes first applies to the indexing on April 1, 1998.”.

3 **1596.** Page 2056, line 19: after that line insert:

4 “(10ia) REHABILITATION CREDIT. The treatment of sections 71.07 (9m) (a), 71.28
5 (6) (a) and 71.47 (6) (a) of the statutes first applies to taxable years beginning on
6 January 1, 1989.”.

7 **1597.** Page 2057, line 4: delete lines 4 to 6.

8 **1598.** Page 2057, line 9: after that line insert:

9 “(3g) LOCAL TRANSPORTATION AIDS. The treatment of section 86.303 (6) (e) of the
10 statutes first applies to multiyear average costs that are used to calculate local
11 transportation aid payments for calendar year 2000.”.

12 **1599.** Page 2057, line 13: before that line insert:

13 “(3mg) VEHICLE WEIGHT LIMITATIONS. The treatment of section 348.21 (2) (b) of
14 the statutes first applies to vehicles operated on the effective date of this
15 subsection.”.

16 **1600.** Page 2057, line 18: delete “September” and substitute “December”.

17 **1601.** Page 2057, line 18: after that line insert:

18 “(4gq) IGNITION INTERLOCK DEVICE PROGRAM. The treatment of sections 16.75 (1)
19 (a) 1., 340.01 (23v), 343.10 (2) (a) 1. and (e), (5) (a) 1., 3. and 4. and (7) (cm), 343.30
20 (1q) (b) 2., 3. and 4. and (4), 343.305 (4) (b) and (c) and (10) (b) 2., 3. and 4., 343.31
21 (3) (h), 343.38 (5), 343.39 (3), 347.413 (1) and (3) and 347.50 (1t) of the statutes first
22 applies to offenses committed on the effective date of this subsection, but does not
23 preclude the counting of other offenses as prior offenses for purposes of

1 administrative action by the department of transportation, sentencing by a court or
2 suspending or revoking a person’s operating privilege.”.

3 **1602.** Page 2057, line 19: delete lines 19 to 23 and substitute:

4 “(4mg) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395
5 (1) (hq), (hr) and (hs) and 85.20 (4m) (a) 6., 7. and 8. and (em) 1. (by SECTION 2481pm),
6 (4s) (by SECTION 2481ps) and (7) (a) (intro.) (by SECTION 2481pv) of the statutes first
7 applies to urban mass transit operating assistance payments for calendar year
8 1998.”.

9 **1603.** Page 2057, line 23: after that line insert:

10 “(5mdq) ABSOLUTE SOBRIETY. The treatment of section 346.63 (2m) of the
11 statutes first applies to offenses committed on the effective date of this subsection,
12 but does not preclude the counting of other violations as prior convictions,
13 suspensions or revocations for purposes of administrative action by the department
14 of transportation, sentencing by a court or revocation or suspension of operating
15 privileges.”.

16 **1604.** Page 2057, line 23: after that line insert:

17 “(5mg) TRAFFIC OFFENSES. The treatment of sections 27.014 (1), (1c) and (2) (c),
18 341.04 (1) (a) and (c), 342.30 (1) and (3) (a), 346.175 (1) (a), 346.195 (1), 346.205 (1),
19 346.457 (1), 346.465 (1), 346.485 (1), 346.505 (3) (a), 346.94 (13) and 346.945 (1) (a)
20 of the statutes, the renumbering of section 346.01 of the statutes and the creation of
21 section 346.01 (2) of the statutes first apply to offenses committed on the effective
22 date of this subsection, but does not preclude the counting of other offenses as prior
23 offenses for sentencing a person, suspending or revoking a person’s operating

1 privilege or determining eligibility for an occupational license or authorization to
2 operate certain motor vehicles.

3 (6mg) FINANCIAL RESPONSIBILITY, ACCIDENTS AND ACCIDENT REPORTS. The
4 treatment of sections 344.01 (2) (cm), 344.02 (1), 344.14 (2m) and 346.665 of the
5 statutes first applies to accidents occurring on the effective date of this subsection.

6 (7g) VEHICLE REMOVAL AND DISPOSAL. The treatment of sections 341.65 (1) (am),
7 342.30 (1), (1c), (3) (a) and (4) (a), 342.40 (1) and (1c), 349.13 (1), (1b) and (2) (intro.)
8 and 349.137 (1) (a) and (3) (c) 2. e., (f) and (h) of the statutes first applies to vehicles
9 removed, seized, impounded, towed, stored or immobilized or vehicle parts seized on
10 the effective date of this subsection.”.

11 **1605.** Page 2057, line 24: delete that line.

12 **1606.** Page 2058, line 1: delete lines 1 to 6.

13 **1607.** Page 2058, line 13: delete lines 13 to 20 and substitute:

14 “(9sm) TEMPORARY OPERATION PLATES. The treatment of sections 341.04 (1)
15 (intro.) and (a), 341.09 (2) (c) and (g), (2m) (b) and (c), (2r) and (9), 342.06 (1) (k) and
16 885.237 (title) of the statutes, the renumbering of section 885.237 of the statutes, the
17 renumbering and amendment of section 341.09 (1) and (2m) (a) of the statutes and
18 the creation of sections 341.09 (1) (b) and (c) and (2m) (a) 1. b. and 2. and 885.237 (2)
19 of the statutes first apply to transfers of interests in and the operation of motor
20 vehicles occurring on the effective date of this subsection.”.

21 **1608.** Page 2059, line 14: after “(1),” insert “(2) (c),”.

22 **1609.** Page 2059, line 23: after that line insert:

1 “(2d) PENALTIES FOR HARASSMENT OF FIRE ANIMALS. The treatment of sections
2 951.01 (3f), 951.095 (title) and (1) (intro.) and 951.18 (2m) of the statutes applies to
3 offenses occurring on or after the effective date of this subsection.”.

4 **1610.** Page 2059, line 23: after that line insert:

5 “(3f) INDUCED ABORTION REPORTING. The treatment of section 69.186 (1) (hm) of
6 the statutes first applies to abortions performed on the effective date of this
7 subsection.”.

8 **1611.** Page 2059, line 23: after that line insert:

9 “(4g) FUNDING FOR PREGNANCY PROGRAMS, PROJECTS OR SERVICES. The treatment
10 of section 20.9275 (2) of the statutes first applies to funding provided on the effective
11 date of this subsection.”.

12 **1612.** Page 2059, line 23: after that line insert:

13 “(2m) PENALTIES FOR CRIMINAL SLANDER OF TITLE, SIMULATING LEGAL PROCESS AND
14 FALSELY ASSUMING TO ACT IN CERTAIN PUBLIC CAPACITIES. The treatment of sections
15 943.60 (1), 946.68 (1), (1g), (1r) (c) and (2) and 946.69 (2) (intro.) of the statutes first
16 applies to offenses occurring on the effective date of this subsection.

17 (2n) CIVIL ACTIONS FOR SLANDER OF TITLE; FAILURE TO TERMINATE A SECURITY
18 INTEREST. The treatment of sections 409.404 (1) (d) and 706.13 (1) of the statutes first
19 applies to acts or omissions occurring on the effective date of this subsection.”.

20 **1613.** Page 2060, line 7: after that line insert:

21 “(7g) MINNESOTA-WISCONSIN STUDENT RECIPROCITY AGREEMENT. The treatment
22 of section 39.47 (2) of the statutes first applies to reciprocal fees for the 1997–98
23 academic year.”.

24 **1614.** Page 2060, line 7: after that line insert:

1 “(8f) SCHEDULING OF REFERENDA BY LOCAL GOVERNMENTS. The treatment of
2 sections 7.03 (1) (bm), 7.15 (2) (d), 8.05 (3) (d) and (e), 8.06, 8.065, 9.20 (4), 15.615 (2),
3 24.66 (3) (b) and (4), 32.72 (1), 59.08 (7) (b), 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46
4 (1), 62.09 (1) (a), 64.03 (1), 64.39 (3), 66.01 (8), 66.059 (2m) (b), 66.061 (1) (c), 66.075
5 (5), 66.504 (2), 66.521 (10) (d), 66.77 (3) (a) 1., 66.94 (4), 67.05 (4), (5), (6a) (a) 2. a. and
6 (6m) (b), 67.10 (5) (b), 67.12 (12) (e) 5., 81.01 (3) (b), 86.21 (2) (a), 117.20, 119.48 (4)
7 (b) and (c), 119.49 (1) (b) and (2), 121.91 (3) (a), 197.04 (1) and (2), 197.10 (2) and
8 198.19 (1) of the statutes first applies with respect to referenda called on the effective
9 date of this subsection.”.

10 **1615.** Page 2060, line 8: delete lines 8 to 15.

11 **1616.** Page 2060, line 22: after that line insert:

12 “(9h) CHIROPRACTIC LIENS. The treatment of section 779.80 (title), (1), (1b), (2),
13 (3) (intro.), (a), (b) and (c), (4), (5) and (6) and subchapter IX (title) of chapter 779 of
14 the statutes first applies to services provided by a chiropractor on the effective date
15 of this subsection.”.

16 **1617.** Page 2060, line 22: after that line insert:

17 “(9i) FRIVOLOUS ACTIONS IN ADMINISTRATIVE PROCEEDINGS. The treatment of
18 section 227.487 of the statutes, as created by this act, first applies to any petition or
19 request specified in section 227.487 (1) (a) of the statutes, as created by this act, or
20 any application, pleading, motion, request or other action specified in section
21 227.487 (1) (b) of the statutes, as created by this act, that is filed, made, entered or
22 undertaken on the effective date of this subsection.”.

23 **1618.** Page 2061, line 12: after that line insert:

1 “(1m) AGRICULTURAL CHEMICAL CLEANUP COUNCIL. The treatment of sections
2 15.137 (4) and 94.73 (1) (d) and (10) of the statutes takes effect on July 1, 1999.”.

3 **1619.** Page 2062, line 10: after that line insert:

4 “(2w) GUARDIAN AD LITEM STATEMENT. The treatment of section 757.48 (1) (b) of
5 the statutes and SECTION 9309 (2w) of this act take effect on the first day of the 4th
6 month beginning after publication.”.

7 **1620.** Page 2062, line 12: delete lines 12 to 15.

8 **1621.** Page 2064, line 9: delete “48.551 (2) (a),”.

9 **1622.** Page 2064, line 11: delete “(i) and (j)” and substitute “(h), (i) and (j) and
10 (3t)”.

11 **1623.** Page 2064, line 21: after “46.49 (1)” insert “, 48.551 (2) (a)”.

12 **1624.** Page 2064, line 23: delete “and (c)” and substitute “, (c) and (km)”.

13 **1625.** Page 2065, line 5: after that line insert:

14 “(3v) COUNCIL ON AMERICAN INDIAN HEALTH. The treatment of sections 15.197
15 (22), 36.25 (35), 38.04 (25), 46.35 and 146.19 (3) of the statutes takes effect on
16 December 31, 1997.”.

17 **1626.** Page 2065, line 5: after that line insert:

18 “(4g) COUNCIL ON FOOD PROTECTION PRACTICES. The treatment of sections 15.197
19 (21) and 254.71 (4), (5) and (6) (intro.) of the statutes takes effect on July 1, 1999.”.

20 **1627.** Page 2065, line 8: delete lines 8 to 10.

21 **1628.** Page 2065, line 12: after that line insert:

22 “(10q) BOARD ON HUNGER. The treatment of sections 15.195 (3), 46.76 (intro.)
23 and 46.765 (3) (intro.) of the statutes, the repeal and recreation of sections 46.76 (2)

1 and (5) and 46.765 (2) (intro.) of the statutes and SECTION 9123 (12p) of this act take
2 effect on July 1, 1998, or on the day after publication, whichever is later.”.

3 **1629.** Page 2065, line 12: after that line insert:

4 **“SECTION 9424. Effective dates; historical society.**

5 (1t) SUBMERGED CULTURAL RESOURCES COUNCIL. The treatment of sections 15.707
6 (2) and 44.47 (1) (bm) and (5m) (f) of the statutes takes effect on July 1, 1998.”.

7 **1630.** Page 2065, line 12: after that line insert:

8 “(10r) TRIBAL KINSHIP CARE. The repeal of section 20.435 (3) (ke) of the statutes
9 takes effect on July 1, 1998.”.

10 **1631.** Page 2065, line 12: after that line insert:

11 “(10f) KINSHIP CARE BACKGROUND CHECKS. The repeal and recreation of section
12 48.57 (3p) (fm) 1. and 2. and (g) (intro.) of the statutes and the repeal of section 48.57
13 (3p) (h) of the statutes take effect on the day after publication of the 2001–03 biennial
14 budget.”.

15 **1632.** Page 2065, line 12: after that line insert:

16 **“SECTION 9424. Effective dates; historical society.**

17 (1x) NONRESIDENT FEES. The treatment of sections 27.01 (2) (d), 44.02 (5), 44.12
18 (3) and 44.13 (3) of the statutes, the renumbering and amendment of section 44.02
19 (5g) of the statutes and the creation of section 44.02 (5g) (b) of the statutes take effect
20 on January 1, 1998.”.

21 **1633.** Page 2066, line 8: after “25.68,” insert “49.24 (1) (by SECTION 1882n),”.

22 **1634.** Page 2066, line 23: delete lines 23 to 25.

23 **1635.** Page 2067, line 3: delete “49.153 (4) (d) 3. b.,”.

1 **1636.** Page 2067, line 5: after “statutes” insert “, the amendment of section
2 49.143 (2) (ep) 2. of the statutes”.

3 **1637.** Page 2067, line 7: delete “October 1, 1998” and substitute “February
4 1, 1999”.

5 **1638.** Page 2067, line 13: after “(af)” insert “and (gh)”.

6 **1639.** Page 2067, line 14: before “(8c)” insert “(8b),”.

7 **1640.** Page 2067, line 15: delete that line and substitute “149.143, 149.145,
8 149.15 (2m) and (3) (f), 149.16 (title) and (1), 149.20, 185.981 (4t) (by SECTION 3133m),
9 185.983 (1) (intro.) (by SECTION 3134m), 601.41”.

10 **1641.** Page 2067, line 21: delete “1., 2. and 3., 619.123” and substitute “(by
11 SECTION 4830ec)”.

12 **1642.** Page 2067, line 25: delete “(by SECTION 4869f)” and substitute “(by
13 SECTION 4869m)”.

14 **1643.** Page 2068, line 2: after “(d)” insert “(by SECTION 4891r)”.

15 **1644.** Page 2068, line 3: delete “, 632.745 (1) (d), 632.785 (1) (intro.) and
16 635.254 (3)” and substitute “, 632.785 (1) (intro.)”.

17 **1645.** Page 2068, line 12: delete lines 12 to 15 and substitute:

18 “(4rcg) INSURANCE COVERAGE OF TREATMENT FOR TEMPOROMANDIBULAR DISORDERS
19 AS WELL AS HOSPITAL CHARGES AND ANESTHETICS FOR DENTAL CARE AND BREAST
20 RECONSTRUCTION. The treatment of sections 40.51 (8) (by SECTION 1324m) and (8m)
21 (by SECTION 1325m), 60.23 (25) (by SECTION 2178p), 66.184 (by SECTION 2210m),
22 111.91 (2) (n), 120.13 (2) (g) (by SECTION 2860f), 609.77, 609.78, 609.79 and 632.895

1 (11), (12) and (13) of the statutes and SECTION 9327 (3rcg) of this act take effect on
2 January 1, 1998.”.

3 **1646.** Page 2068, line 23: after “1997” insert “, or on the effective date of this
4 subsection, whichever is later”.

5 **1647.** Page 2069, line 2: after that line insert:

6 **“SECTION 9436. Effective dates; military affairs.**

7 (1m) EMERGENCY MANAGEMENT. The treatment of sections 15.07 (2) (k), 15.315,
8 20.465 (3) (i), (j), (jt), (r) (title) and (t), 59.54 (8) (a) 4., 166.20 (1) (a), (2) (intro.), (4)
9 (a) and (b), (4m), (5) (a) 2. and 5., (5m), (7) (b), (7g) (a) and (e), (7m) (a) and (b), (8) (a),
10 (9) (a) 1. c., d. and e., 2. (intro.) and a. and 3. and (b) 1. (intro.) and a. and 2. and (11)
11 (dg), 166.21 (1) (b), (2) (e), (3) (a) 1. and 3., (b), (c) and (e), (4) and (5), 166.215 (3) and
12 895.483 (1) of the statutes, the repeal and recreation of sections 15.07 (1) (cm), 20.465
13 (3) (dt) and (jm), 166.20 (7) (a) (intro.), 166.21 (2m) (intro.), 166.215 (1) and (2) and
14 166.22 (3m) of the statutes and SECTION 9136 (1m) of this act take effect on July 1,
15 1998.”.

16 **1648.** Page 2069, line 6: delete that line and substitute “1., 2., 3. and 4., (gr)
17 and (h), (7m) and (8m) (title) and (c), 27.014 (1),”.

18 **1649.** Page 2069, line 16: substitute “January 1, 1999” for “January 1, 1998”.

19 **1650.** Page 2069, line 17: delete lines 17 and 18 and substitute:

20 “(2) CAMPGROUND RESERVATION SYSTEM.

21 (a) The treatment of section 27.01 (11) (a) and (b) of the statutes takes effect
22 on January 1, 1998.

23 (b) The treatment of section 27.01 (11) (d), (e), (f), (g), and (h) of the statutes
24 takes effect on April 1, 1998.”.

1 **1651.** Page 2069, line 19: delete lines 19 and 20.

2 **1652.** Page 2070, line 3: delete “October 1, 1997” and substitute “the 30th day
3 beginning after publication”.

4 **1653.** Page 2070, line 4: delete lines 4 to 6.

5 **1654.** Page 2070, line 7: delete lines 7 to 16 and substitute:

6 “(6gs) REGULATION OF FISH FARMING. The treatment of sections 20.115 (2) (ha),
7 23.09 (2) (f), 29.01 (2s), (2w), (3), (3m), (11c), (11d), (12p) and (12r), 29.02 (3m), 29.092
8 (8) (title), (c), (d), (e) and (f) and (8m), 29.093 (8) (title), (a) (title) and (b) and (8m),
9 29.135 (8), 29.137 (8), 29.145 (1) (c), 29.286 (3), 29.29 (5) (title) and (b), 29.30 (3), 29.33
10 (4g), 29.34 (6), 29.343 (6), 29.344 (5), 29.36 (4), 29.37 (5), 29.42 (4), 29.43 (5) (b), 29.44
11 (3), 29.47 (7) (title) and (b), 29.48 (1m) and (3), 29.49 (1) (a) (intro.) and (3), 29.50
12 (title) and (3), 29.51 (title), (1) (intro.) and (e), (2), (3) (title), (3m) (title) and (b), (4)
13 and (5) (title), (a) and (b), 29.513 (5), 29.514, 29.52, 29.521, 29.525, 29.53, 29.535
14 (title), (1) (a) 1. and 2., (c), (d), (e) and (f), (2) (a) and (b) and (3), 29.55 (2m), 29.572
15 (1), 29.585 (2) (a), 29.59 (1) (f), 29.60 (2g), 29.62 (1), 29.623 (2), 29.645, 29.65 (1)
16 (intro.), 29.99 (15), 95.60, 895.57 (3) and 943.75 (3) of the statutes, the renumbering
17 of sections 29.093 (8) (a), 29.29 (5), 29.47 (7) and 29.623 of the statutes, the
18 renumbering and amendment of sections 29.50 and 29.51 (5) of the statutes, the
19 amendment of section 29.087 (1) of the statutes and SECTION 9137 (12m) of this act
20 take effect on January 1, 1998.”.

21 **1655.** Page 2070, line 18: after “(au)” insert “and (av)”.

22 **1656.** Page 2070, line 19: after that line insert:

23 “(7f) CLEANWATER FUND PRIORITY. The treatment of section 281.58 (8e) (cm) of the
24 statutes takes effect on July 1, 2001.”.

1 **1657.** Page 2071, line 2: substitute “April” for “January”.

2 **1658.** Page 2071, line 4: before the period insert “, or on the day after
3 publication, whichever is later”.

4 **1659.** Page 2071, line 6: after “(fq),” insert “29.092 (2) (em) and (kd) and (14)
5 (a) and (b),”.

6 **1660.** Page 2071, line 6: after “statutes” insert “, the renumbering and
7 amendment of section 29.24 of the statutes, the creation of section 29.24 (1) (b) of the
8 statutes”.

9 **1661.** Page 2071, line 6: delete “and 29.598” and substitute “, 29.598 and
10 943.13 (4m) (b)”.

11 **1662.** Page 2071, line 6: delete “and (fq)”.

12 **1663.** Page 2071, line 7: before “and” insert “, the repeal and recreation of
13 section 20.370 (5) (fq) of the statutes”.

14 **1664.** Page 2071, line 11: delete “118.40 (1), (2r), (3) (d)” and substitute
15 “118.40 (2r), (3) (d)”.

16 **1665.** Page 2071, line 13: delete “(by SECTION 2838)”.

17 **1666.** Page 2071, line 16: after that line insert:

18 “(7x) OPEN ENROLLMENT. The treatment of section 121.84 (1) (a) of the statutes
19 takes effect on July 1, 1998.”.

20 **1667.** Page 2072, line 14: after that line insert:

21 “(3t) NONRESIDENTS AND PART-YEAR RESIDENTS. The treatment of section 71.06
22 (2s) (b) of the statutes and the renumbering and amendment of section 71.06 (2s) (by
23 SECTION 2261fm) of the statutes take effect on January 1, 1998.”.

1 **1668.** Page 2073, line 8: delete “71.045” and substitute “72.045”.

2 **1669.** Page 2073, line 10: after “(6m)” insert “, (13b)”.

3 **1670.** Page 2073, line 12: delete “78.49 (1) (a), 78.55 (2g), (2r) and (6), 78.58
4 (1) (a)” and substitute “78.49 (1) (a) and (b), 78.55 (2g), (2r), (5m) and (6), 78.58 (1)
5 (a) and (b) and (3)”.

6 **1671.** Page 2073, line 14: after “139.03 (2x) (a)” insert “and (d)”.

7 **1672.** Page 2073, line 18: delete “78.58 (3),”.

8 **1673.** Page 2073, line 19: after that line insert:

9 “(7m) FARM LOSS LIMITS. The treatment of section 71.05 (6) (a) 10. of the statutes
10 takes effect on January 1, 1999.”.

11 **1674.** Page 2073, line 21: delete “September 1, 1997” and substitute “the first
12 day of the 2nd month beginning after publication or on November 1, 1997, whichever
13 is earlier”.

14 **1675.** Page 2074, line 3: after “TELECOMMUNICATIONS” insert “AND CALLING
15 CARDS”.

16 **1676.** Page 2074, line 8: delete “September” and substitute “November”.

17 **1677.** Page 2074, line 9: delete lines 9 and 10.

18 **1678.** Page 2074, line 13: delete lines 13 to 15.

19 **1679.** Page 2074, line 18: delete “September” and substitute “November”.

20 **1680.** Page 2074, line 20: delete “January” and substitute “April”.

21 **1681.** Page 2074, line 23: delete “January” and substitute “April”.

22 **1682.** Page 2075, line 8: after that line insert:

1 “(18t) BUSINESS TAX REGISTRATION. The treatment of sections 73.03 (51), 77.52
2 (7), (9), (12) and (17m) (b) 7., 77.53 (9) (by SECTION 2392mm) and (9m), 78.10 (1), (2),
3 (3) and (4), 78.47, 78.48 (1), (2), (3) and (4), 78.56, 78.57 (1), (2), (3) and (4), 78.77 (1),
4 139.09, 139.81 (1) and 168.12 (7) of the statutes and 1995 Wisconsin Act 27, section
5 9148 (3z) (b), takes effect on January 1, 1998.”

6 **1683.** Page 2075, line 8: after that line insert:

7 “(18n) TIME-SHARE PROPERTY. The treatment of sections 77.51 (4) (c) 6., 77.52 (2)
8 (a) 1. and 77.54 (30) (d) of the statutes takes effect on the first day of the 2nd month
9 beginning after publication.”

10 **1684.** Page 2075, line 8: after that line insert:

11 “(18q) RAILROAD MATERIALS. The treatment of sections 77.54 (44) of the statutes
12 takes effect on July 1, 1998.”

13 **1685.** Page 2075, line 8: after that line insert:

14 “(18e) SALES TAX ON FUEL TAX REFUNDS. The treatment of section 77.51 (4) (a) 4.
15 and (15) (a) 4. of the statutes takes effect on the first day of the 2nd month beginning
16 after publication.”

17 **1686.** Page 2075, line 8: after that line insert:

18 “(18f) CIGARETTE TAX REFUNDS. The treatment of section 139.323 (intro.) of the
19 statutes takes effect on the first day of the 2nd month beginning after publication or
20 on November 1, 1997, whichever is earlier.”

21 **1687.** Page 2075, line 8: after that line insert:

22 “(18h) COMPUTERS. The treatment of sections 70.11 (39), 76.03 (1) and 76.81 of
23 the statutes takes effect on January 1, 2000.”

24 **1688.** Page 2075, line 8: after that line insert:

1 “(18rmt) PROPERTY LEASED OR SUBLEASED TO SCHOOL DISTRICTS. The treatment of
2 section 70.11 (2m) of the statutes takes effect on January 1, 1998.”.

3 **1689.** Page 2075, line 11: after “(6r) (b)” insert “3. and”.

4 **1690.** Page 2075, line 14: after that line insert:

5 “(1tq) IGNITION INTERLOCK DEVICE PROGRAM. The treatment of sections 16.75 (1)
6 (a) 1., 340.01 (23v), 343.10 (2) (a) 1. and (e), (5) (a) 1., 3. and 4., (7) (cm) and (8) (a)
7 (intro.), (ai) and (b), 343.30 (1q) (b) 2., 3. and 4. and (4), 343.305 (4) (b) and (c) and
8 (10) (b) 2., 3. and 4., 343.31 (3) (h), 343.38 (5), 343.39 (3), 347.413 (1) and (3) and
9 347.50 (1t) of the statutes and SECTION 9349 (4gq) of this act take effect on the first
10 day of the 9th month beginning after publication.”.

11 **1691.** Page 2075, line 16: delete “341.10 (3),”.

12 **1692.** Page 2075, line 19: after “(4)” insert “(a)”.

13 **1693.** Page 2075, line 19: delete “section” and substitute “sections 341.10 (3)
14 and”.

15 **1694.** Page 2075, line 20: after that line insert:

16 “(3b) SUPPLEMENTAL TITLE FEE. The treatment of sections 20.855 (4) (f), 25.40 (1)
17 (a) 9., 25.46 (1m) and (20) and 342.14 (3m) of the statutes takes effect retroactively
18 to July 1, 1997.”.

19 **1695.** Page 2075, line 23: delete lines 23 to 25.

20 **1696.** Page 2076, line 1: delete lines 1 and 2 and substitute:

21 “(4mg) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395
22 (1) (dq), (dr), (ds), (dt) and (du) and 85.20 (4m) (em) 1. (by SECTION 2481png), (4s) (by

1 SECTION 2481pt) and (7) (a) (intro.) (by SECTION 2481pw) of the statutes takes effect
2 on July 1, 1999.”.

3 **1697.** Page 2076, line 2: after that line insert:

4 “(5g) REGISTRATION OF LEASED VEHICLES. The treatment of sections 27.014 (1c)
5 and (2) (intro.), (b), (c) and (d), 341.04 (1) (a) and (c), 341.08 (2) (am), (bm) and (e) and
6 (4m), 341.09 (4) (by SECTION 3973c), 341.10 (1), 341.14 (1q), (1r) (a), (6r) (bm) and (7),
7 341.145 (1g) (c) and (d) and (4) (by SECTION 3998m), 341.26 (2) (m), 341.28 (2) (b) (by
8 SECTION 4011m) and (7) (a) (by SECTION 4012m) and (b), 341.305 (2) (bm), 341.31 (1)
9 (b) 2., 5. and 6., (2) (a), (4) (a) and (b) and (5), 341.33 (3), 341.40 (2), 341.65 (1) (am),
10 342.30 (1), (1c), (3) (a) and (4) (a), 342.40 (1) and (1c), 343.51 (1), 344.01 (2) (cm),
11 344.02 (1), 344.14 (2m), 346.175 (1) (a), 346.195 (1), 346.205 (1), 346.457 (1), 346.465
12 (1), 346.485 (1), 346.505 (3) (a), 346.665, 346.94 (13), 346.945 (1) (a), 349.13 (1), (1b)
13 and (2) (intro.) and 349.137 (1) (a) and (3) (c) 2. e., (f) and (h) of the statutes and 1995
14 Wisconsin Act 445, sections 14 and 23 (1), the renumbering of section 346.01 of the
15 statutes, the renumbering and amendment of section 341.01 (2) of the statutes, the
16 amendment of sections 341.09 (2m) (a), 341.10 (3) and 341.14 (6r) (g) (intro.) of the
17 statutes, the creation of sections 341.01 (2) (b) and 346.01 (2) of the statutes and
18 SECTIONS 9149 (3bg) and 9349 (5mg), (6mg) and (7g) of this act take effect on January
19 1, 1998.”.

20 **1698.** Page 2076, line 12: after that line insert:

21 “(7mg) ENVIRONMENTAL IMPACT FEE ON NEW CAR REGISTRATION. The treatment of
22 section 342.14 (1r) of the statutes takes effect on December 1, 1997.”.

23 **1699.** Page 2076, line 15: delete “(4), (5), (6) (b)” and substitute “(5), (6)”.

24 **1700.** Page 2076, line 16: delete that line and substitute “takes effect”.

1 **1701.** Page 2076, line 17: delete “January” and substitute “February”.

2 **1702.** Page 2076, line 17: after that line insert:

3 “(8e) LATE FEES.

4 (a) The treatment of section 343.21 (1m) of the statutes takes effect on April 1,
5 1998.

6 (b) The treatment of section 341.255 (5) of the statutes takes effect on October
7 1, 1998.”.

8 **1703.** Page 2076, line 20: delete “September” and substitute “December”.

9 **1704.** Page 2076, line 20: after that line insert:

10 “(8mm) VEHICLE REGISTRATION PERIOD. The treatment of sections 341.13 (1)
11 (intro.), 341.145 (4) (by SECTION 3998q), 341.16 (2m), 341.17 (1), 341.27 (1), (2) and
12 (3) (intro.) and (a), 341.28 (1), (2) (intro.) and (b) (by SECTION 4011q) and (7) (a) (by
13 SECTION 4012q), 342.15 (4) (a) and 342.34 (1) (c) of the statutes takes effect on the first
14 day of the 15th month beginning after publication.”.

15 **1705.** Page 2076, line 21: delete lines 21 to 24.

16 **1706.** Page 2077, line 1: delete lines 1 and 2 and substitute:

17 “(8nm) TEMPORARY OPERATION PLATES. The treatment of sections 341.04 (1)
18 (intro.) and (a), 341.09 (2) (c) and (g), (2m) (b) and (c), (2r) and (9), 342.06 (1) (k) and
19 885.237 (title) of the statutes, the renumbering of section 885.237 of the statutes, the
20 renumbering and amendment of section 341.09 (1) and (2m) (a) of the statutes, the
21 creation of sections 341.09 (1) (b) and (c) and (2m) (a) 1. b. and 2. and 885.237 (2) of
22 the statutes and SECTION 9349 (9sm) of this act take effect on September 1, 1998.”.

23 **1707.** Page 2077, line 8: after that line insert:

1 “(2m) PHARMACY INTERNSHIP BOARD. The treatment of sections 15.915 (3), 19.42
2 (13) (d), 36.25 (20), 450.04 (3) (intro.), (a) and (b) and 450.045 of the statutes takes
3 effect on July 1, 2001.”.

4 **1708.** Page 2077, line 8: after that line insert:

5 “(2g) DISTINGUISHED CHAIR OF MILITARY HISTORY. The treatment of section 36.25
6 (42) of the statutes takes effect on July 1, 1998.”.

7 **1709.** Page 2077, line 14: delete “13.01 (3m),”.

8 **1710.** Page 2077, line 15: delete “, (h) and (k), 20.865 (4) (c), 25.40 (2) (b) 20p.”
9 and substitute “and (h)”.

10 **1711.** Page 2077, line 16: delete the material beginning with “June” and
11 ending with “later.” on line 19, and substitute “July 1, 1999.”.

12 **1712.** Page 2077, line 25: substitute “, the” for “and the”.

13 **1713.** Page 2078, line 1: after “statutes” insert “and SECTION 9101 (1) of this
14 act”.

15 **1714.** Page 2078, line 2: after that line insert:

16 “(4z) CHIROPRACTIC LIENS. The treatment of section 779.80 (title), (1), (1b), (2),
17 (3) (intro.), (a), (b) and (c), (4), (5) and (6) and subchapter IX (title) of chapter 779 of
18 the statutes and SECTION 9356 (9h) of this act take effect on January 1, 1999.”.

19 **1715.** Page 2078, line 3: after that line insert:

20 “In enrolling this bill, the legislative reference bureau shall change the
21 amounts shown in the schedule under section 20.005 (3) of the statutes for the
22 appropriation under section 20.525 (1) (a) of the statutes to substitute “\$2,421,000”

1 for "\$2,306,000" in fiscal year 1997-98 and to substitute "\$2,421,000" for
2 "\$2,306,000" in fiscal year 1998-99."

3 (END)