



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1559/1  
ALL:all:all

**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 45**

June 30, 1999 – Offered by Senators CHVALA, RISSER, MOEN and BURKE.

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

2 **1.** Page 5, line 6: after that line insert:

3 “**SECTION 1bd.** 5.58 (2) (a) of the statutes is amended to read:

4 5.58 (2) (a) There shall be one separate ballot for state superintendent, judicial  
5 officers, county executive under s. 59.17 and, county supervisor and judicial officers,  
6 except judicial officers that are elected from a judicial subdistrict in the 1st judicial  
7 administrative district. In counties having a population of 500,000 or more, the  
8 ballot also shall include those offices under s. 8.11 (2) and (2m). The arrangement  
9 of names of candidates for state superintendent, justice, court of appeals judge and  
10 circuit court judge shall be determined by the board in the manner specified in s. 5.60  
11 (1) (b). Arrangement of the names of candidates for county executive and county  
12 supervisor shall be determined by the county clerk or by the executive director of the

1 county board of election commissioners in the manner specified in s. 5.60 (1) (b). The  
2 ballot shall be titled “Official Ballot for State Superintendent of Public Instruction,  
3 Judicial, County Executive and County Supervisor Primary”.

4 **SECTION 1bh.** 5.58 (2e) of the statutes is created to read:

5 5.58 (2e) CIRCUIT COURT SUBDISTRICTS. In the 1st judicial administrative  
6 district, there shall be a separate ballot for the office of circuit judge elected from a  
7 judicial subdistrict. Arrangement of the names on the ballot shall be determined by  
8 the board in the manner specified in s. 5.60 (1) (b). The ballot shall be titled “Official  
9 Primary Ballot for the Office of Circuit Judge”.

10 **SECTION 1bj.** 5.58 (3) of the statutes is amended to read:

11 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,  
12 for any judicial office justice, court of appeals judge, circuit judge for each branch or  
13 circuit court within any judicial circuit, for any elected seat on a metropolitan  
14 sewerage commission or town sanitary district commission, in counties having a  
15 population of 500,000 or more only 2 candidates for member of the board of  
16 supervisors within each district, in counties having a population of less than 500,000  
17 only 2 candidates for each member of the county board of supervisors from each  
18 district or numbered seat or only 4 candidates for each 2 members of the county board  
19 of supervisors from each district whenever 2 supervisors are elected to unnumbered  
20 seats from the same district, in 1st class cities only 2 candidates for any at-large seat  
21 and only 2 candidates from any election district to be elected to the board of school  
22 directors, in school districts electing school board members to numbered seats, or  
23 pursuant to an apportionment plan or district representation plan, only 2 school  
24 board candidates for each numbered seat or within each district, and twice as many  
25 candidates as are to be elected members of other school boards or other elective

1 officers receiving the highest number of votes at the primary shall be nominees for  
2 the office at the spring election. Only their names shall appear on the official spring  
3 ballot.

4 **SECTION 1bL.** 5.60 (1) (intro.) of the statutes is amended to read:

5 5.60 (1) STATE SUPERINTENDENT; JUDICIARY; COUNTY EXECUTIVE AND COUNTY  
6 SUPERVISORS. (intro.) There shall be one separate ballot for state superintendent,  
7 ~~judicial officers, county executive and, county supervisor~~ and judicial officers, except  
8 judicial officers that are elected from a judicial subdistrict in the 1st judicial  
9 administrative district. For county supervisor, the ballot shall be prepared in  
10 accordance with ss. 5.58 (2) and 59.10 (3). Arrangement of the names of candidates  
11 for county executive and county supervisor shall be determined by the county clerk  
12 or the executive director of the county board of election commissioners in the manner  
13 prescribed in par. (b).

14 **SECTION 1bn.** 5.60 (1) (a) of the statutes is renumbered 5.60 (1) (ar).

15 **SECTION 1bq.** 5.60 (1) (ag) of the statutes is created to read:

16 5.60 (1) (ag) In the 1st judicial administrative district, there shall be a separate  
17 ballot for the office of circuit judge elected from a judicial subdistrict. Arrangement  
18 of the names on the ballot shall be determined by the board in the manner specified  
19 under par. (b).

20 **SECTION 1bu.** 5.60 (1) (c) of the statutes is amended to read:

21 5.60 (1) (c) When 2 or more judges of the same court are to be elected, the official  
22 ballot shall contain the names of all candidates, shall state the number of judges to  
23 be elected and the number of candidates for whom each elector may vote. Each  
24 candidacy shall show the branch being filled. This paragraph does not apply to

1 circuit judges to be elected from a judicial subdistrict in the 1st judicial  
2 administrative district.”.

3 **2.** Page 6, line 7: after that line insert:

4 “**SECTION 1jpp.** 9.10 (1) (a) of the statutes is amended to read:

5 9.10 (1) (a) The qualified electors of the state, of any county, city, village, town,  
6 of any congressional district, legislative district, judicial district or subdistrict or  
7 school district, or of any prosecutorial unit may petition for the recall of any  
8 incumbent elective official by filing a petition with the same official or agency with  
9 whom nomination papers or declarations of candidacy for the office are filed  
10 demanding the recall of the officeholder.”.

11 **3.** Page 6, line 7: after that line insert:

12 “**SECTION 1js.** 13.093 (1) of the statutes is amended to read:

13 13.093 (1) All bills introduced in either house of the legislature for the  
14 appropriation of money, providing for revenue or relating to taxation or that require  
15 a correctional fiscal estimate under sub. (3) shall be referred to the joint committee  
16 on finance before being passed.

17 **SECTION 1jt.** 13.093 (2) (c) of the statutes is repealed.

18 **SECTION 1ju.** 13.093 (3) and (4) of the statutes are created to read:

19 13.093 (3) (a) All bills introduced in either house of the legislature that create  
20 a criminal offense for which a sentence to a state prison or a disposition of placement  
21 in a juvenile correctional facility may be imposed, that increase the period of  
22 imprisonment in a state prison or placement in a juvenile correctional facility for an  
23 existing criminal offense, that require a person to be sentenced to imprisonment in  
24 a state prison or a juvenile to be placed in a juvenile correctional facility, or that

1 otherwise affect a penalty provision that increases the statewide probation, parole  
2 or extended supervision population shall incorporate a correctional fiscal estimate  
3 before any vote is taken thereon by either house of the legislature, if the bill is not  
4 referred to a standing committee, before any public hearing is held before a standing  
5 committee or, if no public hearing is held, before any vote is taken by the standing  
6 committee. The correctional fiscal estimate shall estimate the anticipated state  
7 fiscal liability for correctional capital and operational costs under the bill including  
8 a projection of such costs for the fiscal year in which the bill becomes effective and  
9 the 9 succeeding fiscal years. Correctional fiscal estimates shall be prepared as  
10 follows:

11 1. The departments or agencies required to prepare the correctional estimate  
12 shall submit to the legislative fiscal bureau projections of the impact on statewide  
13 probationer, prisoner, parolee, extended supervision and juvenile corrections  
14 populations, an estimate of the fiscal impact of such population changes on state  
15 expenditures and a statement of the methodologies and assumptions used in making  
16 the population projections and estimates of fiscal impact. In preparing this  
17 information, a department or agency may request information from other  
18 departments or agencies. If a specific estimate cannot be determined, the  
19 departments or agencies shall provide an estimated cost range. The departments or  
20 agencies shall submit this information to the legislative fiscal bureau within 5  
21 working days after the departments or agencies receive a copy of the bill.

22 2. The legislative fiscal bureau shall review the information received from the  
23 departments or agencies under subd. 1. The legislative fiscal bureau shall consult  
24 with the departments or agencies from which information was received under subd.  
25 1. and the departments or agencies shall provide information as requested by the

1 legislative fiscal bureau as necessary to complete the review. Such review shall be  
2 completed within 5 working days from the date the legislative fiscal bureau receives  
3 the information under subd. 1.

4 3. The departments or agencies preparing information under subd. 1. shall  
5 prepare a correctional fiscal estimate and submit it to the legislative reference  
6 bureau and the legislative fiscal bureau within 3 working days after the date the  
7 legislative fiscal bureau's review period under subd. 2. ends. If a department or  
8 agency cannot make a specific estimate, the department or agency shall establish  
9 assumptions, including population estimates, that allow a projection to be made and  
10 provide an estimated cost range.

11 4. The legislative fiscal bureau shall prepare a statement of its review of the  
12 correctional fiscal estimate and submit it to the legislative reference bureau within  
13 2 working days after receiving the correctional fiscal estimate.

14 (b) The legislature shall reproduce and distribute correctional fiscal estimates  
15 under par. (a) 3. and statements under par. (a) 4. in the same manner as it reproduces  
16 and distributes amendments.

17 (c) The legislative reference bureau shall determine whether a bill draft  
18 requires a correctional fiscal estimate. A bill draft that requires a correctional fiscal  
19 estimate under this subsection shall have that requirement noted on its jacket when  
20 the jacket is prepared. When a bill that requires a correctional fiscal estimate under  
21 this subsection is introduced, the legislative reference bureau shall submit a copy of  
22 the bill to the legislative fiscal bureau and the department of administration.

23 (4) (a) In any bill that requires a correctional fiscal estimate under sub. (3), the  
24 joint committee on finance, before recommending the bill for passage, shall  
25 recommend adoption of an amendment to increase the appropriation under s. 20.855

1 (4) (em) in an amount equal to the amount of corrections capital and operational costs  
2 for the fiscal year in which those costs are estimated to be the highest multiplied by  
3 2. This paragraph does not apply if the joint committee on finance determines that  
4 the bill does not increase state liability for corrections capital and operational costs  
5 or that the bill already contains a provision that increases the appropriation under  
6 s. 20.855 (4) (em) in an amount equal to the amount of corrections capital and  
7 operational costs for the fiscal year in which those costs are estimated to be the  
8 highest multiplied by 2. If the joint committee on finance determines that this  
9 paragraph does not apply, the committee's recommendation shall be accompanied by  
10 a statement to that effect.

11 (b) Neither house of the legislature may vote on a bill that requires a  
12 correctional fiscal estimate under sub. (3) unless it has adopted an amendment to  
13 increase the appropriation under s. 20.855 (4) (em) as recommended by the joint  
14 committee on finance under par. (a). This provision does not apply to a bill for which  
15 the joint committee on finance has prepared a statement under par. (a) that the  
16 requirement under that paragraph does not apply to the bill.

17 (c) Neither house of the legislature may vote on an amendment to the executive  
18 budget bill or bills introduced under s. 16.47 if the amendment meets the criteria of  
19 a bill that requires a correctional fiscal estimate under sub. (3) unless the only  
20 provisions in the amendment are identical to the provisions of an introduced bill for  
21 which the requirements under sub. (3) and par. (a) have been met.”.

22 **4.** Page 8, line 3: delete lines 3 to 9.

23 **5.** Page 11, line 9: delete lines 9 to 13.

1           **6.** Page 11, line 15: delete the material beginning with “(a)” and ending with  
2           “\$3,500,000” on page 12, line 24, and substitute “The building commission may  
3           authorize up to \$2,221,800”.

4           **7.** Page 13, line 2: delete “paragraph” and substitute “subsection”.

5           **8.** Page 13, line 3: delete the material beginning with “Before” and ending with  
6           “2.” on line 8.

7           **9.** Page 13, line 9: delete “under subd. 1.”.

8           **10.** Page 13, line 13: delete lines 13 to 16.

9           **11.** Page 15, line 13: after that line insert:

10          “**SECTION 3ip.** 13.48 (34) of the statutes is created to read:

11          13.48 (34) DEBT INCREASE FOR THE CONSTRUCTION OF A YOUTH ACTIVITIES CENTER  
12          BY THE MILWAUKEE POLICE ATHLETIC LEAGUE. (a) The legislature finds and determines  
13          that preventing youth from engaging in delinquent behavior, encouraging positive  
14          moral development in youth and providing youth with opportunities for positive  
15          interaction with the police are statewide responsibilities of statewide dimension.  
16          The legislature also finds and determines that the youth of the city of Milwaukee are  
17          disproportionately represented in the state’s juvenile correctional system and that,  
18          because those youth are so disproportionately represented, the state has a specific  
19          concern in preventing those youth from engaging in delinquent behavior,  
20          encouraging positive moral development in those youth and providing those youth  
21          with opportunities for positive interaction with the police. In addition, the  
22          legislature finds and determines that the Milwaukee Police Athletic League  
23          prevents that delinquent behavior, encourages that positive moral development and  
24          provides those opportunities for positive interaction through the recreational,



1 educational, social and cultural activities that it provides for the youth of the greater  
2 Milwaukee community. The legislature, therefore, finds and determines that  
3 assisting the Milwaukee Police Athletic League in the construction of a youth  
4 activities center at which the Milwaukee Police Athletic League will provide  
5 recreational, educational, social and cultural activities for the youth of the greater  
6 Milwaukee community under the supervision of volunteer police officers of the city  
7 of Milwaukee will have a direct and immediate effect on that specific statewide  
8 concern and on those state responsibilities of statewide dimension.

9 (b) The building commission may authorize up to \$1,000,000 in general fund  
10 supported borrowing to aid in the construction of a youth activities center by the  
11 Milwaukee Police Athletic League at the northeast corner of N. 24th Street and  
12 Burleigh Street in the city of Milwaukee. The state funding commitment for the  
13 construction of the center shall be in the form of a grant to the Milwaukee Police  
14 Athletic League. Before approving any state funding commitment for the center, the  
15 building commission shall determine that the Milwaukee Police Athletic League has  
16 secured additional funding at least equal to \$4,074,000 from nonstate donations for  
17 the purpose of constructing the youth activities center.

18 (c) If the building commission authorizes a grant to the Milwaukee Police  
19 Athletic League under par. (b) and if, for any reason, the facility that is constructed  
20 with funds from the grant is not used as a youth activities center, the state shall  
21 retain an ownership interest in the facility equal to the amount of the state's grant.”.

22 **12.** Page 15, line 13: after that line insert:

23 “**SECTION 3im.** 13.48 (33) of the statutes is created to read:

1           13.48 **(33)** SWISS CULTURAL CENTER. (a) The building commission may authorize  
2 up to \$1,000,000 in general fund supported borrowing to aid in the construction of  
3 a Swiss cultural center in the village of New Glarus. The state funding commitment  
4 under this paragraph shall be in the form of a grant to an organization known as the  
5 Swiss Cultural Center. Before approving any such state funding commitment, the  
6 building commission shall determine that the organization known as the Swiss  
7 Cultural Center has secured additional funding at least equal to \$2,000,000 from  
8 nonstate donations for the purpose of constructing a Swiss cultural center in the  
9 village of New Glarus.

10           (b) If the building commission authorizes a grant to the organization known as  
11 the Swiss Cultural Center under par. (a) and if, for any reason, the facility that is  
12 constructed with funds from the grant is not used as a Swiss cultural center in the  
13 village of New Glarus, the state shall retain an ownership interest in the facility  
14 equal to the amount of the state's grant.”.

15           **13.** Page 19, line 12: after that line insert:

16           “**SECTION 4m.** 13.94 (1) (p) of the statutes is created to read:

17           13.94 **(1)** (p) No later than January 1, 2005, prepare a program evaluation audit  
18 of the private employer health care coverage program established under subch. X of  
19 ch. 40. The legislative audit bureau shall file a copy of the audit report under this  
20 paragraph with the distributees specified in par. (b).

21           **SECTION 4r.** 13.94 (1) (p) of the statutes, as created by 1999 Wisconsin Act ...  
22 (this act), section 4m, is repealed.”.

23           **14.** Page 20, line 10: after that line insert:

24           “**SECTION 1.** 13.94 (8) of the statutes is created to read:

1           13.94 (8) COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. (a) In this subsection,  
2           “municipality” means a city, village or town.

3           (b) The state auditor shall undertake periodic reviews to:

4           1. Examine the procedures and practices used by counties and municipalities  
5           to deliver governmental services.

6           2. Determine the methods of governmental service delivery.

7           3. Identify variations in costs and effectiveness of such services between  
8           counties and municipalities.

9           4. Recommend practices to save money or provide more effective service  
10          delivery.

11          (c) The state auditor shall determine the frequency, scope and subject of any  
12          reviews conducted under par. (b).

13          (d) To assist the state auditor with the selection of county and municipal  
14          practices to be reviewed by the auditor, the auditor shall establish an advisory  
15          council consisting of the following members appointed by the auditor:

16          1. Two members chosen from among 6 names submitted by the Wisconsin  
17          Counties Association.

18          2. One member chosen from among 3 names submitted by the League of  
19          Wisconsin Municipalities.

20          3. One member chosen from among 3 names submitted by the Wisconsin  
21          Alliance of Cities.

22          4. One member chosen from among 3 names submitted by the Wisconsin Towns  
23          Association.

24          (e) The members of the council appointed under par. (d) shall serve without  
25          compensation.”.

1           **15.** Page 20, line 15: delete lines 15 to 19 and substitute:

2           “**14.18 Assistance from department of workforce development.** The  
3 governor may enter into a cooperative arrangement with the department of  
4 workforce development under which the department assists the governor in  
5 providing temporary assistance for needy families under 42 USC 601 et. seq.”.

6           **16.** Page 22, line 10: after that line insert:

7           “**SECTION 13k.** 15.05 (1) (b) of the statutes is amended to read:

8           15.05 (1) (b) Except as provided in ~~pars. (e) and par.~~ (d), if a department is under  
9 the direction and supervision of a board, the board shall appoint a secretary to serve  
10 at the pleasure of the board outside the classified service. In such departments, the  
11 powers and duties of the board shall be regulatory, advisory and policy-making, and  
12 not administrative. All of the administrative powers and duties of the department  
13 are vested in the secretary, to be administered by him or her under the direction of  
14 the board. The secretary, with the approval of the board, shall promulgate rules for  
15 administering the department and performing the duties assigned to the  
16 department.

17           **SECTION 13L.** 15.05 (1) (bn) of the statutes is created to read:

18           15.05 (1) (bn) Notwithstanding the requirement under par. (b) that the  
19 secretary of natural resources be appointed by the natural resources board, the  
20 secretary of natural resources who is appointed by the governor and who is holding  
21 office on the effective date of this paragraph .... [revisor inserts date], shall continue  
22 to serve until the secretary vacates his or her office or is removed from office by the  
23 natural resources board.

24           **SECTION 13m.** 15.05 (1) (c) of the statutes is repealed.”.

1           **17.** Page 22, line 11: delete lines 11 to 18.

2           **18.** Page 22, line 14: after that line insert:

3           “**SECTION 14c.** 15.07 (1) (b) 19. of the statutes is repealed.”.

4           **19.** Page 22, line 18: after that line insert:

5           “**SECTION 14p.** 15.07 (1) (b) 22. of the statutes is created to read:

6           15.07 (1) (b) 22. Private employer health care coverage board.

7           **SECTION 14r.** 15.07 (1) (b) 22. of the statutes, as created by 1999 Wisconsin Act  
8           .... (this act), section 14p, is repealed.”.

9           **20.** Page 22, line 19: delete lines 19 to 21.

10           **21.** Page 22, line 22: delete the material beginning with that line and ending  
11           with page 23, line 11.

12           **22.** Page 23, line 19: delete the material beginning with that line and ending  
13           with page 24, line 9.

14           **23.** Page 24, line 9: after that line insert:

15           “**SECTION 28c.** 15.165 (5) of the statutes is created to read:

16           15.165 (5) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. (a) There is created  
17           in the department of employe trust funds a private employer health care coverage  
18           board consisting of the secretary of employe trust funds or his or her designee, the  
19           secretary of health and family services or his or her designee and the following  
20           members appointed for 3-year terms:

21           1. One member who represents health maintenance organizations.

22           2. One member who represents hospitals.

23           3. One member who represents insurance agents, as defined in s. 628.02 (4).

1           4. Two members who are employes eligible to receive health care coverage  
2 under subch. X of ch. 40 and whose employer employs not more than 50 employes.

3           5. One member who represents insurers.

4           6. Two members who are, or who represent, employers that employ not more  
5 than 50 employes and who are eligible to offer health care coverage under subch. X  
6 of ch. 40.

7           7. One member who is a physician, as defined in s. 448.01 (5).

8           8. Two members who represent the public interest.

9           (b) The secretary of employe trust funds or his or her designee and the secretary  
10 of health and family services or his or her designee shall be nonvoting members.

11           **SECTION 28r.** 15.165 (5) of the statutes, as created by 1999 Wisconsin Act ...  
12 (this act), section 28c, is repealed.”.

13           **24.** Page 24, line 9: after that line insert:

14           “**SECTION 28m.** 15.195 (1) of the statutes is created to read:

15           15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control  
16 board, except that the secretary of health and human services shall submit to the  
17 department of administration the proposed budget of the board exactly as prepared  
18 by the board to the extent that it comports with the requirements of the department  
19 of administration. The tobacco control board shall consist of the following members:

20           1. The attorney general or his or her designee.

21           2. One majority party senator, one minority party senator, one majority party  
22 representative to the assembly and one minority party representative to the  
23 assembly, appointed as are the members of standing committees in their respective  
24 houses.

- 1           3. The secretary of health and family services or his or her designee.
- 2           4. The superintendent of public instruction.
- 3           5. One physician with expertise in oncology, cardiovascular disease, smoking  
4 cessation or public health.
- 5           6. One student from the University of Wisconsin System.
- 6           7. Two high school students, including at least one minority student, as defined  
7 in s. 39.40 (1).
- 8           8. Five representatives of organizations that have as their primary  
9 organizational mission reducing the health or economic consequences of tobacco use  
10 or ameliorating the effects of tobacco use and reducing the incidence of particular  
11 diseases or health conditions associated with tobacco use.
- 12          9. One local health officer.
- 13          10. One person who is a minority group member, as defined in s. 560.036 (1)  
14 (f).
- 15          11. One retailer who sells tobacco products.
- 16          12. One representative of a hospital.
- 17          (b) The members specified in par. (a) 5. to 12. shall be appointed for 3-year  
18 terms, except that if a student member appointed under par. (a) 6. or 7. loses the  
19 status upon which the appointment was based, he or she shall cease to be a member  
20 of the tobacco control board.
- 21          (c) The board shall meet at least 4 times per year. Ten members constitute a  
22 quorum. For the purpose of conducting business and exercising its powers, a  
23 majority vote of the board is required.”.

24           **25.** Page 24, line 9: after that line insert:

1           “**SECTION 28b.** 15.155 (2) (c) 1. of the statutes is repealed.

2           **SECTION 28d.** 15.155 (2) (c) 3. of the statutes is amended to read:

3           15.155 (2) (c) 3. ~~Six~~ Two members representing responsible units.

4           **SECTION 28f.** 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

5           15.155 (2) (c) 4. Two members representing businesses that market products  
6 made from recycled materials, recover recyclable materials or develop markets for  
7 products made from recycled materials.”.

8           **26.** Page 24, line 9: after that line insert:

9           “**SECTION 28m.** 15.107 (17) of the statutes is created to read:

10           15.107 (17) COUNCIL ON UTILITY PUBLIC BENEFITS. There is created a council on  
11 utility public benefits that is attached to the department of administration under s.  
12 15.03. The council shall consist of the following members appointed for 3-year  
13 terms:

14           (a) Two members appointed by the governor.

15           (b) Two members appointed by the senate majority leader.

16           (c) One member appointed by the senate minority leader.

17           (d) Two members appointed by the speaker of the assembly.

18           (e) One member appointed by the assembly minority leader.

19           (f) One member appointed by the secretary of natural resources.

20           (g) One member appointed by the secretary of administration.

21           (h) One member appointed by the chairperson of the public service  
22 commission.”.

23           **27.** Page 24, line 9: after that line insert:

24           “**SECTION 3g.** 15.195 (6) of the statutes is amended to read:



1           15.195 (6) BOARD ON HEALTH CARE INFORMATION. There is created a board on  
2 health care information which is attached to the department of health and family  
3 services under s. 15.03. The board shall consist of 11 members, one of whom shall  
4 be a record administrator, registered by the American Medical Record Association,  
5 and; at least 2 of whom shall be employer purchasers of health care; and 5 of whom  
6 shall be or represent health care providers, including one registered nurse, licensed  
7 under s. 441.06, and 2 physicians, as defined in s. 448.01 (5), and 2 representatives  
8 of hospitals, as defined in s. 50.33 (2). The State Medical Society of Wisconsin may  
9 recommend board membership for 5 physicians, one of whom the governor shall  
10 appoint. The members shall be appointed for 4-year terms.

11           **SECTION 30r.** 15.195 (9) of the statutes is created to read:

12           15.195 (9) INDEPENDENT REVIEW BOARD. There is created an independent review  
13 board that is attached to the department of health and family services under s. 15.03.  
14 The board may not include an employe of the department of health and family  
15 services and shall consist of the commissioner of insurance or his or her designee and  
16 the following members appointed for 4-year terms:

17           (a) A statistician or researcher.

18           (b) A medical ethicist of the University of Wisconsin System or the Medical  
19 College of Wisconsin.

20           (c) An expert in issues relating to privacy.

21           (d) A purchaser of health care.”.

22           **28.** Page 24, line 16: after that line insert:

23           **“SECTION 33b.** 15.197 (12) of the statutes is created to read:

1           15.197 (12) COUNCIL ON BIRTH DEFECT PREVENTION AND SURVEILLANCE. There is  
2 created in the department of health and family services a council on birth defect  
3 prevention and surveillance. The council shall consist of the following members:

4           (a) A representative of the University of Wisconsin Medical School who has  
5 technical expertise in birth defects epidemiology.

6           (b) A representative from the Medical College of Wisconsin who has technical  
7 expertise in birth defects epidemiology.

8           (c) A representative from the subunit of the department that is primarily  
9 responsible for the administration of public health health programs.

10          (d) A representative from the subunit of the department that is primarily  
11 responsible for the administration of the medical assistance program.

12          (e) A representative from the subunit of the department that is primarily  
13 responsible for health care information.

14          (f) A representative of the State Medical Society of Wisconsin.

15          (g) A representative of the American Academy of Pediatrics -- Wisconsin  
16 Chapter.

17          (h) A representative of a nonprofit organization that has as its primary purpose  
18 the prevention of birth defects.

19          (j) A parent or guardian of a child with a birth defect.”.

20          **29.** Page 25, line 12: delete the material beginning with that line and ending  
21 with page 26, line 21.

22          **30.** Page 26, line 22: delete lines 22 to 25.

23          **31.** Page 27, line 8: delete lines 8 to 25.

24          **32.** Page 28, line 1: delete lines 1 to 5.

1           **33.** Page 28, line 6: after that line insert:

2           “**SECTION 37L.** 15.343 of the statutes is created to read:

3           **15.343 Same; specified divisions. (1) DIVISION OF FORESTRY.** There is created  
4 in the department of natural resources a division of forestry.”.

5           **34.** Page 28, line 6: after that line insert:

6           “**SECTION 37j.** 15.377 (1) of the statutes is repealed and recreated to read:

7           **15.377 (1) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL.** (a) *Definition.* In  
8 this subsection, “visually impaired” has the meaning given in s. 115.51 (4).

9           (b) *Creation.* There is created a blind and visual impairment education council  
10 in the department of public instruction.

11           (c) *Members.* The blind and visual impairment education council shall consist  
12 of the following members, at least one of whom has been certified by the library of  
13 congress as a braille transcriber, appointed by the state superintendent for 3-year  
14 terms:

15           1. Three parents of children who are visually impaired.

16           2. Three persons who are members of an organization affiliated with persons  
17 who are visually impaired.

18           3. Three licensed teachers, one of whom is a teacher of the visually impaired,  
19 one of whom is an orientation and mobility teacher and one of whom is a general  
20 education teacher.

21           4. One school board member.

22           5. One school district administrator.

23           6. One school district special education director.

24           7. One cooperative educational service agency representative.

1           8. One person who has experience in educating the visually impaired or in  
2 educating teachers of the visually impaired and is affiliated with an institution of  
3 higher education.

4           9. Three other members, at least one of whom is visually impaired.”.

5           **35.** Page 28, line 7: delete lines 7 to 14.

6           **36.** Page 28, line 23: delete the material beginning with that line and ending  
7 with page 30, line 13.

8           **37.** Page 30, line 14: delete lines 14 to 20 and substitute:

9           “**SECTION 40rm.** 16.003 (2) of the statutes is amended to read:

10           16.003 (2) STAFF. Except as provided in ss. 16.548, and 16.57, ~~978.03 (1), (1m)~~  
11 ~~and (2), 978.04 and 978.05 (8) (b)~~, the secretary shall appoint the staff necessary for  
12 performing the duties of the department. All staff shall be appointed under the  
13 classified service except as otherwise provided by law.”.

14           **38.** Page 31, line 25: delete that line.

15           **39.** Page 32, line 1: delete lines 1 to 25.

16           **40.** Page 33, line 1: delete lines 1 and 2.

17           **41.** Page 33, line 2: after that line insert:

18           “2. “Transaction” means a conveyance of land rights.

19           (b) Not later than January 1, 2000, the council shall develop and distribute a  
20 form to each register of deeds that contains space for the following information:

21           1. The name and address of each party that is involved in a transaction.

22           2. The date of the transaction.

23           3. The approximate size of the parcel to which the land rights relate.

1           4. The approximate total size of the parcel of which the land rights constitute  
2 a portion.

3           (c) For a transaction that is completed after June 30, 2000, a person who is a  
4 party to a transaction, as a purchaser or purchaser’s agent or as a seller or seller’s  
5 agent, shall prepare and sign the form described in par. (b). The person who prepares  
6 and signs the form shall send one copy of the form to the council, which shall create  
7 and maintain a directory for the forms.”.

8           **42.** Page 34, line 5: delete lines 5 to 23.

9           **43.** Page 40, line 17: delete lines 17 to 25.

10          **44.** Page 41, line 2: delete “**Boys and Girls Clubs**” and substitute “**United**  
11 **Way**”.

12          **45.** Page 41, line 4: delete “Boys and Girls Clubs” and substitute “United  
13 Way”.

14          **46.** Page 41, line 5: delete lines 5 to 18.

15          **47.** Page 44, line 1: delete lines 1 to 19.

16          **48.** Page 47, line 18: after that line insert:

17          “**SECTION 81g.** 16.70 (13m) of the statutes is created to read:

18          16.70 (13m) “Remanufacturing” means the process by which a durable product  
19 is restored, retaining the bulk of components that have been through at least one life  
20 cycle and replacing consumable portions to enable the product to be restored to its  
21 originally intended function.”.

22          **49.** Page 48, line 14: after that line insert:

23          “**SECTION 82pm.** 16.72 (2) (e) of the statutes is renumbered 16.72 (2) (e) 1.

1           **SECTION 82pr.** 16.72 (2) (e) 2. of the statutes is created to read:

2           16.72 **(2)** (e) 2. a. In this subdivision, “toner cartridge” means a cartridge  
3 containing dry, powdered ink for application to paper by use of a photocopier, laser  
4 printer or similar device.

5           b. In writing specifications for purchases under this section, the department,  
6 any other designated purchasing agent under s. 16.71 (1) and each authority, other  
7 than the University of Wisconsin Hospitals and Clinics Authority, shall ensure that  
8 the specifications prohibit the procurement of a toner cartridge whose original  
9 manufacturer places restrictions on the remanufacturing of the toner cartridge by  
10 any person other than the original manufacturer. Restrictions on remanufacturing  
11 include reducing the price of the toner cartridge in exchange for an agreement not  
12 to remanufacture the toner cartridge, a licensing agreement on the toner cartridge  
13 that forbids remanufacturing and any contract that forbids the remanufacturing or  
14 recycling of a toner cartridge. Trade names may be used in specifications written  
15 under this subdivision.”.

16           **50.** Page 48, line 15: after that line insert:

17           “**SECTION 84m.** 16.74 (5m) of the statutes is created to read:

18           16.74 **(5m)** In writing specifications for purchases under this section, the joint  
19 committee on legislative organization, house, legislative service agency, director of  
20 state courts or judicial branch agency shall ensure that specifications include a  
21 prohibition against the purchase of a toner cartridge, as defined in s. 16.72 (2) (e) 2.  
22 a., whose original manufacturer places restrictions on the remanufacturing of the  
23 toner cartridge by any person other than the original manufacturer. Restrictions on  
24 remanufacturing include reducing the price of the toner cartridge in exchange for an

1 agreement not to remanufacture the toner cartridge, a licensing agreement on the  
2 toner cartridge that forbids remanufacturing and any contract that forbids the  
3 remanufacturing or recycling of a toner cartridge. Trade names may be used in  
4 specifications written under this subsection.”.

5 **51.** Page 51, line 21: delete the material beginning with that line and ending  
6 with page 52, line 14.

7 **52.** Page 54, line 4: after that line insert:

8 “**SECTION 109m.** 16.957 of the statutes is created to read:

9 **16.957 Utility public benefits. (1) DEFINITIONS.** In this section:

10 (bm) “Commission” means the public service commission.

11 (c) “Commitment to community program” means a program by a municipal  
12 utility or retail electric cooperative for low-income assistance or an energy  
13 conservation program by a municipal utility or retail electric cooperative.

14 (cm) “Council” means the council on utility public benefits created under s.  
15 15.107 (17).

16 (d) “Customer application of renewable resources” means the generation of  
17 electricity from renewable resources that takes place on the premises of a customer  
18 or member of an electric provider.

19 (e) “Division of housing” means the division of housing in the department.

20 (f) “Electric provider” means an electric utility or retail electric cooperative.

21 (g) “Electric utility” means a public utility that owns or operates a retail electric  
22 distribution system.

23 (h) “Energy conservation program” means a program for reducing the demand  
24 for natural gas or electricity or improving the efficiency of its use during any period.

1 (i) “Fiscal year” has the meaning given in s. 655.001 (6).

2 (k) “Local unit of government” means the governing body of any county, city,  
3 town, village or county utility district or the elected tribal governing body of a  
4 federally recognized American Indian tribe or band.

5 (L) “Low-income assistance” means assistance to low-income households for  
6 weatherization and other energy conservation services, payment of energy bills or  
7 early identification or prevention of energy crises.

8 (m) “Low-income household” means any individual or group of individuals in  
9 this state who are living together as one economic unit and for whom residential  
10 electricity is customarily purchased in common or who make undesignated  
11 payments for electricity in the form of rent, and whose household income is not more  
12 than 150% of the poverty line as determined under 42 USC 9902 (2).

13 (n) “Low-income need” means the amount obtained by subtracting from the  
14 total low-income energy bills in a fiscal year the product of 2.2% of the estimated  
15 average annual income of low-income households in this state in that fiscal year  
16 multiplied by the estimated number of low-income households in this state in that  
17 fiscal year.

18 (o) “Low-income need percentage” means the percentage that results from  
19 dividing the sum of the following by the amount of low-income need in fiscal year  
20 1998–99:

21 1. The total amount received by the department for low-income funding under  
22 42 USC 6861 to 6873 and 42 USC 8621 to 8629 in fiscal year 1997–98.

23 1m. The public benefits fees established for fiscal year 1999–2000 under sub.  
24 (4) (c) 1.

25 2. The total amount expended by utilities under s. 196.374.



1           3. Fifty percent of the public benefits fees established for fiscal year 1999-2000  
2 that are charged by municipal utilities and retail electric cooperatives.

3           (p) "Low-income need target" means the product of the low-income need  
4 percentage multiplied by low-income need in a fiscal year.

5           (q) "Municipal utility" means an electric utility that is owned wholly by a  
6 municipality and that owns a retail distribution system.

7           (qm) "Public utility" has the meaning given in s. 196.01 (5).

8           (r) "Renewable resource" has the meaning given in s. 196.378 (1) (h).

9           (s) "Retail capacity" means the total amount of electricity that an electric  
10 provider is capable of delivering to its retail customers or members and that is  
11 supplied by electric generating facilities owned or operated by the electric provider  
12 or any other person. "Retail capacity" does not include any electricity that is not used  
13 to satisfy the electric provider's retail load obligations.

14           (t) "Retail electric cooperative" means a cooperative association that is  
15 organized under ch. 185 for the purpose of providing electricity at retail to its  
16 members only and that owns or operates a retail electric distribution system.

17           (u) "Total low-income energy bills" means the total estimated amount that all  
18 low-income households are billed for residential electricity, natural gas and heating  
19 fuel in a fiscal year.

20           (v) "Wholesale electric cooperative" means a cooperative association that is  
21 organized under ch. 185 for the purpose of providing electricity at wholesale to its  
22 members only.

23           (w) "Wholesale supply percentage" means the percentage of a municipal  
24 utility's or retail electric cooperative's retail capacity in a fiscal year that is supplied  
25 by a wholesale supplier.

1           (x) “Wholesale supplier” means a wholesale electric cooperative or a municipal  
2 electric company, as defined in s. 66.073 (3) (d), that supplies electricity at wholesale  
3 to a municipal utility or retail electric cooperative.

4           (2) DEPARTMENT DUTIES. In consultation with the council, the department shall  
5 do all of the following:

6           (a) *Low-income programs.* After holding a hearing, establish programs to be  
7 administered by the department of administration through the division of housing  
8 for awarding grants from the appropriation under s. 20.505 (10) (r) to provide  
9 low-income assistance. In each fiscal year, the amount awarded under this  
10 paragraph in grants for weatherization and other energy conservation services shall  
11 be sufficient to equal 47% of the sum of the following:

12           1. All moneys received from the federal government under 42 USC 6861 to 6873  
13 and 42 USC 8621 to 8629 in a fiscal year.

14           2. All moneys spent in a fiscal year for low-income programs established under  
15 s. 196.374.

16           3. All moneys spent in a fiscal year on programs established under this  
17 paragraph.

18           4. Fifty percent of the moneys collected in public benefits fees under sub. (5).

19           (b) *Energy conservation and efficiency and renewable resource programs.* 1.  
20 Subject to subd. 2., after holding a hearing, establish programs for awarding grants  
21 from the appropriation under s. 20.505 (10) (s) for each of the following:

22           a. Proposals for providing energy conservation or efficiency services. In  
23 awarding grants under this subd. 1. a., the department shall give priority to  
24 proposals directed at the sectors of energy conservation or efficiency markets that  
25 are least competitive and at promoting environmental protection, electric system

1 reliability or rural economic development. In each fiscal year, 1.75% of the  
2 appropriation under s. 20.505 (10) (s) shall be awarded in grants for research and  
3 development proposals regarding the environmental impacts of the electric industry.

4 b. Proposals for encouraging the development or use of customer applications  
5 of renewable resources, including educating customers or members about renewable  
6 resources or encouraging uses of renewable resources by customers or members or  
7 encouraging research technology transfers. In each fiscal year, the department shall  
8 ensure that 4.5% of the appropriation under s. 20.505 (10) (s) is awarded in grants  
9 under this subd. 1. b.

10 2. For each fiscal year after fiscal year 2003-04, determine whether to continue,  
11 discontinue or reduce any of the programs established under subd. 1. and determine  
12 the total amount necessary to fund the programs that the department determines  
13 to continue or reduce under this subdivision. The department shall notify the  
14 commission if the department determines under this subdivision to reduce funding.

15 (c) *Rules.* Promulgate rules establishing all of the following:

16 1. Eligibility requirements for low-income assistance under programs  
17 established under par. (a). The rules shall prohibit a person who receives  
18 low-income assistance from a municipal utility or retail electric cooperative under  
19 a program specified in sub. (5) (d) 2. b. or 3. a. from receiving low-income assistance  
20 under programs established under par. (a).

21 2. Requirements and procedures for applications for grants awarded under  
22 programs established under par. (a) or (b) 1.

23 2m. Criteria for the selection of proposals by a corporation specified in sub. (3)  
24 (b).

1           2n. Criteria for making the determination under par. (b) 2. Rules promulgated  
2 under this subdivision shall require the department to determine whether the need  
3 for a program established under par. (b) 1. is satisfied by the private sector market  
4 and, if so, whether the program should be discontinued or reduced.

5           4. Requirements for electric utilities to allow customers or members to include  
6 voluntary contributions to assist in funding a commitment to community program  
7 or a program established under par. (a) or (b) 1. with bill payments for electric service.  
8 The rules may require an electric utility to provide a space on an electric bill in which  
9 a customer or member may indicate the amount of a voluntary contribution and the  
10 customer's or member's preference regarding whether a contribution should be used  
11 for a program established under par. (a) or (b) 1. a. or b. The rules shall establish  
12 requirements and procedures for electric utilities to pay to the department any  
13 voluntary contributions included with bill payments and to report to the department  
14 customer or member preferences regarding use of the contributions. The  
15 department shall deposit all contributions received under this paragraph in the  
16 utility public benefits fund.

17           5. A method for estimating total low-income energy bills, average annual  
18 income of low-income households and the number of low-income households in a  
19 fiscal year for the purpose of determining the amount of low-income need in the fiscal  
20 year.

21           (d) *Other duties.* 1. For each fiscal year after fiscal year 1998–99, determine  
22 the low-income need target for that fiscal year.

23           2. Encourage customers or members to make voluntary contributions to assist  
24 in funding the programs established under pars. (a) and (b) 1. The department shall

1 deposit all contributions received under this paragraph in the utility public benefits  
2 fund.

3 3. Deposit all moneys received under sub. (4) (a) or (5) (c) or (d) in the utility  
4 public benefits fund.

5 4. Provide for an annual independent audit and submit an annual report to the  
6 legislature under s. 13.172 (2) that describes each of the following:

7 a. The expenses of the department, other state agencies and grant recipients  
8 in administering or participating in the programs under pars. (a) and (b).

9 b. The effectiveness of the programs under par. (a) in providing assistance to  
10 low-income individuals.

11 c. The effectiveness of the programs under par. (b) in reducing demand for  
12 electricity and increasing the use of renewable resources owned by customers or  
13 members.

14 d. Any other issue identified by the governor, speaker of the assembly or  
15 majority leader of the senate.

16 **(3) CONTRACTS.** (a) The division of housing shall, on the basis of competitive  
17 bids, contract with community action agencies described in s. 46.30 (2) (a) 1.,  
18 nonstock, nonprofit corporations organized under ch. 181 or local units of  
19 government to provide services under the programs established under sub. (2) (a).

20 (b) The department shall, on the basis of competitive bids, contract with one  
21 or more nonstock, nonprofit corporations organized under ch. 181 to administer the  
22 programs established under sub. (2) (b) 1., including soliciting proposals, processing  
23 grant applications, selecting, based on criteria specified in rules promulgated under  
24 sub. (2) (c) 2m., proposals for the department to make awards and distributing grants  
25 to recipients.

1           (c) In selecting proposals and awarding grants under sub. (2) (b), the  
2 department or a nonprofit corporation specified in par. (b) may not discriminate  
3 against an electric provider or its affiliate or a wholesale electric supplier or its  
4 affiliate solely on the basis of its status as an electric provider, wholesale electric  
5 supplier or affiliate.

6           **(4) ELECTRIC UTILITIES.** (a) *Requirement to charge public benefits fees.* Each  
7 electric utility, except for a municipal utility, shall charge each customer a public  
8 benefits fee in an amount established in rules promulgated by the department under  
9 par. (b). An electric utility, except for a municipal utility, shall collect and pay the fees  
10 to the department in accordance with the rules promulgated under par. (b).

11           (am) *Electric bills.* An electric utility shall include a public benefits fee in a  
12 customer's bill and shall provide the customer with an annual statement that  
13 identifies the annual charges for public benefits fees and describes the programs for  
14 which fees are used.

15           (b) *Rules.* In consultation with the council, the department shall promulgate  
16 rules that establish the amount of a public benefits fee under par. (a). Fees  
17 established in rules under this paragraph may vary by class of customer, but shall  
18 be uniform within each class, and shall satisfy each of the following:

19           1. The fees may not be based on the kilowatt-hour consumption of electricity  
20 by customers.

21           2. Seventy percent of the total amount of fees charged by an electric provider  
22 may be charged to residential customers and 30% of the total may be charged to  
23 nonresidential customers.

24           3. The fees shall allow an electric provider to recover the reasonable and  
25 prudent expenses incurred by the electric provider in complying with this section.

1           (c) *Amount of public benefits fees.* A fee established in rules promulgated under  
2 par. (b) shall satisfy each of the following:

3           1. 'Low-income funding.' In fiscal year 1999-2000, a portion of the public  
4 benefits fee shall be an amount that, when added to 50% of the estimated public  
5 benefits fees charged by municipal utilities and retail electric cooperatives under  
6 sub. (5) (a) for that fiscal year, shall equal \$27,000,000. In each fiscal year after fiscal  
7 year 1999-2000, a portion of the public benefits fee shall be an amount that, when  
8 added to the sum of the following shall equal the low-income need target for that  
9 fiscal year determined by the department under sub. (2) (d) 1.:

10           a. Fifty percent of the estimated public benefits fees charged by municipal  
11 utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year.

12           b. All moneys received under 42 USC 6861 to 6873 and 42 USC 8621 to 8629  
13 for that fiscal year.

14           c. The total amount spent on programs or contributed to the commission by  
15 utilities under s. 196.374 (3) for that fiscal year.

16           2. 'Energy conservation and efficiency and renewable resource funding.' For  
17 fiscal year 1999-2000, a portion of the public benefits fee shall be in an amount that,  
18 when added to 50% of the estimated public benefits fees charged by municipal  
19 utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year, shall  
20 equal \$20,000,000. In each fiscal year after fiscal year 1999-2000, a portion of the  
21 public benefits fee shall be the amount determined under this subdivision for fiscal  
22 year 1999-2000, except that if the department determines to reduce or discontinue  
23 a program under sub. (2) (b) 2., the department shall reduce the amount accordingly.

24           3. 'Limitation on electric bill increases.' For the period beginning on the  
25 effective date of this subdivision .... [revisor inserts date], and ending on June 30,

1 2008, the total increase in a customer's electric bills that is based on the requirement  
2 to pay public benefits fees, including any increase resulting from an electric utility's  
3 compliance with this section, may not exceed 3% of the total of every other charge for  
4 which the customer is billed for that period or \$750 per month, whichever is less.

5 (5) MUNICIPAL UTILITIES AND RETAIL ELECTRIC COOPERATIVES. (a) *Requirement to*  
6 *charge public benefits fees.* Each retail electric cooperative and municipal utility  
7 shall charge a monthly public benefits fee to each customer or member in amount  
8 that is sufficient for the retail electric cooperative or municipal utility to collect an  
9 annual average of \$17 per meter. A retail electric cooperative or municipal utility  
10 may determine the amount that a particular class of customers or members is  
11 required to pay under this paragraph and may charge different fees to different  
12 classes of customers or members.

13 (am) *Public benefits fee restriction.* Notwithstanding par. (a), for the period  
14 beginning on the effective date of this paragraph ... [revisor inserts date], and ending  
15 on June 30, 2008, the total increase in a customer's or member's electric bills that is  
16 based on the requirement to pay public benefits fees, including any increase  
17 resulting from a retail electric cooperative's or municipal utility's compliance with  
18 this section, may not exceed 3% of the total of every other charge for which the  
19 member or customer is billed for that period or \$750 per month, whichever is less.

20 (b) *Election to contribute to department programs.* 1. No later than the first  
21 day of the 12th month beginning after the effective date of this subdivision ...  
22 [revisor inserts date], each municipal utility or retail electric cooperative shall notify  
23 the department whether it has elected to contribute to the programs established  
24 under sub. (2) (a) or (b) 1. for a 3-year period.



1           2. No later than every 3rd year after the date specified in subd. 1., each  
2           municipal utility or retail electric cooperative shall notify the department whether  
3           it has elected to contribute to the programs established under sub. (2) (a) or (b) 1. for  
4           a 3-year period.

5           (c) *Full contribution.* If a municipal utility or retail electric cooperative elects  
6           under par. (b) 1. or 2. to contribute to the programs established both under sub. (2)  
7           (a) and under sub. (2) (b) 1., it shall pay 100% of the public benefits fees that it charges  
8           under par. (a) to the department in each fiscal year of the 3-year period for which it  
9           has made the election.

10          (d) *Partial contributions and commitment to community spending.* A  
11          municipal utility or retail electric cooperative not specified in par. (c) shall do one of  
12          the following:

13           1. If the municipal utility or retail electric cooperative elects to contribute only  
14           to the programs established under sub. (2) (a), the municipal utility or retail electric  
15           cooperative shall, in each fiscal year of the 3-year period for which it elects to  
16           contribute under par. (b) 1. or 2., do all of the following:

17           a. Pay no less than 50% of the public benefits fees that it charges under par.  
18           (a) to the department.

19           b. Spend no less than 50% of the public benefits fees that it charges under par.  
20           (a) on energy conservation programs.

21           2. If the municipal utility or retail electric cooperative elects to contribute only  
22           to the programs established under sub. (2) (b) 1., the municipal utility or retail  
23           electric cooperative shall, in each fiscal year of the 3-year period for which it elects  
24           to contribute under par. (b) 1. or 2., do all of the following:

1           a. Pay 50% of the public benefits fees that it charges under par. (a) to the  
2 department.

3           b. Spend no less than 50% of the public benefits fees that it charges under par.  
4 (a) on programs for low-income assistance.

5           3. If the municipal utility or retail electric cooperative elects not to contribute  
6 to any of the programs established under sub. (2) (a) or (b) 1., the municipal utility  
7 or retail electric cooperative shall, in each fiscal year of the 3-year period for which  
8 it elects not to contribute under par. (b) 1. or 2., do all of the following:

9           a. Spend no less than 50% of the public benefits fees that it charges under par.  
10 (a) on programs for low-income assistance.

11           b. Spend no less than 50% of the public benefits fees that it charges under par.  
12 (a) on energy conservation programs.

13           (e) *Wholesale supplier credit.* If a wholesale supplier has established a program  
14 for low-income assistance or an energy conservation program, a municipal utility or  
15 retail electric cooperative that is a customer or member of the wholesale supplier  
16 may do any of the following:

17           1. Include an amount equal to the product of the municipal utility's or retail  
18 electric cooperative's wholesale supply percentage and the amount that the  
19 wholesale supplier has spent on low-income assistance in a fiscal year in calculating  
20 the amount that the municipal utility or retail electric cooperative has spent on  
21 low-income assistance in that fiscal year under par. (d) 2. b. or 3. a.

22           2. Include an amount equal to the product of the municipal utility's or retail  
23 electric cooperative's wholesale supply percentage and the amount that the  
24 wholesale supplier has spent on energy conservation programs or customer  
25 applications of renewable resources in a fiscal year in calculating the amount that

1 the municipal utility or retail electric cooperative has spent on energy conservation  
2 programs under par. (d) 1. b. or 3. b.

3 (f) *Joint programs.* Municipal utilities or retail electric cooperatives may  
4 establish joint commitment to community programs, except that each municipal  
5 utility or retail electric cooperative that participates in a joint program is required  
6 to comply with the spending requirements under par. (d).

7 (g) *Reports.* 1. For each fiscal year, each municipal utility and retail electric  
8 cooperative that does not pay 100% of the public benefits fee that it charges under  
9 par. (a) to the department under par. (c) shall file a report with the department that  
10 describes each of the following:

11 a. An accounting of public benefits fees charged to customers or members under  
12 par. (a) in the fiscal year and expenditures on commitment to community programs  
13 under par. (d), including any amounts included in the municipal utility's or retail  
14 electric cooperative's calculations under par. (e).

15 b. A description of commitment to community programs established by the  
16 municipal utility or retail electric cooperative in the fiscal year.

17 2. The department shall maintain reports filed under subd. 1. for at least 6  
18 years.”.

19 **53.** Page 55, line 21: after that line insert:

20 “(c) To the Lac Courte Oreilles Chippewa Indian tribe, \$125,000 in each fiscal  
21 year to develop law enforcement capabilities on the reservation and trust lands of the  
22 tribe.”.

23 **54.** Page 59, line 13: delete “from general purpose revenue”.

24 **55.** Page 60, line 22: after that line insert:

1           “**SECTION 114nm.** 16.969 of the statutes is created to read:

2           **16.969 Fees for certain high-voltage transmission lines.** (1) In this  
3 section:

4           (a) “Commission” means the public service commission.

5           (b) “High-voltage transmission line” means a high-voltage transmission line,  
6 as defined in s. 196.491 (1) (f), that is designed for operation at a nominal voltage of  
7 345 kilovolts or more.

8           (2) The department shall promulgate rules that require a person who is issued  
9 a certificate of public convenience and necessity by the commission under s. 196.491  
10 (3) for a high-voltage transmission line to pay the department the following fees:

11           (a) An annual impact fee in an amount equal to 0.3% of the cost of the  
12 high-voltage transmission line, as determined by the commission under s. 196.491  
13 (3) (gm).

14           (b) A one-time environmental impact fee in amount equal to 5% of the cost of  
15 the high-voltage transmission line, as determined by the commission under s.  
16 196.491 (3) (gm).

17           (3) (a) The department shall distribute the fees that are paid by a person under  
18 the rules promulgated under sub. (2) (a) to each town, village and city that is  
19 identified by the commission under s. 196.491 (3) (gm) in proportion to the amount  
20 of investment that is allocated by the commission under s. 196.491 (3) (gm) to each  
21 such town, village and city.

22           (b) The fee that is paid by a person under the rules promulgated under sub. (2)

23 (b) shall be distributed as follows:

1           1. The department shall pay 50% of the fee to each county that is identified by  
2 the commission under s. 196.491 (3) (gm) in proportion to the amount of investment  
3 that is allocated by the commission under s. 196.491 (3) (gm) to each such county.

4           2. The department shall pay 50% of the fee to each town, village and city that  
5 is identified by the commission under s. 196.491 (3) (gm) in proportion to the amount  
6 of investment that is allocated by the commission under s. 196.491 (3) (gm) to each  
7 such town, village and city.

8           (4) A county, town, village or city that receives a distribution under sub. (3) (b)  
9 may use the distribution only for park, conservancy, wetland or other similar  
10 environmental programs.”.

11           **56.** Page 61, line 9: delete “administration” and substitute “justice”.

12           **57.** Page 61, line 14: delete the material beginning with that line and ending  
13 with page 62, line 9.

14           **58.** Page 63, line 2: delete “School for the Visually Handicapped” and  
15 substitute “Center for the Blind and Visually Impaired”.

16           **59.** Page 63, line 8: after that line insert:

17           “**SECTION 117x.** 17.11 (4) (intro.) of the statutes is amended to read:

18           17.11 (4) (intro.) If it is determined in the action or proceeding or is found upon  
19 the investigation that a district attorney or sheriff suspended under this section is  
20 not guilty of an offense, or has not wilfully neglected or refused to perform his or her  
21 duties, as charged, that fact shall be certified by the governor to the department of  
22 ~~administration~~ justice if a district attorney is involved or to the county clerk of the  
23 sheriff’s county if a sheriff is involved. Upon the certification, the district attorney  
24 or sheriff shall be:”.

1           **60.** Page 64, line 3: delete the material beginning with that line and ending  
2 with page 65, line 9.

3           **61.** Page 65, line 9: after that line insert:

4           “**SECTION 121u.** 18.13 (4) of the statutes is created to read:

5           18.13 (4) CONSUMER PRIVACY ADVOCATE. Notwithstanding s. 165.061, the  
6 consumer privacy advocate does not have authority to initiate any action or  
7 proceeding concerning the issuance of obligations by the building commission under  
8 this chapter.”.

9           **62.** Page 65, line 9: after that line insert:

10          “**SECTION 121v.** 18.13 (4g) of the statutes is created to read:

11          18.13 (4g) PUBLIC INTERVENOR. Notwithstanding s. 165.075, the public  
12 intervenor does not have authority to initiate any action or proceeding concerning  
13 the issuance of obligations by the building commission under this chapter.”.

14          **63.** Page 82, line 22: after that line insert:

15          “**SECTION 159r.** 19.01 (4) (bn) of the statutes is amended to read:

16          19.01 (4) (bn) With the ~~secretary of administration~~ attorney general: district  
17 attorneys.”.

18          **64.** Page 83, line 9: after that line insert:

19          “**SECTION 164k.** 19.42 (5) of the statutes is amended to read:

20          19.42 (5) “Department” means the legislature, the university of Wisconsin  
21 system, any authority or public corporation created and regulated by an act of the  
22 legislature and any office, department, independent agency or legislative service  
23 agency created under ch. 13, 14 or 15, any technical college district or any  
24 constitutional office other than a judicial office. In the case of a district attorney,

1 “department” means the department of ~~administration~~ justice unless the context  
2 otherwise requires.”.

3 **65.** Page 83, line 10: delete lines 10 and 11.

4 **66.** Page 85, line 6: delete “1.1%” and substitute “1%”.

5 **67.** Page 98, line 16: after that line insert:

6 “(c) Financial assistance for paratub-  
7 erculosis testing GPR A 100,000 100,000”.

8 **68.** Page 101, line 2: after that line insert:

9 “(k) Aquaculture support PR-S A 250,000 250,000”.

10 **69.** Page 101, line 3: delete lines 3 and 4.

11 **70.** Page 101, line 7: delete lines 7 and 8 and substitute:

12 “(b) Principal repayment and inter-  
13 est, conservation enhancement  
14 reserve GPR S -0- -0-”.

15 **71.** Page 101, line 10: increase the dollar amount for fiscal year 2000–01 by  
16 \$3,500,000 to increase funding for the purpose for which the appropriation is made.

17 **72.** Page 101, line 11: after that line insert:

18 “(dr) Town of Troy grant, purchase of  
19 development rights GPR A 500,000 -0-”.

20 **73.** Page 102, line 12: increase the dollar amount for fiscal year 2000–01 by  
21 \$2,521,300 to increase funding for the purpose for which the appropriation is made.

22 **74.** Page 102, line 12: increase the dollar amount for fiscal year 1999–00 by  
23 \$170,000 and increase the dollar amount for fiscal year 2000–01 by \$190,000 to

1 increase authorized FTE positions for the department of agriculture, trade and  
2 consumer protection by 3.0 SEG for the soil and water resource management  
3 program.

4 **75.** Page 103, line 15: delete that line.

5 **76.** Page 105, line 2: decrease the dollar amount for fiscal year 1999–00 by  
6 \$1,000,000 and decrease the dollar amount for fiscal year 2000–01 by \$1,000,000 to  
7 decrease funding for the purposes for which the appropriation is made.

8 **77.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by  
9 \$130,000 to decrease funding for the purposes for which the appropriation is made.

10 **78.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by  
11 \$125,000 and decrease the dollar amount for fiscal year 2000–01 by \$125,000 to  
12 decrease funding for the purposes for which the appropriation is made.

13 **79.** Page 107, line 19: decrease the dollar amount for fiscal year 1999–00 by  
14 \$250,000 and decrease the dollar amount for fiscal year 2000–01 by \$250,000 to  
15 decrease funding for the purposes for which the appropriation is made.

16 **80.** Page 108, line 2: increase the dollar amount for fiscal year 1999–00 by  
17 \$800,000 and increase the dollar amount for fiscal year 2000–01 by \$800,000 to  
18 increase funding for the purposes for which the appropriation is made.

19 **81.** Page 108, line 2: after that line insert:

20 “(Lm) Business employes’ skills train-  
21 ing financial assistance; repay-  
22 ments

PR C –0– –0–”.



1           **82.** Page 108, line 14: decrease the dollar amount for fiscal year 1999–00 by  
2           \$204,800 and decrease the dollar amount for fiscal year 2000–01 by \$204,800 to  
3           decrease funding for staff support to the recycling market development board and for  
4           the conversion of 2 project positions to permanent positions for the department of  
5           commerce related to recycling market development.

6           **83.** Page 108, line 17: decrease the dollar amount for fiscal year 1999–00 by  
7           \$500,000 and decrease the dollar amount for fiscal year 2000–01 by \$500,000 to  
8           decrease funding for the purposes for which the appropriation is made.

9           **84.** Page 109, line 16: delete lines 16 and 17.

10          **85.** Page 110, line 8: decrease the dollar amount for fiscal year 1999–00 by  
11          \$236,400 and decrease the dollar amount for fiscal year 2000–01 by \$174,800 to  
12          decrease the authorized FTE positions for the department of commerce by 3.0 SEG  
13          permanent positions and 2.0 SEG 2–year project positions.

14          **86.** Page 111, line 9: increase the dollar amount for fiscal year 1999–00 by  
15          \$120,000 and increase the dollar amount for fiscal year 2000–01 by \$120,000 for the  
16          purpose of funding public education on financial matters.

17          **87.** Page 114, line 8: increase the dollar amount for fiscal year 1999–00 by  
18          \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$250,000 for the  
19          purpose for which the appropriation is made.

20          **88.** Page 115, line 4: after that line insert:

21          “(3) HOSPITAL RATE PRICE CAPS

22          (gm) Assessments

PR

A

–0–

–0–”.

1           **89.** Page 117, line 4: increase the dollar amount for fiscal year 1999–00 by  
2           \$100,000 to increase funding for the grants under SECTION 9105 (1c) of this act.

3           **90.** Page 117, line 4: increase the dollar amount for fiscal year 1999–00 by  
4           \$50,000 and increase the dollar amount for fiscal year 2000–01 by \$50,000 to  
5           increase funding for the purposes for which the appropriation is made.

6           **91.** Page 117, line 8: after that line insert:

7           “(fm) Portage County Arts Alliance       GPR     A           50,000           –0–”.

8           **92.** Page 118, line 1: delete lines 1 to 4.

9           **93.** Page 119, line 6: increase the dollar amount for fiscal year 1999–00 by  
10          \$1,186,100 and increase the dollar amount for fiscal year 2000–01 by \$1,186,100 to  
11          increase funding for the purpose for which the appropriation is made.

12          **94.** Page 119, line 15: increase the dollar amount for fiscal year 1999–00 by  
13          \$42,500 and increase the dollar amount for fiscal year 2000–01 by \$87,600 for the  
14          purpose for which the appropriation is made.

15          **95.** Page 119, line 18: increase the dollar amount for fiscal year 1999–00 by  
16          \$186,300 for the purpose for which the appropriation is made.

17          **96.** Page 120, line 2: increase the dollar amount for fiscal year 1999–00 by  
18          \$127,000 and increase the dollar amount for fiscal year 2000–01 by \$261,600 for the  
19          purpose for which the appropriation is made.

20          **97.** Page 123, line 1: increase the dollar amount for fiscal year 1999–00 by  
21          \$107,100 and increase the dollar amount for fiscal year 2000–01 by \$123,600 to  
22          provide wage increases for limited term employees working at the historic sites.

1           **98.** Page 123, line 12: increase the dollar amount for fiscal year 1999-00 by  
2           \$107,100 and increase the dollar amount for fiscal year 2000-01 by \$123,600 to  
3           provide wage increases for limited term employes working at the historic sites.

4           **99.** Page 124, line 2: after that line insert:

5           “(b) Plover Heritage Park                      GPR     B           50,000           -0-”.

6           **100.** Page 127, line 9: increase the dollar amount for fiscal year 2000-01 by  
7           \$74,100 to increase the authorized FTE positions for the department of public  
8           instruction by 1.0 GPR position for the program under section 118.43 of the statutes.

9           **101.** Page 127, line 9: increase the dollar amount for fiscal year 1999-00 by  
10          \$112,800 and increase the dollar amount for fiscal year 2000-01 by \$131,400 to  
11          increase the authorized FTE positions for the department of public instruction by 2.0  
12          GPR positions for the program under section 118.435 of the statutes, as created by  
13          this act.

14          **102.** Page 127, line 11: delete “residential schools” and substitute “School for  
15          the Deaf and Center for the Blind and Visually Impaired”.

16          **103.** Page 127, line 12: after “costs” insert “; School for the Deaf and Center  
17          for the Blind and Visually Impaired”.

18          **104.** Page 128, line 1: delete “Residential schools” and substitute “School for  
19          the Deaf and Center for the Blind and Visually Impaired”.

20          **105.** Page 128, line 2: after that line insert:

1	“(gh) School for the Deaf and Center					
2	for the Blind and Visually					
3	Impaired; hospitalization	PR	C	-0-	-0-	
4	(gL) Center for the Blind and Visu-					
5	ally Impaired; leasing of space	PR	C	-0-	-0-	
6	(gs) School for the Deaf and Center					
7	for the Blind and Visually					
8	Impaired; services	PR	C	-0-	-0-”.	

9           **106.** Page 128, line 3: delete “Residential schools” and substitute “School for  
10 the Deaf and Center for the Blind and Visually Impaired”.

11           **107.** Page 129, line 4: after that line insert:

12	“(ad) Supplemental aid	GPR	A	125,000	125,000”.
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13           **108.** Page 129, line 6: increase the dollar amount for fiscal year 1999-00 by  
14 \$2,500,000 and increase the dollar amount for fiscal year 2000-01 by \$2,500,000 to  
15 increase funding for the purpose for which the appropriation is made.

16           **109.** Page 129, line 15: after that line insert:

17	“(cf) Alternative education grants	GPR	A	-0-	5,000,000”.
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18           **110.** Page 129, line 18: delete “Grants” and substitute “Reimbursement”.

19           **111.** Page 129, line 19: increase the dollar amount for fiscal year 2000-01 by  
20 \$742,100 to increase funding for the purpose for which the appropriation is made.

21           **112.** Page 130, line 5: increase the dollar amount for fiscal year 2000-01 by  
22 \$43,000,000 to increase funding for the purpose for which the appropriation is made.

1           **113.** Page 130, line 5: increase the dollar amount for fiscal year 1999–00 by  
2       \$80,000 and increase the dollar amount for fiscal year 2000–01 by \$70,000 to  
3       increase funding for a program evaluation of achievement guarantee contract pupils  
4       in grades 4 to 8.

5           **114.** Page 130, line 12: after that line insert:

6       “(dd) Principal repayment, interest  
7       and rebates                                     GPR     S           -0-       -0-”.

8           **115.** Page 130, line 23: after that line insert:

9       “(fL) Foreign language instruction  
10      grants   GPR     A           -0-       350,000”.

11          **116.** Page 131, line 19: increase the dollar amount for fiscal year 1999–00 by  
12      \$500,000 and increase the dollar amount for fiscal year 2000–01 by \$1,500,000 to  
13      increase funding for the purpose for which the appropriation is made.

14          **117.** Page 132, line 2: delete that line.

15          **118.** Page 132, line 2: after that line insert:

16      “(ef) School-to-work programs for  
17      children at risk                               GPR     A           250,000    250,000”.

18      “(em) Youth apprenticeship training  
19      grants   GPR     A           1,150,000   1,150,000

20      “(ev) Division of connecting work and  
21      education                                     GPR     A           688,400    688,400”.

22          **119.** Page 132, line 3: after that line insert:

1 “(eh) Wisconsin geographical educa-  
2 tion fund GPR A -0- 500,000”.

3 **120.** Page 133, line 1: delete lines 1 and 2.

4 **121.** Page 134, line 16: increase the dollar amount for fiscal year 2000–01 by  
5 \$97,500 to increase funding for international business development under section  
6 36.25 (44) of the statutes.

7 **122.** Page 134, line 16: increase the dollar amount for fiscal year 1999–00 by  
8 \$4,000,000 and increase the dollar amount for fiscal year 2000–01 by \$8,000,000 to  
9 increase funding for the purposes for which the appropriation is made.

10 **123.** Page 134, line 16: increase the dollar amount for fiscal year 1999–00 by  
11 \$500,000 and increase the dollar amount for fiscal year 2000–01 by \$500,000 to  
12 establish the Gaylord Nelson chair of integrated environmental studies.

13 **124.** Page 134, line 16: increase the dollar amount for fiscal year 2000–01 by  
14 \$150,000 to increase funding for the purposes for which the appropriation is made.

15 **125.** Page 134, line 16: decrease the dollar amount for fiscal year 2000–01 by  
16 \$1,081,300 to decrease funding for the purposes for which the appropriation is made.

17 **126.** Page 135, line 2: decrease the dollar amount for fiscal year 2000–01 by  
18 \$400 to decrease funding for the purpose for which the appropriation is made.

19 **127.** Page 135, line 3: increase the dollar amount for fiscal year 1999–00 by  
20 \$575,000 and increase the dollar amount for fiscal year 2000–01 by \$575,000 to  
21 increase funding for the purpose for which the appropriation is made.

22 **128.** Page 135, line 5: after that line insert:

1       “(ce) Census awareness program           GPR     A           425,000     425,000”.

2           **129.** Page 135, line 7: decrease the dollar amount for fiscal year 2000–01 by  
3       \$100 to decrease funding for the purpose for which the appropriation is made.

4           **130.** Page 135, line 13: decrease the dollar amount for fiscal year 2000–01 by  
5       \$200 to decrease funding for the purpose for which the appropriation is made.

6           **131.** Page 135, line 14: decrease the dollar amount for fiscal year 2000–01 by  
7       \$300 to decrease funding for the purpose for which the appropriation is made.

8           **132.** Page 135, line 19: increase the dollar amount for fiscal year 1999–00 by  
9       \$400,000 for the purpose of purchasing a DNA probe machine.

10          **133.** Page 135, line 22: decrease the dollar amount for fiscal year 2000–01 by  
11       \$2,400 to decrease funding for the purpose for which the appropriation is made.

12          **134.** Page 136, line 1: increase the dollar amount for fiscal year 1999–00 by  
13       \$75,000 and increase the dollar amount for fiscal year 2000–01 by \$75,000 to  
14       increase funding for the purpose for which the appropriation is made.

15          **135.** Page 136, line 8: after that line insert:

16       “(gs) Stray voltage research                   PR     B           200,000     200,000”.

17          **136.** Page 136, line 16: increase the dollar amount for fiscal year 2000–01 by  
18       \$52,500 to increase funding for international business development under section  
19       36.25 (44) of the statutes.

20          **137.** Page 136, line 16: increase the dollar amount for fiscal year 2000–01 by  
21       \$256,400 to increase funding for precollege programs sponsored by the board of  
22       regents of the University of Wisconsin System.

1           **138.** Page 136, line 16: increase the dollar amount for fiscal year 2000–01 by  
2 \$2,153,800 to increase funding for the purposes for which the appropriation is made.

3           **139.** Page 137, line 17: delete that line.

4           **140.** Page 138, line 2: after that line insert:

5           “(qm) Grants to forestry cooperatives    SEG    A           50,000    50,000”.

6           **141.** Page 138, line 6: increase the dollar amount for fiscal year 1999–00 by  
7 \$200,000 and increase the dollar amount for fiscal year 2000–01 by \$200,000 to  
8 increase the authorized FTE positions for the UW–Extension Solid and Hazardous  
9 Waste Education Center by 3.0 SEG positions for educational and technical  
10 assistance related to recycling and recycling market development.

11           **142.** Page 138, line 12: decrease the dollar amount for fiscal year 2000–01 by  
12 \$1,000 to decrease funding for the purposes for which the appropriation is made.

13           **143.** Page 139, line 3: increase the dollar amount for fiscal year 2000–01 by  
14 \$476,200 to increase funding for the purpose for which the appropriation is made.

15           **144.** Page 139, line 3: increase the dollar amount for fiscal year 2000–01 by  
16 \$1,000,000 to increase funding for the purpose for which the appropriation is made.

17           **145.** Page 139, line 3: decrease the dollar amount for fiscal year 2000–01 by  
18 \$6,100 to decrease funding for the purpose for which the appropriation is made.

19           **146.** Page 139, line 4: increase the dollar amount for fiscal year 1999–00 by  
20 \$43,900 and increase the dollar amount for fiscal year 2000–01 by \$90,500 for the  
21 purpose for which the appropriation is made.

22           **147.** Page 139, line 6: increase the dollar amount for fiscal year 1999–00 by  
23 \$26,000 for the purpose for which the appropriation is made.



1           **148.** Page 140, line 12: increase the dollar amount for fiscal year 2000–01 by  
2 \$500,000 to increase funding for the purpose for which the appropriation is made.

3           **149.** Page 141, line 2: after that line insert:

4           “(ec) Milwaukee Enterprise Center      GPR      A            25,000      25,000”.

5           **150.** Page 147, line 8: increase the dollar amount for fiscal year 1999–00 by  
6 \$125,000 and increase the dollar amount for fiscal year 2000–01 by \$125,000 for the  
7 purpose of increasing funding for LTE enforcement positions within the bureau of  
8 facilities and lands of the Mazomanie unit of the lower Wisconsin state riverway.

9           **151.** Page 147, line 23: increase the dollar amount for fiscal year 1999–00 by  
10 \$75,000 and increase the dollar amount for fiscal year 2000–01 by \$75,000, and  
11 adjust the NET APPROPRIATION accordingly, to develop and operate an urban  
12 family outdoor skills program.

13           **152.** Page 147, line 24: increase the dollar amount for fiscal year 1999–00 by  
14 \$32,300 and increase the dollar amount for fiscal year 2000–01 by \$43,000, and  
15 adjust the net appropriation totals accordingly, to increase the authorized FTE  
16 positions for the department of natural resources by 1.0 SEG wildlife biologist  
17 position in Marathon County.

18           **153.** Page 148, line 1: decrease the dollar amount for fiscal year 1999–00 by  
19 \$150,000 and decrease the dollar amount for fiscal year 2000–01 by \$150,000, and  
20 adjust the NET APPROPRIATION accordingly, to decrease funding for contracts  
21 with private foresters for the preparation of management plans for the entry of land  
22 into the managed forest land program.

1           **154.** Page 148, line 1: decrease the dollar amount for fiscal year 1999–00 by  
2           \$75,000 and decrease the dollar amount for fiscal year 2000–01 by \$75,000, and  
3           adjust the NET APPROPRIATION totals accordingly, for the purpose of reducing  
4           funding for educational materials relating to shoreland vegetation.

5           **155.** Page 149, line 2: increase the dollar amount for fiscal year 1999–00 by  
6           \$581,200 and increase the dollar amount for fiscal year 2000–01 by \$581,100 to  
7           increase the authorized FTE positions for the department by 8.0 PR for air  
8           management.

9           **156.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by  
10          \$325,000 and increase the dollar amount for fiscal year 2000–01 by \$325,000 to  
11          increase funding for upgrading the department of natural resources’ computers  
12          related to the administration of this state’s recycling laws.

13          **157.** Page 151, line 5: increase the dollar amount for fiscal year 1999–00 by  
14          \$15,000 to increase the authorized FTE positions for the department of natural  
15          resources by 0.25 SEG position for administration of this state’s recycling laws, and  
16          increase the dollar amount for fiscal year 2000–01 by \$480,000 to increase the  
17          authorized FTE positions for the department of natural resources by 8.0 SEG  
18          positions for administration of this state’s recycling laws.

19          **158.** Page 151, line 15: increase the dollar amount for fiscal year 1999–00 by  
20          \$200,000 to provide funding for the landfill cleanup study under SECTION 9136 (2e)  
21          of this act.

22          **159.** Page 155, line 24: increase the dollar amount for fiscal year 1999–00 by  
23          \$56,700 and increase the dollar amount for fiscal year 2000–01 by \$56,700, and  
24          adjust the NET APPROPRIATION accordingly, to increase the authorized FTE



1           ”.

2           **167.** Page 162, line 14: increase the dollar amount for fiscal year 1999–00 by  
3 \$130,000 to increase funding for the purposes for which the appropriation is made.

4           **168.** Page 163, line 9: increase the dollar amounts for fiscal year 1999–00 by  
5 \$250,000 for the purpose for which the appropriation is made.

6           **169.** Page 163, line 17: after that line insert:

7           “(ag) Land acquisition—principal

8           repayment and interest                   PR           C           –0–           –0–”.

9           **170.** Page 167, line 6: after that line insert:

10          “(mc) General fund transfer                   GPR           S           –0–           –0–”.

11          **171.** Page 169, line 2: increase the dollar amount for fiscal year 1999–00 by  
12 \$60,000 and increase the dollar amount for fiscal year 2000–01 by \$60,000 to  
13 increase the authorized FTE positions for the department of natural resources by 1.0  
14 SEG recycling grant administrator position.

15          **172.** Page 171, line 5: decrease the dollar amount for fiscal year 1999–00 by  
16 \$2,250,000 and decrease the dollar amount for fiscal year 2000–01 by \$2,250,000 to  
17 decrease funding for the purposes for which the appropriation is made.

18          **173.** Page 171, line 6: after that line insert:

19          “(c) Internet referral system grants           GPR           B           50,000           –0–”.

20          **174.** Page 173, line 6: increase the dollar amount for fiscal year 2000–01 by  
21 \$417,300 to increase funding for the purpose for which the appropriation is made.

22          **175.** Page 173, line 8: increase the dollar amount for fiscal year 2000–01 by  
23 \$1,313,100 to increase funding for the purpose for which the appropriation is made.

1           **176.** Page 174, line 4: increase the dollar amount for fiscal year 2000-01 by  
2           \$8,500 for the purpose of increasing funding for specialized transportation capital  
3           assistance for the elderly and disabled.

4           **177.** Page 174, line 6: increase the dollar amount for fiscal year 2000-01 by  
5           \$68,900 for the purpose of increasing funding for specialized transportation  
6           assistance for the elderly and disabled.

7           **178.** Page 174, line 19: increase the dollar amount for fiscal year 1999-00 by  
8           \$35,000 and increase the dollar amount for fiscal year 2000-01 by \$70,000 to  
9           increase funding for traffic policing services provided by the Milwaukee County  
10          sheriff on STH 794.

11          **179.** Page 174, line 23: increase the dollar amount for fiscal year 2000-01 by  
12          \$198,100 to increase funding for the purpose for which the appropriation is made.

13          **180.** Page 175, line 2: increase the dollar amount for fiscal year 2000-01 by  
14          \$53,500 to increase funding for the purpose for which the appropriation is made.

15          **181.** Page 175, line 4: increase the dollar amount for fiscal year 2000-01 by  
16          \$535,600 to increase funding for the purpose for which the appropriation is made.

17          **182.** Page 175, line 6: increase the dollar amount for fiscal year 2000-01 by  
18          \$143,000 to increase funding for the purpose for which the appropriation is made.

19          **183.** Page 176, line 7: delete lines 7 to 10.

20          **184.** Page 177, line 4: increase the dollar amount for fiscal year 1999-00 by  
21          \$1,500,000 and increase the dollar amount for fiscal year 2000-01 by \$2,500,000 to  
22          increase funding for discretionary municipal street improvements under section  
23          86.31 (3r) of the statutes, as created by this act.

1           **185.** Page 177, line 4: increase the dollar amount for fiscal year 2000–01 by  
2 \$1,000,000 to increase funding for discretionary town road improvements under  
3 section 86.31 (3m) of the statutes, as affected by this act.

4           **186.** Page 177, line 17: increase the dollar amount for fiscal year 1999–00 by  
5 \$287,100 for the purpose of increasing funding for the installation of railroad  
6 crossing gates in Stevens Point in Portage County.

7           **187.** Page 177, line 17: increase the dollar amount for fiscal year 1999–00 by  
8 \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$250,000 for the  
9 purpose of increasing funding for railroad crossing improvement projects.

10           **188.** Page 179, line 16: decrease the dollar amount for fiscal year 1999–00 by  
11 \$7,517,100 and decrease the dollar amount for fiscal year 2000–01 by \$1,100,400 to  
12 decrease funding for the purposes for which the appropriation is made.

13           **189.** Page 182, line 10: delete that line.

14           **190.** Page 182, line 13: decrease the dollar amount for fiscal year 1999–00 by  
15 \$657,900 and decrease the dollar amount for fiscal year 2000–01 by \$657,900 to  
16 reduce the authorized FTE positions for the department of transportation related to  
17 processing requests to suspend or revoke operators' licenses for failure to pay fines  
18 or forfeitures by 2.0 SEG positions on the effective date of this act.

19           **191.** Page 185, line 3: increase the dollar amount for fiscal year 1999–00 by  
20 \$11,800 and increase the dollar amount for fiscal year 2000–01 by \$11,800 for the  
21 purpose of wages for inmates who are involuntarily unassigned.

22           **192.** Page 185, line 3: increase the dollar amount for fiscal year 1999–00 by  
23 \$55,700 and increase the dollar amount for fiscal year 2000–01 by \$16,500 for the

1 purpose of funding expenses associated with expansion of the intensive sanctions  
2 program.

3 **193.** Page 185, line 7: increase the dollar amount for fiscal year 1999-00 by  
4 \$303,000 and increase the dollar amount for fiscal year 2000-01 by \$365,600 for the  
5 purpose of increasing funding for temporary lockup beds for intensive sanctions  
6 participants.

7 **194.** Page 185, line 8: increase the dollar amount for fiscal year 1999-00 by  
8 \$1,413,600 and increase the dollar amount for fiscal year 2000-01 by \$2,716,800 for  
9 the purpose of increasing funding for the intensive sanctions program and for the  
10 purpose of increasing the FTE positions of the department of corrections by 56.75  
11 GPR positions in fiscal year 1999-00 and by 69.00 GPR positions in fiscal year  
12 2000-01 to staff the intensive sanctions program.

13 **195.** Page 186, line 2: increase the dollar amount for fiscal year 1999-00 by  
14 \$4,859,900 and increase the dollar amount for fiscal year 2000-01 by \$5,959,100 for  
15 the purpose of funding the purchase of services for participants of the intensive  
16 sanctions program.

17 **196.** Page 187, line 5: decrease the dollar amount for fiscal year 2000-01 by  
18 \$693,000 to decrease funding for the purpose for which the appropriation is made.

19 **197.** Page 187, line 14: decrease the dollar amount for fiscal year 1999-00 by  
20 \$336,400 and decrease the dollar amount for fiscal year 2000-01 by \$336,400 for the  
21 purpose of eliminating data entry contracts and to decrease the authorized FTE  
22 positions for the department of corrections by 5.0 PR positions for data entry and  
23 telemarketing contract programs.

24 **198.** Page 188, line 1: after that line insert:

1	“(qd) Principal repayment, interest				
2	and rebates	SEG	A	-0-	-0-
3	(qg) General operations costs	SEG	A	-0-	-0-
4	(qr) Operating costs for community				
5	corrections	SEG	A	-0-	-0-”.

6       **199.** Page 188, line 1: after that line insert:

7	“(qm) Computer recycling	SEG	A	500,000	500,000”.
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8       **200.** Page 188, line 13: increase the dollar amount for fiscal year 1999–00 by  
9 \$502,700 and increase the dollar amount for fiscal year 2000–01 by \$507,300 to  
10 increase funding for the purposes for which the appropriation is made.

11       **201.** Page 190, line 5: after that line insert:

12	“(qg) Principal repayment and inter-				
13	est costs	SEG	A	-0-	-0-
14	(qr) General operations costs	SEG	A	-0-	-0-”.

15       **202.** Page 193, line 1: increase the dollar amount for fiscal year 1999–00 by  
16 \$33,000 and increase the dollar amount for fiscal year 2000–01 by \$67,000 for birth  
17 defect prevention and surveillance.

18       **203.** Page 193, line 1: increase the dollar amount for fiscal year 1999–00 by  
19 \$250,000 for the purpose of providing a grant to the City of Milwaukee for the  
20 purchase of a DNA probe machine.

21       **204.** Page 193, line 16: delete lines 16 and 17.

22       **205.** Page 195, line 3: increase the dollar amount for fiscal year 1999–00 by  
23 \$100,000 and increase the dollar amount for fiscal year 2000–01 by \$100,000 for the



1 purpose of providing a grant for children's community programs to Kenosha Area  
2 Family and Aging Services, Inc., for the provision of home visiting services for  
3 mothers who are under 18 years of age under that organization's healthy families  
4 program.

5 **206.** Page 195, line 3: increase the dollar amount for fiscal year 1999-00 by  
6 \$50,000 and increase the dollar amount for fiscal year 2000-01 by \$50,000 for the  
7 purpose of providing a grant for children's community programs to the children's safe  
8 house child care program in Kenosha County for the operation of that program.

9 **207.** Page 196, line 21: increase the dollar amount for fiscal year 2000-01 by  
10 \$2,100,000 to increase funding for grants under the child abuse and neglect  
11 prevention program under section 46.515 of the statutes, as affected by this act.

12 **208.** Page 198, line 6: after that line insert:

13 "(q) Child abuse prevention SEG A -0- -0-".

14 **209.** Page 198, line 14: increase the dollar amount for fiscal year 2000-01 by  
15 \$366,200 for the purpose for which the appropriation is made.

16 **210.** Page 198, line 14: decrease the dollar amount for fiscal year 1999-00 by  
17 \$1,000,000 and increase the dollar amount for fiscal year 2000-01 by \$1,000,000 for  
18 the purpose for which the appropriation is made.

19 **211.** Page 198, line 14: increase the dollar amount for fiscal year 1999-00 by  
20 \$184,300 and increase the dollar amount for fiscal year 2000-01 by \$230,700 to  
21 increase medical assistance reimbursement rates for services provided to children  
22 by nurses in independent practice to the same level as medical assistance  
23 reimbursement rates for private duty nursing services provided to children by home  
24 health agencies.

1           **212.** Page 198, line 14: increase the dollar amount for fiscal year 2000–01 by  
2           \$1,551,900 to supplement hourly reimbursement rates for workers providing  
3           in-home personal care services by \$.50.

4           **213.** Page 198, line 14: increase the dollar amount for fiscal year 1999–00 by  
5           \$56,900 and increase the dollar amount for fiscal year 2000–01 by \$140,400 to  
6           increase funding for the daily rates for services provided under section 46.275 of the  
7           statutes to persons relocated from the state centers for the developmentally disabled,  
8           from \$184 to \$200 in fiscal year 1999–2000.

9           **214.** Page 198, line 14: increase the dollar amount for fiscal year 1999–00 by  
10          \$155,900 and increase the dollar amount for fiscal year 2000–01 by \$156,200 for the  
11          purpose of restoring the individual purchase program for incontinence products.

12          **215.** Page 198, line 15: after “families” insert “and eligible individuals”.

13          **216.** Page 199, line 9: increase the dollar amount for fiscal year 1999–00 by  
14          \$250,000 and increase the dollar amount for fiscal year 2000–01 by \$500,000 to  
15          increase the authorized FTE positions for the department of health and family  
16          services by 3.5 PR positions to support the collection, analysis and dissemination of  
17          physician–patient encounter data under chapter 153 of the statutes.

18          **217.** Page 200, line 16: increase the dollar amount for fiscal year 1999–00 by  
19          \$100,000 and increase the dollar amount for fiscal year 2000–01 by \$100,000 to  
20          increase funding for HIV prevention services.

21          **218.** Page 201, line 21: increase the dollar amount for fiscal year 1999–00 by  
22          \$25,000 and increase the dollar amount for fiscal year 2000–01 by \$25,000 for the

1 purpose of making a grant to HealthNet of Janesville, Inc. under section 250.15 (2)  
2 (c) of the statutes.”.

3 **219.** Page 202, line 14: delete that line.

4 **220.** Page 202, line 18: increase the dollar amount for fiscal year 2000–01 by  
5 \$180,000 to increase funding for 2 additional mental health and alcohol or other drug  
6 abuse managed care demonstration projects under SECTION 9123 (3) of this act.

7 **221.** Page 203, line 19: increase the dollar amount for fiscal year 1999–00 by  
8 \$21,500 and increase the dollar amount for fiscal year 2000–01 by \$25,200 for the  
9 purpose of funding a field license specialist instead of a program assistant for  
10 certification activities related to mental health treatment providers.

11 **222.** Page 204, line 4: increase the dollar amount for fiscal year 1999–00 by  
12 \$1,600,000 and increase the dollar amount for fiscal year 2000–01 by \$7,500,000 to  
13 increase funding for community aids.

14 **223.** Page 204, line 5: increase the dollar amount for fiscal year 1999–00 by  
15 \$5,000,000 and increase the dollar amount for fiscal year 2000–01 by \$5,000,000 for  
16 substance abuse treatment grants.

17 **224.** Page 204, line 7: increase the dollar amount for fiscal year 2000–01 by  
18 \$3,459,000 to increase funding for 700 long-term support community options  
19 program placements under section 46.27 (11) of the statutes and 300 such  
20 placements under section 46.27 (7) of the statutes for fiscal year 2000–01.

21 **225.** Page 204, line 18: increase the dollar amount for fiscal year 2000–01 by  
22 \$125,000 for the purposes for which the appropriation is made.

23 **226.** Page 208, line 1: before that line insert:

1     **“20.436 Tobacco control board.**

2     (1)    SMOKING CESSATION AND EDUCATION

3	(g)	Gifts and grants	PR	C	-0-	-0-
4	(tb)	General program operations	SEG	B	400,000	400,000
5	(tc)	Grants	SEG	C	2,092,000	28,200,000

6     ”.

7     **227.** Page 210, line 5: after that line insert:

8     “(kb) Funds transferred from the tech-  
9            nical college system board;  
10           school to work                           PR-S    C           -0-           -0-”.

11     **228.** Page 212, line 9: increase the dollar amount for fiscal year 2000-01 by  
12     \$200,000 for the purpose of accounting for money lost by foregoing recovery of  
13     overpayments made under the aid to families with dependent children program.

14     **229.** Page 212, line 10: decrease the dollar amount for fiscal year 1999-00 by  
15     \$5,000,000 and decrease the dollar amount for fiscal year 2000-01 by \$5,000,000 for  
16     the purpose for which the appropriation is made.

17     **230.** Page 213, line 6: decrease the dollar amount for fiscal year 1999-00 by  
18     \$14,900 and decrease the dollar amount for fiscal year 2000-01 by \$19,800 to reduce  
19     the authorized FTE positions for the department of workforce development by 1.0 PR  
20     position.

21     **231.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
22     \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 for the  
23     purpose of providing benefits under the Wisconsin works program.

1           **232.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
2           \$1,600,000 and increase the dollar amount for fiscal year 2000-01 by \$6,400,000 for  
3           the purpose of decreasing the child care copayment cap.

4           **233.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
5           \$130,000 and increase the dollar amount for fiscal year 2000-01 by \$150,000 for the  
6           purpose of making child care subsidy payments.

7           **234.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
8           \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$100,000 for the  
9           purpose of providing additional funding to Milwaukee Jobs Initiative, Inc.

10          **235.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
11          \$3,000,000 and increase the dollar amount for fiscal year 2000-01 by \$3,000,000 for  
12          the provision of credit assistance and credit repair assistance to Wisconsin works  
13          participants.

14          **236.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
15          \$5,000,000 and increase the dollar amount for fiscal year 2000-01 by \$5,000,000 for  
16          substance abuse treatment services.

17          **237.** Page 217, line 6: delete lines 6 to 19.

18          **238.** Page 218, line 3: increase the dollar amount for fiscal year 1999-00 by  
19          \$120,000 and increase the dollar amount for fiscal year 2000-01 by \$120,000 to  
20          increase the authorized FTE positions of the department of justice by 1.0 GPR  
21          attorney position for the purpose of creating a consumer privacy advocate in the  
22          department.

1           **239.** Page 218, line 3: increase the dollar amount for fiscal year 1999–00 by  
2           \$58,400 and increase the dollar amount for fiscal year 2000–01 by \$58,400 for the  
3           purpose of increasing the authorized FTE positions of the department of justice by  
4           1.0 GPR attorney position to prosecute sexually violent person commitment cases.

5           **240.** Page 218, line 3: increase the dollar amount for fiscal year 1999–00 by  
6           \$241,400 and increase the dollar amount for fiscal year 2000–01 by \$241,400 to  
7           increase the authorized FTE positions for the department of justice by 2.0 GPR  
8           attorney positions for the purposes of the public intervenor.

9           **241.** Page 218, line 3: after that line insert:

10           “(ab) General program operations;

11                       state prosecutor                                       GPR     A           200,300     200,300”.

12           **242.** Page 219, line 2: increase the dollar amount for fiscal year 2000–01 by  
13           \$73,600 for the purpose of increasing the authorized FTE positions for the  
14           department of justice effective January 1, 2001, by 1.0 GPR special agent and 1.0  
15           GPR program and planning analyst to investigate the manufacture and trafficking  
16           of the controlled substance methamphetamine.

17           **243.** Page 220, line 20: increase the dollar amount for fiscal year 1999–00 by  
18           \$200,000 and increase the dollar amount for fiscal year 2000–01 by \$200,000 for the  
19           purpose of providing grants to fund cooperative county–tribal law enforcement  
20           programs established by Burnett County and the St. Croix Chippewa Indian tribe  
21           and by Polk County and the St. Croix Chippewa Indian tribe.

22           **244.** Page 224, line 3: delete that line and substitute:

23           “(a) Tuition grants                                       GPR     B           3,589,400     3,589,400”.

1           **245.** Page 227, line 5: delete “HOMES” and substitute “HOME AND FACILITIES”.

2           **246.** Page 227, line 14: increase the dollar amount for fiscal year 1999–00 by  
3 \$11,000 and increase the dollar amount for fiscal year 2000–01 by \$999,600 to  
4 increase the FTE positions by 1.0 PR position on January 1, 2000, and by 16.0 PR  
5 positions on March 1, 2000, for the purpose of operating a community-based  
6 residential facility for veterans at the Southern Wisconsin Veterans Retirement  
7 Center.

8           **247.** Page 228, line 12: increase the dollar amount for fiscal year 1999–00 by  
9 \$108,500 and increase the dollar amount for fiscal year 2000–01 by \$130,300 to  
10 increase the FTE positions in the department of veterans affairs by 2.5 GPR positions  
11 for the purpose of integrating the national guard museum at Volk Field with the  
12 Wisconsin veterans museum.

13           **248.** Page 229, line 21: increase the dollar amount for fiscal year 1999–2000  
14 by \$88,500 and increase the dollar amount for fiscal year 2000–01 by \$74,500 to  
15 increase the FTE positions by 1.0 SEG project position for the period from August 1,  
16 1999, to June 30, 2003, for the purpose of overseeing and coordinating the renovation  
17 and construction projects at the facilities for veterans at the Southern Wisconsin  
18 Veterans Retirement Center.

19           **249.** Page 230, line 8: decrease the dollar amount for fiscal year 1999–00 by  
20 \$108,500 and decrease the dollar amount for fiscal year 2000–01 by \$130,300 to  
21 decrease the FTE positions in the department of veterans affairs by 2.5 SEG  
22 positions to remove the integration of the national guard museum at Volk Field with  
23 the Wisconsin veterans museum.

1           **250.** Page 230, line 8: increase the dollar amount for fiscal year 1999–00 by  
2           \$37,200 and increase the dollar amount for fiscal year 2000–01 by \$39,800 to  
3           increase the FTE positions of the department of veterans affairs by 1.0 SEG curator  
4           positions for the purpose of managing the historical artifact collections of the  
5           Wisconsin veterans museum.

6           **251.** Page 235, line 3: decrease the dollar amount for fiscal year 1999–00 by  
7           \$200,300 and decrease the dollar amount for fiscal year 2000–01 by \$200,300 for the  
8           purpose of decreasing funding for the general program operations related to district  
9           attorneys that are being transferred to the department of justice.

10          **252.** Page 235, line 4: delete lines 4 and 5.

11          **253.** Page 235, line 9: delete lines 9 and 10.

12          **254.** Page 235, line 12: delete lines 12 and 13.

13          **255.** Page 235, line 18: after that line insert:

14          “(ge) High-voltage transmission line

15               annual impact fee distributions   PR       C               -0-               -0-

16          “(gs) High-voltage transmission line

17               environmental impact fee dis-

18               tributions                               PR       C               -0-               -0-”.

19          **256.** Page 237, line 4: after “processing” insert “and telecommunications”.

20          **257.** Page 237, line 5: delete “C” and substitute “A”.

21          **258.** Page 237, line 21: delete lines 21 and 22.

22          **259.** Page 239, line 11: delete “boys and girls”.

23          **260.** Page 239, line 12: delete “clubs” and substitute “United Way”.



1           **261.** Page 240, line 6: after that line insert:

2           “(fm) National and community service  
3                 board; Wisconsin promise chal-  
4                 lenge grants                                 GPR     C                 -0-                 -0-”.

5           **262.** Page 240, line 9: after that line insert:

6           “(j) National and community service  
7                 board; gifts and grants                                 PR     C                 -0-                 -0-”.

8           **263.** Page 240, line 14: after that line insert:

9           “(o) National and community service  
10                board; federal aid for adminis-  
11                tration   PR-F     A                 194,600             194,600

12           “(p) National and community service  
13                board; federal aid for grants                                 PR-F     C                 -0-                 -0-”.

14           **264.** Page 240, line 18: delete lines 18 and 19.

15           **265.** Page 241, line 1: delete lines 1 to 3.

16           **266.** Page 242, line 9: increase the dollar amount for fiscal year 1999-00 by  
17           \$125,000 and increase the dollar amount for fiscal year 2000-01 by \$125,000 for the  
18           purpose of funding grants to the Lac Courte Oreilles Chippewa Indian tribe for the  
19           development of law enforcement capabilities.

20           **267.** Page 244, line 13: after that line insert:

21           “(10) UTILITY PUBLIC BENEFITS  
22                (q) General program operations                                 SEG     A                 -0-                 -0-

1	(r)	Low-income assistance grants	SEG	S	-0-	-0-
2	(s)	Energy conservation and effi-				
3		ciency and renewable resource				
4		grants	SEG	S	-0-	-0-”.

5       **268.** Page 245, line 1: delete lines 1 to 3.

6       **269.** Page 245, line 7: decrease the dollar amount for fiscal year 1999–00 by  
7 \$47,000 and decrease the dollar amount for fiscal year 2000–01 by \$47,000 for the  
8 purpose of providing general project development consultant services.

9       **270.** Page 245, line 7: increase the dollar amount for fiscal year 1999–00 by  
10 \$43,600 and increase the dollar amount for fiscal year 2000–01 by \$50,400 for the  
11 purpose of increasing the authorized FTE positions for the board of commissioners  
12 of public lands by 1.0 PR information technology position to provide information  
13 technology services for the board.

14       **271.** Page 246, line 2: increase the dollar amount for fiscal year 1999–00 by  
15 \$12,000 for the purpose of increasing funding for leasing a photocopier.

16       **272.** Page 246, line 15: delete that line and substitute:

17	“(jm) Employe development and train-					
18	ing services	PR	A	407,000	418,900”.	

19       **273.** Page 248, line 10: after that line insert:

1	“(2) PRIVATE EMPLOYER HEALTH CARE COVERAGE					
2	PROGRAM					
3	(a) Private employer health care					
4	coverage program; start-up costs	GPR	A	166,700	203,900	
5	(g) Private employer health care					
6	coverage program	PR	C	-0-	-0-”.	

7           **274.** Page 249, line 10: delete “state agencies” and substitute “department of  
8 workforce development”.

9           **275.** Page 251, line 10: increase the dollar amount for fiscal year 1999–00 by  
10 \$97,800 and increase the dollar amount for fiscal year 2000–01 by \$126,300 for the  
11 purpose of increasing the authorized FTE positions of the public defender board by  
12 3.0 GPR paralegal positions.

13           **276.** Page 252, line 9: decrease the dollar amount for fiscal year 1999–00 by  
14 \$35,900 and decrease the dollar amount for fiscal year 2000–01 by \$35,900 for the  
15 purpose of reducing funding for updating tax forms, tax booklets and tax  
16 instructions.

17           **277.** Page 253, line 2: after “tax” insert “and relationship law”.

18           **278.** Page 255, line 8: after that line insert:

19	“(a) General program operations	GPR	A	-0-	21,095,800	
20	(b) Retailer compensation	GPR	S	-0-	-0-	
21	(c) Prizes	GPR	S	-0-	-0-”.	

1           **279.** Page 255, line 9: decrease the dollar amount for fiscal year 2000–01 by  
2           \$21,095,800 to decrease the authorized FTE positions by 110.5 SEG positions and for  
3           the purpose of decreasing the funding for general program operations for the lottery.

4           **280.** Page 265, line 6: after that line insert:

5           “(ka) Farmland tax relief credit;

6           Indian gaming receipts                           PR–S    C                   –0–           –0–”.

7           **281.** Page 266, line 4: increase the dollar amount for fiscal year 1999–00 by  
8           \$2,284,300 and increase the dollar amount for fiscal year 2000–01 by \$5,374,200 to  
9           increase funding for the purpose of making payments to municipalities for services  
10          that are provided to state facilities.

11          **282.** Page 268, line 13: after that line insert:

12          “(em) Corrections special reserve fund

13          contribution                                   GPR    A                   –0–           –0–”.

14          **283.** Page 275, line 5: decrease the dollar amount for fiscal year 1999–00 by  
15          \$125,000 and decrease the dollar amount for fiscal year 2000–01 by \$125,000 to  
16          decrease funding for the purposes for which the appropriation is made.

17          **284.** Page 275, line 5: decrease the dollar amount for fiscal year 1999–00 by  
18          \$9,867,400 and decrease the dollar amount for fiscal year 2000–01 by \$11,887,900  
19          for the purpose of decreasing funding for contracts for the confinement of prisoners  
20          in other states.

21          **285.** Page 275, line 5: increase the dollar amount for fiscal year 1999–00 by  
22          \$1,326,800 and increase the dollar amount for fiscal year 2000–01 by \$18,589,500 for  
23          the purpose of contracting for additional beds for prisoners.

1           **286.** Page 275, line 5: decrease the dollar amount for fiscal year 1999-00 by  
2           \$6,788,400 and decrease the dollar amount for fiscal year 2000-01 by \$17,427,200  
3           for the purpose of eliminating funding for staffing a privately built correctional  
4           facility.

5           **287.** Page 277, line 13: after that line insert:

6           “(br) Principal repayment, interest  
7                               and rebates                               GPR       S                               -0-                               -0-”.

8           **288.** Page 281, line 15: after that line insert:

9           “**SECTION 177s.** 20.115 (2) (c) of the statutes is created to read:  
10           20.115 (2) (c) *Financial assistance for paratuberculosis testing.* The amounts  
11           in the schedule for financial assistance for paratuberculosis testing under s. 95.197.”.

12           **289.** Page 283, line 2: after that line insert:

13           “**SECTION 183d.** 20.115 (4) (k) of the statutes is created to read:

14           20.115 (4) (k) *Aquaculture support.* The amounts in the schedule for grants  
15           related to water quality issues of the aquaculture industry under s. 93.46 (2) and for  
16           other purposes related to aquaculture. All moneys transferred from the  
17           appropriation account under s. 20.505 (8) (hm) 17h. shall be credited to this  
18           appropriation account.”.

19           **290.** Page 283, line 3: delete lines 3 to 6.

20           **291.** Page 283, line 7: delete lines 7 to 10 and substitute:

21           “**SECTION 183tm.** 20.115 (7) (b) of the statutes is created to read:

22           20.115 (7) (b) *Principal repayment and interest, conservation reserve*  
23           *enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and  
24           interest costs incurred in financing the conservation reserve enhancement program

1 under s. 20.866 (2) (wf) and to make the payments determined by the building  
2 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
3 obligations incurred in financing those projects.”.

4 **292.** Page 283, line 10: after that line insert:

5 “**SECTION 184c.** 20.115 (7) (dr) of the statutes is created to read:

6 20.115 (7) (dr) *Town of Troy grant, purchase of development rights.* The  
7 amounts in the schedule for a grant to the town of Troy for the purchase of  
8 development rights to agricultural land within the town under s. 60.615. No moneys  
9 may be encumbered from this appropriation after the first day of the 12th month  
10 beginning after the effective date of this paragraph .... [revisor inserts date].”.

11 **293.** Page 285, line 8: delete lines 8 to 10.

12 **294.** Page 286, line 3: before “560.145” insert “560.083,”.

13 **295.** Page 286, line 3: before “560.62” insert “560.155,”.

14 **296.** Page 286, line 3: delete “and 560.175” and substitute “, 560.175 and  
15 560.26”.

16 **297.** Page 286, line 11: before “Notwithstanding” insert “Of the amounts in  
17 the schedule, \$1,000,000 shall be allocated in each fiscal year for grants and loans  
18 under s. 560.155.”.

19 **298.** Page 287, line 14: after that line insert:

20 “**SECTION 202h.** 20.143 (1) (fg) of the statutes is amended to read:

21 20.143 (1) (fg) *Community-based economic development programs.* The  
22 amounts in the schedule for grants under ss. 560.037 and 560.14 and, for the grant

1 under 1993 Wisconsin Act 16, section 9115 (1c) and for the grants under 1999  
2 Wisconsin Act .... (this act), section 9110 (7v).”.

3 **299.** Page 288, line 15: after “560.139” insert “, for the grants under s. 560.27”.

4 **300.** Page 288, line 15: delete lines 15 and 16 and substitute “under s.  
5 560.137, for the grants under s. 560.139 and for the grant under 1999”.

6 **301.** Page 289, line 3: delete that line and substitute “under s. 560.137, for  
7 the grants under s. 560.139, and for the grants under s. 560.27, ~~for the grants to~~  
8 ~~Brown County~~”.

9 **302.** Page 289, line 3: delete “, ~~for the grants to Brown County~~”.

10 **303.** Page 289, line 4: delete that line and substitute “~~and for the grant under~~  
11 ~~1999~~”.

12 **304.** Page 289, line 15: delete “and for the grants under s. 560.139.” and  
13 substitute “, for the grants under s. 560.139 and for the grant under 1999 Wisconsin  
14 Act .... (this act), section 9110 (7h).”.

15 **305.** Page 289, line 21: after that line insert:

16 “**SECTION 210f.** 20.143 (1) (Lm) of the statutes is created to read:

17 20.143 (1) (Lm) *Business employes’ skills training financial assistance;*  
18 *repayments.* All moneys received in repayment of loans under s. 560.155 for financial  
19 assistance under s. 560.155.”.

20 **306.** Page 289, line 21: after that line insert:

21 “**SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:

22 20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
23 in repayment of loans awarded ~~by the recycling market development board~~ under s.

1 287.46 (1) ~~and, 1997 stats., and s. 560.031~~, received under s. 287.46 (3), 1997 stats.,  
2 in repayment of loans made by recipients of financial assistance awarded by ~~the~~  
3 ~~recycling market development board~~ under s. 287.46 (1), 1997 stats., and received in  
4 repayment of loans under s. 560.835, to be used to provide financial assistance under  
5 subch. III of ch. 287 s. 560.031.”.

6 **307.** Page 289, line 22: delete lines 22 to 24 and substitute:

7 “**SECTION 212d.** 20.143 (1) (qm) of the statutes is amended to read:

8 20.143 (1) (qm) *Brownfields and groundwater contamination grant program;*  
9 *environmental fund.* From the environmental fund, the amounts in the schedule for  
10 grants under s. 560.13 and for the grant under 1999 Wisconsin Act .... (this act),  
11 section 9110 (8gm).”.

12 **308.** Page 290, line 1: after that line insert:

13 “**SECTION 215r.** 20.143 (1) (tm) of the statutes is amended to read:

14 20.143 (1) (tm) *Recycling market development board; contracts and assistance.*  
15 Biennially, from the recycling fund, the amounts in the schedule for recycling market  
16 development board contracts under s. 287.42 (3) and (3m) ~~and~~, financial assistance  
17 under subch. III of ch. 287 and the grant under 1999 Wisconsin Act .... (this act),  
18 section 9110 (7rm).”.

19 **309.** Page 290, line 1: after that line insert:

20 “**SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

21 20.143 (1) (tm) *Recycling market development board; contracts and; financial*  
22 *assistance.* Biennially, from the recycling fund, the amounts in the schedule for  
23 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~



1 financial assistance under ~~subch. III of ch. 287 s. 560.031~~ and for the costs related  
2 to the materials exchange program under s. 560.031 (5).”

3 **310.** Page 290, line 10: delete lines 10 to 13.

4 **311.** Page 293, line 4: after that line insert:

5 “SECTION 226dg. 20.155 (3) of the statutes is created to read:

6 20.155 (3) HOSPITAL RATE PRICE CAPS. (gm) *Assessments*. The amounts in the  
7 schedule for hospital rate price cap activities of the commission under ch. 196. All  
8 moneys received under s. 196.996 (2) and 1999 Wisconsin Act .... (this act), section  
9 9141 (2mg) (d), shall be credited to this appropriation.”

10 **312.** Page 293, line 23: after that line insert:

11 “SECTION 226n. 20.215 (1) (fm) of the statutes is created to read:

12 20.215 (1) (fm) *Portage County Arts Alliance*. The amounts in the schedule for  
13 a grant to the city of Stevens Point arts council for development of the Portage County  
14 Arts Alliance under 1999 Wisconsin Act .... (this act), section 9105 (2w). No moneys  
15 may be encumbered from this appropriation after June 30, 2000.”

16 **313.** Page 294, line 6: delete the material beginning with that line and ending  
17 with page 298, line 2.

18 **314.** Page 298, line 4: delete lines 4 to 23.

19 **315.** Page 299, line 4: after that line insert:

20 “SECTION 242g. 20.235 (1) (fd) of the statutes is amended to read:

21 20.235 (1) (fd) *Talent incentive grants*. ~~Biennially, the amounts in the schedule~~  
22 A sum sufficient equal to the amount determined under s. 39.435 (8) for talent  
23 incentive grants under s. 39.435 (2).

24 SECTION 242r. 20.235 (1) (fe) of the statutes is amended to read:

1           20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*  
2 *System students. Biennially, the amounts in the schedule A sum sufficient equal to*  
3 *the amount determined under s. 39.435 (7) for the Wisconsin higher education grant*  
4 *program under s. 39.435 for University of Wisconsin System students, except for*  
5 *grants awarded under s. 39.435 (2) or (5).”.*

6           **316.** Page 299, line 23: after that line insert:

7           “**SECTION 247c.** 20.245 (3) (b) of the statutes is created to read:

8           20.245 (3) (b) *Plover Heritage Park. Biennially, the amounts in the schedule*  
9 *for a grant to the Portage County historical society under 1999 Wisconsin Act .... (this*  
10 *act), section 9124 (1x).”.*

11           **317.** Page 300, line 18: delete “department of health and family services” and  
12 substitute “tobacco control board”.

13           **318.** Page 300, line 19: after that line insert:

14           “**SECTION 250p.** 20.255 (1) (b) of the statutes is amended to read:

15           20.255 (1) (b) *General program operations; ~~residential schools~~ School for the*  
16 *Deaf and Center for the Blind and Visually Impaired. The amounts in the schedule*  
17 *for the operation and maintenance of the Wisconsin schools School for the deaf Deaf*  
18 *and the visually handicapped Wisconsin Center for the Blind and Visually Impaired,*  
19 *the matching of federal funds, but not including expenses financed under par. (js).*  
20 *~~All moneys received in reimbursement for services rendered institutional employes,~~*  
21 *~~participants in institutes and training programs and visitors at the state schools for~~*  
22 *~~the deaf and the visually handicapped under s. 115.52 (6), except reimbursements~~*  
23 *~~credited under par. (js), shall be refunded to the appropriation made by this~~*

1 paragraph. Such reimbursements shall be accumulated in an account named  
2 “maintenance credits”.

3 **SECTION 250q.** 20.255 (1) (c) of the statutes is amended to read:

4 20.255 (1) (c) *Energy costs; School for the Deaf and Center for the Blind and*  
5 *Visually Impaired.* The amounts in the schedule to be used at the schools Wisconsin  
6 School for the deaf Deaf and visually handicapped the Wisconsin Center for the Blind  
7 and Visually Impaired to pay for utilities and for fuel, heat and air conditioning, to  
8 pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895, and  
9 to repay to the energy efficiency fund loans made to the department under s. 16.847  
10 (6).

11 **SECTION 250r.** 20.255 (1) (d) of the statutes is amended to read:

12 20.255 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse  
13 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing  
14 the acquisition, construction, development, enlargement or improvement of  
15 institutional facilities for individuals with hearing impairments and ~~visual~~  
16 ~~impairments~~ under s. 115.52, individuals with visual impairments under s. 115.525  
17 and reference and loan library facilities under s. 43.05 (11).

18 **SECTION 250s.** 20.255 (1) (gb) of the statutes is amended to read:

19 20.255 (1) (gb) *Residential schools School for the Deaf and Center for the Blind*  
20 *and Visually Impaired; nonresident fees.* All moneys received from fees charged  
21 nonresident pupils under s. 115.52 (3) for services provided at the residential schools  
22 Wisconsin School for the Deaf under s. 115.52 (3) and for services provided by the  
23 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (3) (a) 3.

24 **SECTION 250t.** 20.255 (1) (gh) of the statutes is created to read:

1           20.255 (1) (gh) *School for the Deaf and Center for the Blind and Visually*  
2 *Impaired; hospitalization.* All moneys received on account of hospitalization under  
3 s. 115.53 (4) for the operation of the Wisconsin School for the Deaf and the Wisconsin  
4 Center for the Blind and Visually Impaired.

5           **SECTION 250u.** 20.255 (1) (gL) of the statutes is created to read:

6           20.255 (1) (gL) *Center for the Blind and Visually Impaired; leasing of space.*  
7 All moneys received from leasing space at the Wisconsin Center for the Blind and  
8 Visually Impaired under s. 115.525 (6) for the operation and maintenance of the  
9 center.

10          **SECTION 250v.** 20.255 (1) (gs) of the statutes is created to read:

11          20.255 (1) (gs) *School for the Deaf and Center for the Blind and Visually*  
12 *Impaired; services.* All moneys received from services provided at the Wisconsin  
13 School for the Deaf under s. 115.52 (6) and at the Wisconsin Center for the Blind and  
14 Visually Impaired under s. 115.525 (5) for the operation and maintenance of the  
15 school and the center.

16          **SECTION 250w.** 20.255 (1) (gt) of the statutes is amended to read:

17          20.255 (1) (gt) *Residential schools School for the Deaf and Center for the Blind*  
18 *and Visually Impaired; pupil transportation.* The amounts in the schedule for the  
19 weekend transportation of pupils enrolled in the ~~residential schools under subch. III~~  
20 ~~of ch. 115~~ Wisconsin School for the Deaf under s. 115.52 or the school operated by the  
21 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 to and from  
22 their homes. All moneys received under s. 115.53 (6) shall be credited to this  
23 appropriation.”.

24          **319.** Page 301, line 2: delete lines 2 to 8.

1           **320.** Page 301, line 5: delete that line and substitute “to ~~\$3,318,488,800 in the~~  
2     ~~1997-98 fiscal year, equal to \$3,460,133,800 in the 1998-99~~ \$3,759,711,000 in the  
3     1999-2000”.

4           **321.** Page 301, line 5: delete that line and substitute “to ~~\$3,318,488,800 in the~~  
5     ~~1997-98 fiscal year, equal to \$3,460,133,800 in the 1998-99~~ \$3,760,502,600 in the  
6     1999-2000”.

7           **322.** Page 301, line 5: delete that line and substitute “to ~~\$3,318,488,800 in the~~  
8     ~~1997-98 fiscal year, equal to \$3,460,133,800 in the 1998-99~~ \$3,760,517,600 in the  
9     1999-2000”.

10          **323.** Page 301, line 5: delete that line and substitute “to ~~\$3,318,488,800 in the~~  
11     ~~1997-98 fiscal year, equal to \$3,460,133,800 in the 1998-99~~ \$3,768,344,300 in the  
12     1999-2000”.

13          **324.** Page 301, line 8: after that line insert:  
14          “**SECTION 253c.** 20.255 (2) (ad) of the statutes is created to read:  
15          20.255 (2) (ad) *Supplemental aid.* The amounts in the schedule for aid to school  
16          districts under s. 115.435.”.

17          **325.** Page 301, line 13: after that line insert:  
18          “**SECTION 255m.** 20.255 (2) (cf) of the statutes is created to read:  
19          20.255 (2) (cf) *Alternative education grants.* The amounts in the schedule for  
20          alternative education grants under s. 115.366.”.

21          **326.** Page 301, line 20: after that line insert:  
22          “**SECTION 256m.** 20.255 (2) (cm) of the statutes is amended to read:

1           20.255 (2) (cm) *Grants Reimbursement for school breakfast programs*. As a  
2 continuing appropriation, the amounts in the schedule for grants reimbursement for  
3 school breakfast programs under s. 115.341.”

4           **327.** Page 302, line 1: after that line insert:

5           “**SECTION 259m.** 20.255 (2) (dd) of the statutes is created to read:

6           20.255 (2) (dd) *Principal repayment, interest and rebates*. A sum sufficient to  
7 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
8 in financing the grants under s. 118.435, and to make the payments determined by  
9 the building commission under s. 13.488 (1) (m) that are attributable to the proceeds  
10 of obligations incurred in financing the grants under s. 118.435.”

11           **328.** Page 302, line 6: after that line insert:

12           “**SECTION 262p.** 20.255 (2) (fL) of the statutes is created to read:

13           20.255 (2) (fL) *Foreign language instruction grants*. The amounts in the  
14 schedule for foreign language instruction grants under s. 115.28 (42).”

15           **329.** Page 302, line 24: after that line insert:

16           “**SECTION 268d.** 20.255 (3) (ec) of the statutes is repealed.”

17           **330.** Page 303, line 1: delete lines 1 to 4.

18           **331.** Page 303, line 4: after that line insert:

19           “**SECTION 270d.** 20.255 (3) (eh) of the statutes is created to read:

20           20.255 (3) (eh) *Wisconsin geographical education fund*. The amounts in the  
21 schedule for the Wisconsin geographical education fund under s. 115.28 (44). No  
22 moneys may be encumbered under this paragraph after June 30, 2001.”

23           **332.** Page 303, line 9: delete lines 9 to 11.

24           **333.** Page 307, line 19: after that line insert:

1           **“SECTION 285m.** 20.285 (1) (ce) of the statutes is created to read:  
2           20.285 (1) (ce) *Census awareness program.* The amounts in the schedule for  
3 the census awareness program under s. 36.25 (43).”.

4           **334.** Page 307, line 23: after that line insert:

5           **“SECTION 290m.** 20.285 (1) (gs) of the statutes is created to read:  
6           20.285 (1) (gs) *Stray voltage research.* Biennially, the amounts in the schedule  
7 for stray voltage research under s. 36.25 (43). All moneys received from the public  
8 service commission under s. 196.856 shall be credited to this appropriation account.”.

9           **335.** Page 309, line 18: delete “department of health and family services” and  
10 substitute “tobacco control board”.

11           **336.** Page 310, line 6: delete lines 6 to 9.

12           **337.** Page 310, line 14: after that line insert:

13           **“SECTION 296m.** 20.285 (1) (qm) of the statutes is created to read:  
14           20.285 (1) (qm) *Grants to forestry cooperatives.* From the conservation fund,  
15 the amounts in the schedule for grants to forest cooperatives under s. 36.56.”.

16           **338.** Page 310, line 15: after that line insert:

17           **“SECTION 297t.** 20.285 (4) (dd) of the statutes is amended to read:  
18           20.285 (4) (dd) *Lawton minority undergraduate grants program.* ~~The amounts~~  
19 ~~in the schedule~~ A sum sufficient equal to the amount determined under s. 36.34 (1)  
20 (c) for the Lawton minority undergraduate grant program under s. 36.34 (1).”.

21           **339.** Page 311, line 9: after that line insert:

22           **“SECTION 300m.** 20.292 (1) (ec) of the statutes is created to read:  
23           20.292 (1) (ec) **MILWAUKEE ENTERPRISE CENTER.** The amounts in the schedule  
24 for a grant to the Milwaukee Enterprise Center under 1999 Wisconsin Act ... (this

1 act), section 9147 (2ct). No moneys may be encumbered from this appropriation after  
2 June 30, 2001.”.

3 **340.** Page 311, line 24: after “issued” insert “for the clean water fund program  
4 or the urban storm water loan program”.

5 **341.** Page 312, line 6: after that line insert:

6 “**SECTION 303pm.** 20.320 (1) (r) of the statutes is amended to read:

7 20.320 (1) (r) *Clean water fund program repayment of revenue obligations.*

8 From the environmental improvement fund, a sum sufficient to repay the fund in the  
9 state treasury created under s. 18.57 (1) the amount needed to retire revenue  
10 obligations issued for the clean water fund program or the urban storm water loan  
11 program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4).”.

12 **342.** Page 312, line 21: after that line insert:

13 “**SECTION 303t.** 20.320 (1) (u) of the statutes is amended to read:

14 20.320 (1) (u) *Principal repayment and interest — clean water fund program*  
15 *revenue obligation repayment.* From the fund in the state treasury created under s.  
16 18.57 (1), all moneys received by the fund and not transferred under s. 281.59 (4) (c)  
17 to the environmental improvement fund, for the purpose of the retirement of revenue  
18 obligations, providing for reserves and for operations relating to the management  
19 and retirement of revenue obligations issued for the clean water fund program or the  
20 urban storm water loan program under subch. II or IV of ch. 18, as authorized under  
21 s. 281.59 (4). All moneys received are irrevocably appropriated in accordance with  
22 subch. II of ch. 18 and further established in resolutions authorizing the issuance of  
23 the revenue obligations and setting forth the distribution of funds to be received  
24 thereafter.”.



1           **343.** Page 313, line 5: after that line insert:

2           “**SECTION 303w.** 20.320 (2) (q) of the statutes is created to read:

3           20.320 (2) (q) *Safe drinking water loan program revenue obligation funding.*

4           As a continuing appropriation, all proceeds from revenue obligations issued for the  
5           safe drinking water loan program under subch. II or IV of ch. 18, as authorized under  
6           s. 281.59 (4) and deposited in the fund in the state treasury created under s. 18.57  
7           (1), providing for reserves and for expenses of issuance and management of the  
8           revenue obligations, and the remainder to be transferred to the environmental  
9           improvement fund for the purposes of the safe drinking water loan program under  
10          s. 281.61. Estimated disbursements under this paragraph shall not be included in  
11          the schedule under s. 20.005.

12          **SECTION 303x.** 20.320 (2) (r) of the statutes is created to read:

13          20.320 (2) (r) *Safe drinking water loan program repayment of revenue*  
14          *obligations.* From the environmental improvement fund, a sum sufficient to repay  
15          the fund in the state treasury created under s. 18.57 (1) the amount needed to retire  
16          revenue obligations issued for the safe drinking water loan program under subch. II  
17          or IV of ch. 18, as authorized under s. 281.59 (4).

18          **SECTION 303y.** 20.320 (2) (u) of the statutes is created to read:

19          20.320 (2) (u) *Principal repayment and interest — safe drinking water loan*  
20          *program revenue obligation repayment.* From the fund in the state treasury created  
21          under s. 18.57 (1), all moneys received by the fund and not transferred under s.  
22          281.59 (4) (c) to the environmental improvement fund, for the purpose of the  
23          retirement of revenue obligations, providing for reserves and for operations relating  
24          to the management and retirement of revenue obligations issued for the safe

1 drinking water loan program under subch. II or IV of ch. 18, as authorized under s.  
2 281.59 (4). All moneys received are irrevocably appropriated in accordance with  
3 subch. II of ch. 18 and further established in resolutions authorizing the issuance of  
4 the revenue obligations and setting forth the distribution of funds to be received  
5 thereafter.”.

6 **344.** Page 314, line 1: delete lines 1 to 4 and substitute “(10) (h) 3. in each  
7 fiscal year, but not to exceed \$100,000, shall be allocated for wildlife damage control  
8 and payment of claims for damage associated with endangered or threatened  
9 species.”.

10 **345.** Page 315, line 15: after that line insert:

11 “**SECTION 310.** 20.370 (2) (bg) of the statutes is amended to read:

12 20.370 (2) (bg) *Air management — stationary sources.* The amounts in the  
13 schedule for purposes related to stationary sources of air contaminants as specified  
14 in s. 285.69 (2) (c) and to transfer the amounts appropriated under s. 20.143 (1) (kc)  
15 to the appropriation account under s. 20.143 (1) (kc). All moneys received from fees  
16 imposed under s. 285.69 (2) (a) and (e), except moneys appropriated under subs. (3)  
17 (bg), (8) (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69  
18 (7) shall be credited to this appropriation.”.

19 **346.** Page 316, line 13: after that line insert:

20 “**SECTION 316m.** 20.370 (3) (bg) of the statutes is amended to read:

21 20.370 (3) (bg) *Enforcement — stationary sources.* From the general fund, from  
22 the moneys received from fees imposed, under s. 285.69 (2) (a) and (e), the amounts  
23 in the schedule for enforcement operations related to stationary sources of air  
24 contaminants.”.

1           **347.** Page 318, line 8: delete “for the grant for Black Point Estate under s.  
2           23.0962” and substitute “~~for the grant for Black Point Estate under s. 23.0962~~ for the  
3           Southeastern Wisconsin Fox River commission under 1997 Wisconsin Act 237,  
4           section 9136 (2)”.

5           **348.** Page 318, line 9: delete “and the Portage canal”.

6           **349.** Page 318, line 16: delete “for the grant for Black Point Estate under s.  
7           23.0962,” and substitute “~~for the grant for Black Point Estate under s. 23.0962,~~”.

8           **350.** Page 318, line 17: delete “and the Portage canal”.

9           **351.** Page 318, line 24: delete “for the grant for Black Point Estate under s.  
10          23.0962,”.

11          **352.** Page 319, line 1: delete “and the Portage canal”.

12          **353.** Page 320, line 22: delete lines 22 to 25 and substitute:  
13          “SECTION 326m. 20.370 (6) (bq) 9. of the statutes is repealed.”.

14          **354.** Page 321, line 1: delete lines 1 to 4.

15          **355.** Page 321, line 10: after that line insert:

16          “SECTION 328m. 20.370 (6) (bu) of the statutes is created to read:  
17          20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling  
18          fund, the amounts in the schedule for grants to responsible units under s. 287.23.”.

19          **356.** Page 323, line 9: after that line insert:

20          “SECTION 333bc. 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin  
21          Act 27, section 412, and 1999 Wisconsin Act .... (this act), is repealed and recreated  
22          to read:

1           20.370 (7) (aa) *Resource acquisition and development — principal repayment*  
2 *and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of  
3 principal and interest costs incurred in financing the placement of structures and fill  
4 under s. 30.203, in financing the acquisition, construction, development,  
5 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and  
6 (tr), in financing state aids for land acquisition and development of local parks under  
7 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and  
8 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice  
9 age trail development under s. 20.866 (2) (tw) and in funding the stewardship  
10 program under s. 20.866 (2) (tz), but not including payments made under par. (ac).

11           **SECTION 333d.** 20.370 (7) (ag) of the statutes is created to read:

12           20.370 (7) (ag) *Land acquisition—principal repayment and interest.* All  
13 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to  
14 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
15 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.  
16 20.866 (2) (ta).”.

17           **357.** Page 323, line 15: after that line insert:

18           “**SECTION 333h.** 20.370 (7) (au) of the statutes, as created by 1999 Wisconsin  
19 Act .... (this act), is repealed.”.

20           **358.** Page 324, line 19: after that line insert:

21           “**SECTION 334m.** 20.370 (8) (mc) of the statutes is created to read:

22           20.370 (8) (mc) *General fund transfer.* From the general fund, a sum sufficient  
23 to transfer \$500,000 to the fish and wildlife account of the conservation fund in fiscal  
24 year 2000–01 and in each fiscal year thereafter.”.

1           **359.** Page 324, line 19: after that line insert:

2           “**SECTION 335.** 20.370 (8) (mg) of the statutes is amended to read:

3           20.370 (8) (mg) *General program operations — stationary sources.* From the  
4           general fund, from the moneys received from fees imposed under s. 285.69 (2) (a) and  
5           (e), the amounts in the schedule for the administration of the operation permit  
6           program under ch. 285 and s. 299.15.”.

7           **360.** Page 325, line 19: after that line insert:

8           “**SECTION 341.** 20.370 (9) (mh) of the statutes is amended to read:

9           20.370 (9) (mh) *General program operations — stationary sources.* From the  
10           general fund, from the moneys received from fees imposed under s. 285.69 (2) (a) and  
11           (e), the amounts in the schedule for customer service, communications and aids  
12           administration for the operation permit program under ch. 285 and s. 299.15.”.

13           **361.** Page 327, line 1: before that line insert:

14           “**SECTION 342g.** 20.380 (1) (c) of the statutes is created to read:

15           20.380 (1) (c) *Internet referral system grants.* Biennially, the amounts in the  
16           schedule for the grants under 1999 Wisconsin Act .... (this act), section 9149 (2rs).

17           **SECTION 342h.** 20.380 (1) (c) of the statutes, as created by this act, is repealed.”.

18           **362.** Page 327, line 6: after “9149 (1to)” insert “and (2c)”.

19           **363.** Page 327, line 6: after “9149 (1to)” insert “and (3e)”.

20           **364.** Page 327, line 6: delete “grant” and substitute “grants”.

21           **365.** Page 327, line 6: delete “grant” and substitute “grants”.

22           **366.** Page 328, line 10: delete lines 10 to 17.

23           **367.** Page 332, line 2: delete lines 2 to 5.

1           **368.** Page 334, line 18: after that line insert:

2           “**SECTION 362x.** 20.410 (1) (qd) of the statutes is created to read:

3           20.410 (1) (qd) *Principal repayment, interest and rebates.* From the corrections  
4 special reserve fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for  
5 the payment of principal and interest costs incurred in financing the acquisition,  
6 construction, development, enlargement or improvement of adult correctional  
7 facilities, and to make full payment of the amounts determined by the building  
8 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
9 obligations incurred in financing such facilities.

10           **SECTION 362y.** 20.410 (1) (qg) of the statutes is created to read:

11           20.410 (1) (qg) *General operations costs.* From the corrections special reserve  
12 fund, the amounts in the schedule for the operation of institutions and to provide  
13 field services and administrative services.

14           **SECTION 362zz.** 20.410 (1) (qr) of the statutes is created to read:

15           20.410 (1) (qr) *Operating costs for community corrections.* From the corrections  
16 special reserve fund, the amounts in the schedule to provide services related to  
17 probation, extended supervision and parole, the intensive sanctions program under  
18 s. 301.048, the community residential confinement program under s. 301.046,  
19 programs of intensive supervision of adult offenders and minimum security  
20 correctional institutions established under s. 301.13.”.

21           **369.** Page 334, line 18: after that line insert:

22           “**SECTION 362z.** 20.410 (1) (qm) of the statutes is created to read:

23           20.410 (1) (qm) *Computer recycling.* From the recycling fund, the amounts in  
24 the schedule for the department to recycle computers.”.

1           **370.** Page 336, line 14: after that line insert:

2           “**SECTION 367e.** 20.410 (3) (qg) of the statutes is created to read:

3           20.410 (3) (qg) *Principal repayment and interest costs.* From the corrections  
4 special reserve fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for  
5 the payment of principal and interest costs incurred in financing the acquisition,  
6 construction, development, enlargement or improvement of juvenile correctional  
7 facilities.

8           **SECTION 367f.** 20.410 (3) (qr) of the statutes is created to read:

9           20.410 (3) (qr) *General operations costs.* From the corrections special reserve  
10 fund, the amounts in the schedule to operate the department’s juvenile correctional  
11 institutions and to provide field services and administrative services.”.

12           **371.** Page 339, line 13: delete that line and substitute:

13           “**SECTION 377g.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp) and  
14 amended to read:

15           20.435 (4) (gp) *Health care; aids.* All moneys received under s. 146.99, to be  
16 used for purchase of primary health care services under s. 146.93 and for a grant  
17 under 1999 Wisconsin Act ... (this act), section 9123 (12m).

18           **SECTION 377h.** 20.435 (4) (gp) of the statutes, as affected by 1999 Wisconsin Act  
19 ... (this act), is amended to read:

20           20.435 (4) (gp) *Health care; aids.* All moneys received under s. 146.99, to be  
21 used for purchase of primary health care services under s. 146.93 ~~and for a grant~~  
22 ~~under 1999 Wisconsin Act ... (this act), section 9123 (12d).~~”.

23           **372.** Page 340, line 5: delete lines 5 to 9.

24           **373.** Page 340, line 6: delete “From” and substitute “Biennially, from”.

1           **374.** Page 344, line 13: after “ss.” insert “46.515 (2)”.

2           **375.** Page 345, line 4: after that line insert:

3           “**SECTION 399m.** 20.435 (3) (q) of the statutes is created to read:

4           20.435 (3) (q) *Child abuse prevention.* From the corrections special reserve  
5 fund, a sum sufficient equal to the earnings on the moneys in the corrections special  
6 reserve fund, for the purpose of funding child abuse prevention efforts. Moneys  
7 appropriated from this appropriation may not be used to supplant or divert other  
8 sources of funding for child abuse prevention efforts.”.

9           **376.** Page 349, line 22: delete that line and substitute:

10          “**SECTION 420m.** 20.435 (5) (bc) of the statutes is renumbered 20.435 (4) (bc) and  
11 amended to read:

12          20.435 (4) (bc) *Health care for low-income families and eligible individuals.*  
13 ~~As a continuing appropriation, the amounts in the schedule A sum sufficient~~ for the  
14 badger care health care program for low-income families and eligible individuals  
15 under s. 49.665.”.

16          **377.** Page 351, line 21: delete that line and substitute:

17          “**SECTION 435m.** 20.435 (5) (jz) of the statutes is renumbered 20.435 (4) (jz) and  
18 amended to read:

19          20.435 (4) (jz) *Badger care premiums.* All moneys received from payments  
20 under s. 49.665 (5) to be used for the badger care health care program for low-income  
21 families and eligible individuals under s. ~~49.466~~ 49.665.”.

22          **378.** Page 352, line 13: delete that line and substitute:

23          “**SECTION 439g.** 20.435 (5) (p) of the statutes is renumbered 20.435 (4) (p) and  
24 amended to read:



1           20.435 (4) (p) *Federal aid; health care for low-income families.* All federal  
2 moneys received for the badger care health care program for low-income families  
3 under s. 49.665, to be used for ~~that~~ the purpose of providing health care coverage to  
4 low-income families that are eligible under s. 49.665 (4) (a) for the badger care health  
5 care program.”.

6           **379.** Page 352, line 14: delete lines 14 to 17.

7           **380.** Page 352, line 15: delete “From” and substitute “As a continuing  
8 appropriation, from”.

9           **381.** Page 357, line 23: after that line insert:

10           “**SECTION 452m.** 20.435 (7) (ed) of the statutes is amended to read:

11           20.435 (7) (ed) *State supplement to federal supplemental security income*  
12 *program.* A sum sufficient for payments of supplemental grants to supplemental  
13 security income recipients under s. 49.77 and, ~~except as provided in 1997 Wisconsin~~  
14 ~~Act 237, section 9122 (4e) (a), for payments for the support of children of~~  
15 ~~supplemental security income recipients under s. 49.775.”.~~

16           **382.** Page 358, line 23: after that line insert:

17           “**SECTION 456r.** 20.435 (8) (mb) of the statutes is amended to read:

18           20.435 (8) (mb) *Income augmentation services receipts.* All moneys that are  
19 received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to  
20 1396v as the result of income augmentation activities ~~for which the state has~~  
21 ~~contracted performed by the department under s. 46.46,~~ to be used as provided in s.  
22 46.46.”.

23           **383.** Page 359, line 14: after that line insert:

24           “**SECTION 457m.** 20.436 of the statutes is created to read:

1           **20.436 Tobacco control board.** There is appropriated from the tobacco  
2 control fund to the tobacco control board for the following programs:

3           **(1) SMOKING CESSATION AND EDUCATION.** (g) *Gifts and grants.* All moneys  
4 received from gifts, grants and donations for the purposes specified under s. 255.15  
5 to be used for those purposes.

6           (tb) *General program operations.* Biennially, the amounts in the schedule for  
7 general program operations of the tobacco control board.

8           (tc) *Grants.* As a continuing appropriation, the amounts in the schedule for the  
9 purposes specified under s. 255.15 (3).”.

10           **384.** Page 359, line 15: delete lines 15 to 22.

11           **385.** Page 359, line 24: delete the material beginning with that line and  
12 ending with page 360, line 9.

13           **386.** Page 365, line 12: delete lines 12 to 22.

14           **387.** Page 366, line 3: after that line insert:

15           “**SECTION 481m.** 20.455 (2) (g) of the statutes is amended to read:

16           20.455 (2) (g) *Gaming law enforcement; racing revenues.* From all moneys  
17 received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3)  
18 (d) and (4) and 562.09 (2) (e), the amounts in the schedule for the performance of the  
19 department’s gaming law enforcement responsibilities as specified in s. 165.70  
20 (3m).”.

21           **388.** Page 368, line 24: after that line insert:

22           “**SECTION 496s.** 20.465 (2) (a) of the statutes is amended to read:

1           20.465 (2) (a) *Tuition grants.* The Biennially, the amounts in the schedule for  
2 the payment of tuition grants to members of the Wisconsin national guard under s.  
3 21.49 (3).”.

4           **389.** Page 369, line 3: after that line insert:

5           “SECTION 498c. 20.475 (intro.) of the statutes is amended to read:

6           **20.475 District attorneys.** (intro.) There is appropriated to the department  
7 of ~~administration~~ justice for the following programs:”.

8           **390.** Page 369, line 9: delete “administration’s” and substitute “justice’s”.

9           **391.** Page 369, line 16: delete “9101” and substitute “9130”.

10          **392.** Page 369, line 17: after that line insert:

11          “SECTION 498t. 20.485 (1) (title) of the statutes is amended to read:

12          20.485 (1) (title) HOME AND FACILITIES FOR VETERANS.

13          SECTION 498v. 20.485 (1) (gk) of the statutes is amended to read:

14          20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the  
15 care of the Wisconsin ~~veterans home~~ Veterans Home and facilities. All moneys  
16 received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this  
17 appropriation.”.

18          **393.** Page 370, line 18: delete lines 18 to 23 and substitute:

19          “SECTION 509m. 20.505 (1) (ab) of the statutes is renumbered 20.455 (1) (ab).”.

20          **394.** Page 370, line 24: delete the material beginning with that line and  
21 ending with page 371, line 9.

22          **395.** Page 371, line 18: after that line insert:

23          “SECTION 511n. 20.505 (1) (ge) of the statutes is created to read:

1           20.505 (1) (ge) *High-voltage transmission line annual impact fee distributions.*

2 All moneys received from the payment of fees under the rules promulgated under s.

3 16.969 (2) (a) for distributions to to towns, villages and cities under s. 16.969 (3) (a).

4           **SECTION 511r.** 20.505 (1) (gs) of the statutes is created to read:

5           20.505 (1) (gs) *High-voltage transmission line environmental impact fee*

6 *distributions.* All moneys received from the payment of fees under the rules

7 promulgated under s. 16.969 (2) (b) for distributions to counties, towns, villages and

8 cities under s. 16.969 (3) (b).”.

9           **396.** Page 374, line 20: delete lines 20 to 23 and substitute:

10           “20.505 (1) (kL) *Information technology processing and telecommunications*

11 *services to state agencies.* ~~All moneys received from state agencies~~ The amounts in

12 the schedule for the provision of information technology processing and

13 telecommunications services to state agencies under ss. 16.973 ~~and~~, 16.974 and

14 44.73 (2) (d), to be used for the purpose of providing those services. All moneys

15 received from state agencies for the provision of information technology processing

16 and telecommunications services shall be credited to this appropriation account.”.

17           **397.** Page 375, line 25: delete that line.

18           **398.** Page 376, line 1: delete lines 1 to 6.

19           **399.** Page 377, line 12: delete “*Boys and Girls Clubs*” and substitute “*United*  
20 *Way*”.

21           **400.** Page 377, line 13: delete “b. for payments under s. 16.255 to the Boys  
22 and” and substitute “for payments under s. 16.255 to the”.

23           **401.** Page 377, line 14: delete “*Girls Clubs*” and substitute “*United Way*”.

24           **402.** Page 378, line 12: after that line insert:

1           “**SECTION 535m.** 20.505 (5) (c) of the statutes is repealed.”.

2           **403.** Page 378, line 13: delete lines 13 to 24.

3           **404.** Page 382, line 15: delete “and (4)” and substitute “~~and (4)~~”.

4           **405.** Page 387, line 7: after that line insert:

5           “**SECTION 581m.** 20.505 (8) (hm) 17h. of the statutes is created to read:

6           20.505 (8) (hm) 17h. The amount transferred to s. 20.115 (4) (k) shall be the  
7 amount in the schedule under s. 20.115 (4) (k).”.

8           **406.** Page 387, line 25: after that line insert:

9           “**SECTION 586h.** 20.505 (8) (hm) 19. of the statutes is created to read:

10           20.505 (8) (hm) 19. The amount transferred to s. 20.835 (2) (ka) shall be the sum  
11 of the amounts calculated by the department of administration under s. 569.02 (5).”.

12           **407.** Page 388, line 14: after that line insert:

13           “**SECTION 587b.** 20.505 (10) of the statutes is created to read:

14           20.505 (10) UTILITY PUBLIC BENEFITS. (q) *General program operations.* From  
15 the utility public benefits fund, the amounts in the schedule for general program  
16 operations.

17           (r) *Low-income assistance grants.* From the utility public benefits fund, a sum  
18 sufficient for low-income assistance grants under s. 16.957 (2) (a).

19           (s) *Energy conservation and efficiency and renewable resource grants.* From the  
20 utility public benefits fund, a sum sufficient for energy conservation and efficiency  
21 and renewable resource grants under s. 16.957 (2) (b) 1.”.

22           **408.** Page 388, line 15: delete lines 15 to 22.

23           **409.** Page 389, line 15: delete lines 15 to 18.

1           **410.** Page 389, line 24: after that line insert:

2           “**SECTION 591gb.** 20.515 (2) (title) of the statutes is created to read:

3           20.515 (2) (title) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM.

4           **SECTION 591gd.** 20.515 (2) (title) of the statutes, as created by 1999 Wisconsin  
5 Act .... (this act), section 591gb, is repealed.

6           **SECTION 591gm.** 20.515 (2) (a) of the statutes is created to read:

7           20.515 (2) (a) *Private employer health care coverage program; start-up costs.*

8 Biennially, the amounts in the schedule for the start-up costs for designing,  
9 establishing and administering the private employer health care coverage program  
10 under subch. X of ch. 40.

11           **SECTION 591go.** 20.515 (2) (a) of the statutes, as created by 1999 Wisconsin Act  
12 .... (this act), section 591gm, is repealed.

13           **SECTION 591gx.** 20.515 (2) (g) of the statutes is created to read:

14           20.515 (2) (g) *Private employer health care coverage program.* All moneys  
15 received under subch. X of ch. 40 from employers who elect to participate in the  
16 private employer health care coverage program under subch. X of ch. 40, for the costs  
17 of designing, marketing and contracting for or providing administrative services for  
18 the program.

19           **SECTION 591gy.** 20.515 (2) (g) of the statutes, as created by 1999 Wisconsin Act  
20 .... (this act), 591gx, is repealed.”.

21           **411.** Page 390, line 7: delete lines 7 to 9 and substitute:

22           “20.525 (1) (kb) *Assistance from department of development.* All moneys  
23 received from the department of development pursuant to any arrangement under

1 s. 14.18 to assist the governor in providing temporary assistance for needy families  
2 under 42 USC 601 et. seq.”.

3 **412.** Page 390, line 16: after that line insert:

4 “**SECTION 593er.** 20.536 (1) (k) of the statutes is amended to read:

5 20.536 (1) (k) *General program operations.* The amounts in the schedule for  
6 investing the funds which it controls. All moneys received by the board in advance  
7 shall be credited to this appropriation. On July 1 and January 1 of each year, the  
8 board shall estimate the amounts required for the next 6–month period and bill the  
9 state agencies for whom investments are made. At the end of each semiannual period  
10 the board shall reconcile its expenditures and shall adjust its next billing to such  
11 agencies to reflect any deficits or excesses. At the end of each fiscal year the board  
12 shall reconcile its accounts and report to each state agency its share of total expenses  
13 for the year. Amounts billed to state agencies shall be charged to income or revenue  
14 received from the board’s investments. Any amounts received under ~~s.~~ ss. 24.62 (1),  
15 25.16 (8) and 25.17 (9) shall also be credited to this appropriation. The amounts  
16 expended under this paragraph may not exceed the amounts shown in the schedule  
17 for each year of the biennium, unless supplemented from the board’s receipts by the  
18 joint committee on finance.”.

19 **413.** Page 391, line 12: after that line insert:

20 “**SECTION 594h.** 20.566 (1) (ha) of the statutes is amended to read:

21 20.566 (1) (ha) *Administration of liquor tax and relationship law.* The amounts  
22 in the schedule for computer and audit costs incurred in administering the tax under  
23 s. 139.03 (2m) and the intoxicating liquor wholesaler and supplier relationship law  
24 under s. 125.72. All moneys received from the administration fee under s. 139.06 (1)

1 (a) shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the  
2 end of each fiscal year, the unencumbered balance of this appropriation account,  
3 minus an amount equal to 10% of the sum of the amounts expended and the amounts  
4 encumbered from the account during the fiscal year, shall lapse to the general fund.”.

5 **414.** Page 391, line 25: after that line insert:

6 “**SECTION 596q.** 20.566 (8) (a) of the statutes is created to read:

7 20.566 (8) (a) *General program operations.* The amounts in the schedule for  
8 general program operations under ch. 565.

9 **SECTION 596r.** 20.566 (8) (b) of the statutes is created to read:

10 20.566 (8) (b) *Retailer compensation.* A sum sufficient to pay compensation to  
11 retailers under s. 565.10 (14) (b).

12 **SECTION 596s.** 20.566 (8) (c) of the statutes is created to read:

13 20.566 (8) (c) *Prizes.* A sum sufficient to pay holders of winning lottery tickets  
14 or lottery shares under ch. 565.”.

15 **415.** Page 392, line 6: after that line insert:

16 “**SECTION 597c.** 20.566 (8) (q) of the statutes, as affected by 1999 Wisconsin Act  
17 .... (this act), is repealed.

18 **SECTION 597e.** 20.566 (8) (r) of the statutes is repealed.

19 **SECTION 597g.** 20.566 (8) (s) of the statutes is repealed.”.

20 **416.** Page 394, line 23: delete lines 23 to 25.

21 **417.** Page 395, line 1: delete lines 1 to 4.

22 **418.** Page 395, line 13: after that line insert:

23 “**SECTION 612g.** 20.835 (2) (ka) of the statutes is created to read:



1           20.835 (2) (ka) *Farmland tax relief credit; Indian gaming receipts*. All moneys  
2 transferred from the appropriation account under s. 20.505 (8) (hm) 19. to pay the  
3 aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m)  
4 (c).”.

5           **419.** Page 395, line 19: after that line insert:

6           “**SECTION 612t.** 20.835 (2) (q) of the statutes is amended to read:

7           20.835 (2) (q) *Farmland tax relief credit*. From the lottery fund, a sum  
8 sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m)  
9 (c) and 71.47 (2m) (c), to the extent that these claims are not paid under par. (ka).”.

10          **420.** Page 396, line 20: after that line insert:

11          “**SECTION 613L.** 20.855 (4) (em) of the statutes is created to read:

12          20.855 (4) (em) *Corrections special reserve fund contribution*. The amounts in  
13 the schedule for transfer to the corrections special reserve fund under s. 25.71.”.

14          **421.** Page 399, line 18: after “(7)” insert “(b) and”.

15          **422.** Page 399, line 20: after “20.255 (1) (d)” insert “and (2) (dd)”.

16          **423.** Page 399, line 22: before “(aq),” insert “(ag)”.

17          **424.** Page 399, line 23: delete “20.410 (1) (e), (ec) and (ko) and (3) (e),” and  
18 substitute “20.410 (1) (e), (ec) and, (ko) and (qd) and (3) (e) and (qg),”.

19          **425.** Page 399, line 24: delete “(c),” and substitute “(e)”.

20          **426.** Page 399, line 24: after “(5) (c),” delete “(d)”.

21          **427.** Page 399, line 25: after “(bm),” insert “(br)”.

22          **428.** Page 399, line 25: after “(bm),” insert “(bp)”.

23          **429.** Page 399, line 25: delete “(bm)”.

1           **430.** Page 400, line 2: after that line insert:

2           “**SECTION 628b.** 20.866 (1) (u) of the statutes, as affected by 1997 Wisconsin Act  
3 27, section 727, and 1999 Wisconsin Act ..... (this act), is repealed and recreated to  
4 read:

5           20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
6 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (f), 20.190 (1) (c), (d),  
7 (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e),  
8 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd) and  
9 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (aq), (ar), (at),  
10 (ba), (ca), (cb), (cc), (cd), (ce), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e),  
11 (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and  
12 (go), (3) (t) and (4) (qm), 20.505 (5) (c), (d), (g), (h) and (kc) and 20.867 (1) (a) and (b)  
13 and (3) (a), (b), (g), (h), (i) and (q) for the payment of principal and interest on public  
14 debt contracted under subchs. I and IV of ch. 18.”

15           **431.** Page 400, line 9: decrease the underscored dollar amount by \$21,300.

16           **432.** Page 400, line 24: substitute “\$600,000,000” for “\$404,000,000”.

17           **433.** Page 402, line 25: delete “\$3,000,000” and substitute “\$13,000,000”.

18           **434.** Page 407, line 6: after that line insert:

19           “**SECTION 637e.** 20.866 (2) (wf) of the statutes is created to read:

20           20.866 (2) (wf) *Agriculture; conservation reserve enhancement.* From the  
21 capital improvement fund, a sum sufficient for the department of agriculture, trade  
22 and consumer protection to fund the conservation reserve enhancement program  
23 under s. 93.70. The state may contract public debt in an amount not to exceed  
24 \$40,000,000 for this purpose.”

1           **435.** Page 407, line 6: after that line insert:

2           “**SECTION 637m.** 20.866 (2) (wr) of the statutes is repealed.”.

3           **436.** Page 407, line 7: delete lines 7 to 22.

4           **437.** Page 409, line 18: decrease the dollar amount by \$1,278,200.

5           **438.** Page 409, line 24: after that line insert:

6           “**SECTION 638y.** 20.866 (2) (zbr) of the statutes is created to read:

7           20.866 (2) (zbr) *Milwaukee Police Athletic League; youth activities center.* From  
8           the capital improvement fund, a sum sufficient for the building commission to  
9           provide a grant to the Milwaukee Police Athletic League to aid in the construction  
10          of the youth activities center specified in s. 13.48 (34). The state may contract public  
11          debt in an amount not to exceed \$1,000,000 for this purpose.”.

12          **439.** Page 409, line 24: after that line insert:

13          “**SECTION 638x.** 20.866 (2) (zbp) of the statutes is created to read:

14          20.866 (2) (zbp) *Swiss cultural center.* From the capital improvement fund, a  
15          sum sufficient for the building commission to provide grants to the organization  
16          known as the Swiss Cultural Center to aid in the construction of a Swiss cultural  
17          center in the village of New Glarus. The state may contract public debt in an amount  
18          not to exceed \$1,000,000 for this purpose.”.

19          **440.** Page 410, line 16: delete the material beginning with that line and  
20          ending with page 411, line 2, and substitute:

21          “**SECTION 641h.** 20.866 (2) (zd) of the statutes is amended to read:

22          20.866 (2) (zd) *Educational communications board; educational*  
23          *communications facilities.* From the capital improvement fund, a sum sufficient for  
24          the educational communications board to acquire, construct, develop, enlarge or

1 improve educational communications facilities. The state may contract public debt  
2 in an amount not to exceed \$8,354,100 \$20,992,800 for this purpose.”.

3 **441.** Page 411, line 18: after that line insert:

4 “**SECTION 641p.** 20.866 (2) (zhm) of the statutes is created to read:

5 20.866 (2) (zhm) *Public instruction; classroom facilities.* From the capital  
6 improvement fund, a sum sufficient for the department of public instruction to award  
7 grants under s. 118.435. The state may contract public debt in an amount not to  
8 exceed \$200,000,000 for this purpose.”.

9 **442.** Page 411, line 18: after that line insert:

10 “**SECTION 641p.** 20.866 (2) (zh) (title) of the statutes is amended to read:

11 20.866 (2) (zh) (title) *Public instruction; state schools school, state center and*  
12 *library facilities.*”.

13 **443.** Page 413, line 9: after that line insert:

14 “**SECTION 642y.** 20.867 (3) (br) of the statutes is created to read:

15 20.867 (3) (br) *Principal repayment, interest and rebates.* A sum sufficient to  
16 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
17 in financing the construction of the youth activities center specified in s. 13.48 (34),  
18 and to make the payments determined by the building commission under s. 13.488  
19 (1) (m) that are attributable to the proceeds of obligations incurred in financing the  
20 construction of that youth activities center.”.

21 **444.** Page 413, line 9: after that line insert:

22 “**SECTION 642x.** 20.867 (3) (bp) of the statutes is created to read:

23 20.867 (3) (bp) *Principal repayment, interest and rebates.* A sum sufficient to  
24 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred

1 in financing the construction of a Swiss cultural center in the village of New Glarus,  
2 and to make the payments determined by the building commission under s. 13.488  
3 (1) (m) that are attributable to the proceeds of obligations incurred in financing the  
4 construction of a Swiss cultural center in the village of New Glarus.”.

5 **445.** Page 414, line 21: after that line insert:

6 “SECTION 645d. 20.923 (4) (a) 4q. of the statutes is repealed.”.

7 **446.** Page 414, line 21: after that line insert:

8 “SECTION 645L. 20.921 (2) (a) of the statutes is amended to read:

9 20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or  
10 state law or court-ordered assignment of income under s. 46.10 (14) (e), 301.12 (14)  
11 (e), 767.23 (1) (L), 767.25 (4m) (c), or 767.265, 767.51 (3m) (e) or 767.62 (4) (b) 3. to  
12 make deductions from the salaries of state officers or employes or employes of the  
13 University of Wisconsin Hospitals and Clinics Authority, the state agency or  
14 authority by which the officers or employes are employed is responsible for making  
15 such deductions and paying over the total thereof for the purposes provided by the  
16 laws or orders under which they were made.”.

17 **447.** Page 414, line 22: delete lines 22 and 23.

18 **448.** Page 414, line 24: delete the material beginning with that line and  
19 ending with page 415, line 18.

20 **449.** Page 415, line 7: after that line insert:

21 “SECTION 647L. 20.923 (6) (ac) of the statutes is amended to read:

22 20.923 (6) (ac) Administration Justice, department of: deputy and assistant  
23 district attorneys.”.

1           **450.** Page 415, line 22: delete that line and substitute “structure or facility,  
2 or portion thereof, under s. 301.19 (2) (a) or approve the construction or conversion  
3 of any building, structure or facility under s. 301.19 (2) (a) for initial occupancy”.

4           **451.** Page 419, line 13: before that line insert:

5           “**SECTION 652m.** 20.928 (1m) of the statutes is created to read:

6           20.928 **(1m)** Notwithstanding sub. (1), the board of regents of the University  
7 of Wisconsin System may not include in any certification to the department of  
8 administration under sub. (1) any sum to pay the costs resulting from employer  
9 contributions for the payment of health insurance premiums for any teacher  
10 described under s. 40.02 (25) (b) 1m., for coverage before the first day of the 7th month  
11 beginning after the teacher begins employment with the state.”.

12           **452.** Page 422, line 5: delete lines 5 to 8.

13           **453.** Page 422, line 12: delete lines 12 to 17.

14           **454.** Page 423, line 6: substitute “local” for “~~local~~”.

15           **455.** Page 423, line 8: delete lines 8 to 25.

16           **456.** Page 424, line 1: delete lines 1 to 4.

17           **457.** Page 424, line 10: delete lines 10 to 12.

18           **458.** Page 424, line 15: delete “~~city, village, town or county governmental~~  
19 unit” and substitute “city, village, town or county”.

20           **459.** Page 424, line 19: delete “municipality” and substitute “city, village,  
21 town or county”.

1           **460.** Page 424, line 25: delete “subsection:” and substitute “subsection,  
2           “nature-based outdoor recreation” has the meaning given by the department by rule  
3           under s. 23.0917 (4) (f).”.

4           **461.** Page 425, line 1: delete lines 1 to 5.

5           **462.** Page 425, line 14: delete that line and substitute “acquired under this  
6           subsection shall vest in the local unit of”.

7           **463.** Page 425, line 15: delete “government municipality” and substitute  
8           “government”.

9           **464.** Page 425, line 24: delete that line.

10          **465.** Page 426, line 1: delete lines 1 to 3.

11          **466.** Page 426, line 7: delete lines 7 and 8.

12          **467.** Page 426, line 14: delete “governmental units and” and substitute  
13          “cities, villages, towns and counties and to”.

14          **468.** Page 427, line 18: after that line insert:

15          “SECTION 663gm. 23.0915 (1m) (b) of the statutes is repealed.”.

16          **469.** Page 431, line 15: after that line insert:

17          “(am) “Available bonding authority” means the annual bonding authority as it  
18          may be adjusted under sub. (5) or (5m).”.

19          **470.** Page 432, line 5: after that line insert:

20          “(i) “Total bonding authority” means the total amount that may be obligated  
21          under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000  
22          program over the entire duration of the program.”.

1           **471.** Page 432, line 11: substitute “Except as provided in sub. (5m), no” for  
2 “No”.

3           **472.** Page 433, line 11: delete “sub. (5)” and insert “subs. (5) and (5m)”.

4           **473.** Page 433, line 12: delete “\$31,000,000” and substitute “\$46,000,000”.

5           **474.** Page 434, line 11: delete “\$9,400,000” and substitute “\$14,000,000”.

6           **475.** Page 434, line 13: delete “\$8,000,000” and substitute “\$9,000,000”.

7           **476.** Page 434, line 15: delete “\$1,400,000” and substitute “\$5,000,000”.

8           **477.** Page 434, line 21: after that line insert:

9           “(4m) LAND ACQUISITION; BARABOO HILLS. (a) *Definitions.* In this subsection:

10           1. “Assigned amount” means the sum of the amounts made available for  
11 expenditure under par. (g) and the amounts set aside by the department under par.  
12 (h) 1.

13           2. “Federal nontransportation moneys” means moneys received from the  
14 federal government that are not deposited in the transportation fund and that are  
15 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

16           3. “Local governmental unit” means a city, village, town, county, lake sanitary  
17 district, as defined in s. 30.50 (4q) or a public inland lake protection and  
18 rehabilitation district.

19           4. “Nonprofit conservation organization” has the meaning given in s. 23.0955  
20 (1).

21           (b) *Matching funding.* The department shall provide funding for the Baraboo  
22 Hills under the subprogram for land acquisition to match the value of land



1 acquisitions that are certified as qualifying matching land acquisitions under par.  
2 (e).

3 (c) *Overall requirements.* 1. The department may obligate not more than  
4 \$5,000,000 for the Baraboo Hills under this subsection.

5 2. The amount of moneys, other than federal moneys, that may be used by local  
6 governmental units or nonprofit conservation organizations to make land  
7 acquisitions that are certified as qualifying matching land acquisitions under par.  
8 (e) may not exceed \$2,500,000.

9 3. Land that is either certified as a qualifying matching land acquisition under  
10 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.  
11 (g) or (h) 2. may not be department land or land that is otherwise owned or under the  
12 jurisdiction of the state on the effective date of this subdivision .... [revisor inserts  
13 date].

14 (d) *Matching land acquisitions; requirements.* The department may only  
15 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition  
16 to which all of the following apply:

17 1. The land is being acquired for conservation purposes.

18 2. The land is being acquired by the federal government, by a local  
19 governmental unit or by a nonprofit conservation organization.

20 3. Any federal moneys being used for the acquisition are federal  
21 nontransportation moneys.

22 (e) *Matching land acquisitions; certification.* The department shall certify  
23 which land acquisitions qualify as matching land acquisitions for the Baraboo Hills  
24 and shall determine the values of these matching land acquisitions as provided in  
25 par. (f).

1           (f) *Matching land acquisitions; valuation.* The value of a land acquisition that  
2 is certified as a qualifying matching land acquisition under par. (e) shall be  
3 calculated as follows:

4           1. For land that is acquired by purchase at fair market value, the value shall  
5 equal the sum of the purchase price and the costs incurred by the federal  
6 government, local governmental unit or nonprofit conservation organization in  
7 acquiring the land.

8           2. For land that is acquired by gift or bequest or by purchase at less than fair  
9 market value, the value shall equal the sum of the appraised fair market value of the  
10 land at the time of the acquisition and the costs incurred by the acquiring entity in  
11 acquiring the land. The acquiring entity shall supply the appraisal upon which the  
12 appraised fair market value is based.

13           (g) *Matching land acquisitions; available moneys.* For each land acquisition  
14 that is certified as a qualifying matching land acquisition under par. (e) the  
15 department shall make available for expenditure moneys in an amount that equals  
16 the value of the land acquisition, as calculated under par. (f). This paragraph does  
17 not apply to a land acquisition that is acquired with moneys committed by the federal  
18 government, local governmental unit or nonprofit conservation organization under  
19 par. (h).

20           (h) *Matching land acquisitions; future commitments.* 1. In addition to the  
21 moneys made available for expenditure under par. (g), the department shall set aside  
22 moneys in amounts that equal amounts that the federal government, local  
23 governmental units or nonprofit conservation organizations commit for the  
24 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys  
25 that are committed under this paragraph shall be federal nontransportation

1 moneys. The department may set aside moneys under this paragraph only for  
2 commitments that are made before January 1, 2006.

3 2. For each land acquisition that is made by using moneys that are committed  
4 by the federal government, a local governmental unit or a nonprofit conservation  
5 organization under this paragraph and that is certified as a qualifying matching  
6 land acquisition under par. (e), the department shall make available for expenditure  
7 moneys in an amount that equals the value of the land acquisition, as calculated  
8 under par. (f), after the acquisition is certified.

9 (i) *Available moneys; uses.* The moneys made available for expenditure under  
10 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills  
11 for conservation purposes and to award grants to local governmental units and  
12 nonprofit conservation organizations.

13 (j) *Available moneys; grant requirements.* A local governmental unit or  
14 nonprofit conservation organization that receives a grant under par. (i) does not need  
15 to provide any matching funding. Land acquired with moneys from a grant awarded  
16 under par. (i) may not be certified by the department as a qualifying matching land  
17 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land  
18 for conservation purposes in the Baraboo Hills.

19 (k) *Unassigned amount.* The department shall expend any assigned amount  
20 that has not been expended before January 1, 2006, for acquisitions by the  
21 department of land for conservation purposes and for grants that meet the  
22 requirements under par. (j).

23 (L) *Highway construction required.* No moneys may be obligated under this  
24 subsection for the Baraboo Hills before the department of transportation certifies to  
25 the department of natural resources that highway construction that will result in at

1 least 4 traffic lanes has begun on the portion of USH 12 between the city of Middleton  
2 and the village of Sauk City.”.

3 **478.** Page 436, line 9: after that line insert:

4 “(5m) ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year  
5 1999–2000, the department, subject to the approval of the joint committee on finance  
6 under sub. (6), may obligate under the subprogram for land acquisition any amount  
7 not in excess of the total bonding authority for that subprogram for the acquisition  
8 of land.

9 (b) For each land acquisition transaction under this subsection, all of the  
10 following apply:

11 1. The department shall sell a portion of the acquired land.

12 2. All proceeds from the sale of the land up to the amount obligated under par.  
13 (a) as determined by the secretary of administration shall be deposited into the  
14 general fund and credited to the appropriation account under s. 20.370 (7) (ag).  
15 Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated  
16 under par. (a) shall be deposited into the general fund.

17 3. For bonds that are retired from the proceeds of the sale of the acquired land  
18 within 3 years after the date that the land was acquired by the department, the  
19 department shall adjust the available bonding authority for the subprogram for land  
20 acquisition by increasing the available bonding authority for the fiscal year in which  
21 the bonds are retired by an amount equal to the total amount of the bonds issued for  
22 the sale that have been retired in that fiscal year.

23 4. For bonds that are not retired from the proceeds of the sale of the acquired  
24 land within 3 years after the date that the land was acquired by the department, the

1 department shall adjust the available bonding authority for the subprogram for land  
2 acquisition by decreasing the available bonding authority for the next fiscal year  
3 beginning after the end of that 3-year period by an amount equal to the total amount  
4 of the bonds that have not been retired from such proceeds in that fiscal year and,  
5 if necessary, shall decrease for each subsequent fiscal year the available bonding  
6 authority in an amount equal to that available bonding authority or equal to the  
7 amount still needed to equal the total amount of the bonds retired from such  
8 proceeds, whichever is less, until the available bonding authority has been decreased  
9 by an amount equal to the total of the bonds not retired.

10 (c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need  
11 not be for conservation or recreational purposes.

12 (d) The department of administration shall monitor all transactions under this  
13 subsection to ensure compliance with federal law and to ensure that interest on the  
14 bonds is tax-exempt for the holders of the bonds.”.

15 **479.** Page 436, line 10: before “The department” insert “(a)”.

16 **480.** Page 436, line 11: delete “more”.

17 **481.** Page 436, line 12: delete “than \$250,000”.

18 **482.** Page 436, line 19: after that line insert:

19 “(b) Paragraph (a) applies only to an amount for a project or activity that  
20 exceeds \$250,000 except as provided in par. (c).

21 (c) Paragraph (a) applies to any land acquisition under sub. (5m).”.

22 **483.** Page 437, line 15: before “governmental” insert “local”.

23 **484.** Page 437, line 16: before “governmental” insert “local”.

24 **485.** Page 437, line 22: delete lines 22 to 25.

1           **486.** Page 447, line 12: after that line insert:

2           “**SECTION 665vm.** 23.097 (1) of the statutes is amended to read:

3           23.097 (1) The department shall award grants to cities and, villages, towns,  
4           counties and nonprofit conservation organizations, as defined in s. 23.0955 (1), for  
5           up to 50% of the cost of tree management plans, tree inventories, brush residue  
6           projects, the development of tree management ordinances, tree disease evaluations,  
7           public education concerning trees in urban areas and other tree projects.”.

8           **487.** Page 447, line 12: after that line insert:

9           “**SECTION 665vm.** 23.0962 of the statutes is repealed.”.

10          **488.** Page 449, line 16: delete “\$500,000” and substitute “\$750,000”.

11          **489.** Page 450, line 13: after that line insert:

12          “(2m) ROCK RIVER; RECREATIONAL CORRIDOR. (a) From the appropriation under  
13          s. 20.866 (2) (tz), the department shall provide funding to the city of Janesville under  
14          the urban rivers grant program under s. 30.277 for the Rock River Recreational  
15          Corridor. The amount provided by the department under this paragraph may not  
16          exceed that amount that equals the matching contributions made for the corridor by  
17          the city of Janesville or \$100,000, whichever is less. The requirements for matching  
18          contributions under s. 30.277 (5) shall apply.

19          (b) The funding under par. (a) is in addition to any encumbrance or expenditure  
20          approved by the joint committee on finance under s. 23.0915 (4) for the Rock River  
21          Recreational Corridor.”.

22          **490.** Page 450, line 17: delete “\$100,000” and substitute “\$125,000”.

23          **491.** Page 450, line 25: after that line insert:

1           “(3m) RIB MOUNTAIN STATE PARK. From the appropriation under s. 20.866 (2)  
2           (ta) or (tz) or both, the department shall provide funding in the amount of \$500,000  
3           to rebuild a chalet at Rib Mountain State Park. The department shall determine how  
4           the moneys being provided under this subsection will be allocated between the  
5           appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1),  
6           moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as  
7           moneys expended for general property development. For purposes of s. 23.0917,  
8           moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as  
9           moneys obligated under the subprogram for property development and local  
10          assistance.”.

11           **492.** Page 462, line 7: after that line insert:

12           “**SECTION 689b.** 24.61 (2) (a) (title) of the statutes is amended to read:

13           24.61 (2) (a) (title) *Authorized investments by board.*

14           **SECTION 689d.** 24.61 (2) (a) 3. of the statutes is amended to read:

15           24.61 (2) (a) 3. Bonds and notes of this state.

16           **SECTION 689fh.** 24.61 (2) (b) of the statutes is amended to read:

17           24.61 (2) (b) *Deposited with state treasurer.* All bonds, notes and other  
18          securities so purchased under par. (a) shall be deposited with the state treasurer.

19           **SECTION 689j.** 24.61 (2) (c) of the statutes is created to read:

20           24.61 (2) (c) *Delegation of investment authority to investment board.* The board  
21          may delegate to the investment board the authority to invest part or all of the moneys  
22          belonging to the trust funds. If the board delegates the authority, the investment  
23          board may invest the moneys belonging to the trust funds in any manner authorized  
24          for the investment of any funds specified in s. 25.17 (1).

1           **SECTION 689L.** 24.62 (1) of the statutes is amended to read:

2           24.62 (1) Except as authorized in sub. (2), the board shall deduct its expenses  
3 incurred in administering investments and loans under s. 24.61 from the gross  
4 receipts of the fund to which the interest and income of the investment or loan will  
5 be added. If the board delegates to the investment board the authority to invest part  
6 or all of the moneys belonging to the trust funds, the investment board shall deduct  
7 its expenses incurred in administering investments under s. 24.61 from the gross  
8 receipts of the fund to which the interest and income of the investment will be  
9 added.”.

10           **493.** Page 463, line 14: after that line insert:

11           “**SECTION 694s.** 25.16 (8) of the statutes is created to read:

12           25.16 (8) The executive director shall assign an investment professional to  
13 assist the board of commissioners of public lands in establishing and maintaining  
14 investment objectives with respect to the investment of the assets of the agricultural  
15 college fund, the common school fund, the normal school fund and the university  
16 fund. An amount equal to the cost of any services rendered to the board of  
17 commissioners of public lands under this subsection shall be deducted from the gross  
18 receipts of the fund to which the moneys invested belong and shall be credited to the  
19 appropriation account under s. 20.536 (1) (k).”.

20           **494.** Page 464, line 2: after that line insert:

21           “**SECTION 695b.** 25.17 (1) (ai) of the statutes is created to read:

22           25.17 (1) (ai) Agricultural college fund (s. 24.82), but subject to the terms of  
23 delegation under s. 24.61 (2) (c);

24           **SECTION 695m.** 25.17 (1) (ax) of the statutes is created to read:



1           25.17 (1) (ax) Common school fund (s. 24.76), but subject to the terms of  
2           delegation under s. 24.61 (2) (c);”.

3           **495.** Page 464, line 2: after that line insert:

4           “**SECTION 696y.** 25.17 (1) (bm) of the statutes is created to read:  
5           25.17 (1) (bm) Corrections special reserve fund (s. 25.71);”.

6           **496.** Page 464 line 8: after that line insert:

7           “**SECTION 698c.** 25.17 (1) (kd) of the statutes is created to read:

8           25.17 (1) (kd) Normal school fund (s. 24.80), but subject to the terms of  
9           delegation under s. 24.61 (2) (c);”.

10          **497.** Page 464, line 10: after that line insert:

11          “**SECTION 699m.** 25.17 (1) (xm) of the statutes is created to read:

12          25.17 (1) (xm) University fund (s. 24.81), but subject to the terms of delegation  
13          under s. 24.61 (2) (c);

14          **SECTION 699s.** 25.17 (1) (zm) of the statutes is amended to read:

15          25.17 (1) (zm) All other funds of the state or of any state department or  
16          institution, ~~except funds which under article X of the constitution are controlled and~~  
17          ~~invested by the board of commissioners of public lands,~~ funds which are required by  
18          specific provision of law to be controlled and invested by any other authority, and  
19          moneys in the ~~university~~ University of Wisconsin trust funds, and in the trust funds  
20          of the state universities.”.

21          **498.** Page 464, line 10: after that line insert:

22          “**SECTION 699m.** 25.17 (1) (xm) of the statutes is created to read:

23          25.17 (1) (xm) Utility public benefits fund (s. 25.96);”.

24          **499.** Page 464, line 11: delete lines 11 to 22.

1           **500.** Page 465, line 23: after that line insert:

2           “**SECTION 702m.** 25.29 (7) (intro.) of the statutes is amended to read:

3           25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58, and  
4 all moneys paid into the state treasury as the counties’ share of compensation of  
5 emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and  
6 developing the forests of the state, including the acquisition of lands owned by  
7 counties by virtue of any tax deed and of other lands suitable for state forests, and  
8 for the development of lands so acquired and the conduct of forestry thereon,  
9 including the growing and planting of trees; for forest and marsh fire prevention and  
10 control; for grants to forestry cooperatives under s. 36.56; for compensation of  
11 emergency fire wardens; for maintenance, permanent property and forestry  
12 improvements; for other forestry purposes authorized by law and for the payment of  
13 aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.”.

14           **501.** Page 466, line 15: delete “appropriations under ss. 20.395 (5) (cL) and”  
15 and substitute “appropriation account under s.”.

16           **502.** Page 468, line 9: delete lines 9 and 10.

17           **503.** Page 468, line 22: after that line insert:

18           “**SECTION 716m.** 25.49 (3) of the statutes is created to read:

19           25.49 (3) The fees imposed under s. 289.645.”.

20           **504.** Page 470, line 10: delete “\$26,600,000” and substitute “\$28,600,000”.

21           **505.** Page 470, line 13: delete “only”.

22           **506.** Page 470, line 14: after that line insert:

23           “**SECTION 717v.** 25.71 of the statutes is created to read:

1           **25.71 Corrections special reserve fund.** (1) There is established a  
2 corrections special reserve fund, consisting of moneys appropriated by the  
3 legislature from the general fund under s. 20.855 (4) (em) and earnings from this  
4 money. Moneys in the fund may only be used for the following purposes:

5           (a) Debt payments for the department of corrections under s. 20.410 (1) (qd) and  
6 (3) (qg).

7           (b) Operation costs for the department of corrections.

8           (c) Community corrections programs.

9           (d) Funding for child abuse prevention programs administered by the  
10 department of health and family services.

11           (2) All moneys in the fund, other than earnings on the money, shall first be used  
12 for the payment of principal and interest costs incurred in financing the acquisition,  
13 construction, development, enlargement or improvement of correctional facilities,  
14 and to make full payment of the amounts determined by the building commission  
15 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred  
16 in financing such facilities. After all such costs have been paid, the moneys may be  
17 used for operating costs of the department of corrections and community corrections  
18 programs.

19           (3) All earnings on the money in the fund shall be used for the purpose of  
20 funding child abuse prevention efforts under s. 20.435 (3) (q).”.

21           **507.** Page 470, line 14: after that line insert:

22           “**SECTION 717xa.** 25.75 (1) (b) of the statutes is amended to read:

23           25.75 (1) (b) “Gross lottery revenues” means gross revenues from the sale of  
24 lottery tickets and lottery shares under ch. 565 and revenues from the imposition of

1 fees, if any, under s. 565.10 (8) ~~and includes compensation, including bonuses, if any,~~  
2 ~~paid to retailers under s. 565.10 (14), regardless of whether the compensation is~~  
3 ~~deducted by the retailer prior to transmitting lottery ticket and lottery share~~  
4 ~~revenues to the commission.~~

5 **SECTION 717xd.** 25.75 (1) (c) 2. of the statutes is repealed.

6 **SECTION 717xf.** 25.75 (1) (c) 3. of the statutes is amended to read:

7 25.75 (1) (c) 3. Amounts for other expenses, including compensation paid to  
8 ~~retailers under s. 565.10 (14) and~~ amounts paid to vendors for on-line services and  
9 supplies provided by the vendors under contract under s. 565.25 (2) (a).

10 **SECTION 717xh.** 25.75 (3) (a) of the statutes is repealed.

11 **SECTION 717xi.** 25.75 (3) (b) of the statutes is repealed.”.

12 **508.** Page 470, line 18: after that line insert:

13 “**SECTION 718b.** 25.96 of the statutes is created to read:

14 **25.96 Utility public benefits fund.** There is established a separate  
15 nonlapsible trust fund designated as the utility public benefits fund, consisting of  
16 deposits by the public service commission under s. 196.374 (3), public benefits fees  
17 received under s. 16.957 (4) (a) and (5) (c) and (d) and contributions received under  
18 s. 16.957 (2) (c) 4. and (d) 2.”.

19 **509.** Page 477, line 24: after that line insert:

20 “**SECTION 730j.** 29.324 (1) (b) of the statutes is amended to read:

21 29.324 (1) (b) “Group deer hunting party” means 2 or more hunters hunting in  
22 a group all using firearms or all using bows and arrows, each of whom holds an  
23 individual license to hunt deer.”.

24 **510.** Page 484, line 10: delete lines 10 to 21.

1           **511.** Page 484, line 21: after that line insert:

2           “**SECTION 784g.** 29.867 (8g) of the statutes is created to read:

3           29.867 (8g) The department shall evaluate the impact of pheasant game farms  
4 licensed under this section on the survival of wild hen pheasants in the vicinity of  
5 pheasant game farms. The department shall submit the results of the evaluation,  
6 along with recommendations to protect and enhance wild pheasant populations in  
7 the vicinity of pheasant game farms, to the legislature under s. 13.172 (2) no later  
8 than October 1, 2000.”.

9           **512.** Page 489, line 11: delete lines 11 to 13.

10          **513.** Page 490, line 14: delete that line and substitute “award grants to  
11 municipalities to assist municipalities in”.

12          **514.** Page 490, line 24: delete that line.

13          **515.** Page 491, line 1: delete lines 1 and 2.

14          **516.** Page 491, line 3: delete that line and substitute:

15          “30.277 (16) DEFINITION. In this section, “nature-based outdoor recreation” has  
16 the meaning given by the”.

17          **517.** Page 491, line 14: delete “municipality governmental unit” and  
18 substitute “municipality”.

19          **518.** Page 491, line 15: delete the underscored material.

20          **519.** Page 491, line 15: delete the underscored material beginning with “and  
21 may” and ending with “project” on line 16.

22          **520.** Page 491, line 16: delete the underscored material.

1           **521.** Page 491, line 20: delete the material beginning with that line and  
2 ending with page 492, line 16.

3           **522.** Page 492, line 18: delete “MUNICIPALITY GOVERNMENTAL UNIT” and  
4 substitute “MUNICIPALITY”.

5           **523.** Page 492, line 25: delete that line.

6           **524.** Page 492, line 25: delete that line.

7           **525.** Page 493, line 1: delete lines 1 to 8.

8           **526.** Page 493, line 1: delete lines 1 to 8.

9           **527.** Page 497, line 13: delete lines 13 to 25.

10          **528.** Page 498, line 1: delete lines 1 to 25.

11          **529.** Page 499, line 1: delete lines 1 to 8.

12          **530.** Page 499, line 10: delete lines 10 to 14.

13          **531.** Page 502, line 14: after that line insert:

14           “**SECTION 877m.** 33.44 (1) (dm) of the statutes is created to read:

15           33.44 (1) (dm) One member who is a member of a group that exists on the  
16 effective date of this paragraph .... [revisor inserts date], and whose major purpose  
17 is to support the protection or improvement of all of the following lakes in Dane  
18 County:

19           1. Lake Mendota.

20           2. Lake Monona.

21           3. Lake Waubesa.

22           4. Lake Kegonsa.

23           5. Mud Lake, that is located between Lake Waubesa and Lake Kegonsa.

1           6. Lake Wingra.

2           **SECTION 877p.** 33.44 (3) of the statutes is amended to read:

3           33.44 (3) ~~Five~~ Six commissioners shall constitute a quorum for the transaction  
4 of business.

5           **SECTION 877r.** 33.44 (7) of the statutes is amended to read:

6           33.44 (7) The board of commissioners shall meet at least quarterly, and at other  
7 times on the call of the chairperson or on the petition of ~~5~~ 6 of the members.”.

8           **532.** Page 503, line 1: delete “The board shall operate the” and substitute “(a)  
9 The board, in consultation with representatives of the aquaculture industry, shall  
10 operate the”.

11           **533.** Page 503, line 3: after that line insert:

12           “(b) The board shall ensure that the aquaculture demonstration facility  
13 provides applied research and training to aquaculturists, including Native  
14 American aquaculturists, and to personnel at state fish hatcheries and that the  
15 research and training emphasize all of the following areas related to aquaculture:

- 16           1. Environmental impact.
- 17           2. Water quality.
- 18           3. Appropriate water use.
- 19           4. Fish health science.
- 20           5. Innovative aquaculture methods and practices.
- 21           6. Demonstration, education and outreach activities through the extension.”.

22           **534.** Page 503, line 14: after that line insert:

23           **SECTION 887t.** 36.11 (40) of the statutes is created to read:

1           36.11 **(40)** CENTER FOR COOPERATIVES. The board shall maintain a center for  
2 cooperatives at the University of Wisconsin–Madison.”.

3           **535.** Page 503, line 15: delete the material beginning with that line and  
4 ending with page 506, line 4.

5           **536.** Page 507, line 3: after that line insert:

6           “**SECTION 892v.** 36.25 (44) of the statutes is created to read:

7           36.25 **(44)** INTERNATIONAL BUSINESS DEVELOPMENT. The University of  
8 Wisconsin–Milwaukee shall collaborate with other institutions to develop and  
9 implement programs and training for Wisconsin businesses and University of  
10 Wisconsin System faculty in the area of international business development.”.

11          **537.** Page 507, line 3: after that line insert:

12          “**SECTION 891t.** 36.25 (43) of the statutes is created to read:

13          36.25 **(43)** CENSUS AWARENESS PROGRAM. The board shall establish and maintain  
14 a census awareness program at the extension to fund grants and public service  
15 announcements designed to increase public awareness of the importance of an  
16 accurate census and to encourage people to complete the census questionnaire.”.

17          **538.** Page 507, line 3: after that line insert:

18          “**SECTION 892m.** 36.25 (43) of the statutes is created to read:

19          36.25 **(43)** STRAY VOLTAGE RESEARCH. The board shall establish a stray voltage  
20 research program to conduct research recommended in the Minnesota Science  
21 Advisors’ Report to the Minnesota Public Utilities Commission; to analyze field and  
22 economic performance of electrical mitigation devices and systems; and to study  
23 electrical conditions on farms with potentially unique stray voltage concerns and the  
24 nature of animal responses to stray voltage.”.



1           **539.** Page 507, line 3: after that line insert:

2           “**SECTION 892b.** 36.25 (30g) of the statutes is amended to read:

3           **36.25 (30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall  
4 establish in the extension, ~~in cooperation with the recycling market development~~  
5 ~~board,~~ a program of education and technical assistance related to recycling market  
6 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~  
7 solid waste scrap brokers, dealers and processors; business entities that use or could  
8 use recovered materials or that produce or could produce products from recovered  
9 materials and persons who provide support services to those business entities; and  
10 the general public.”.

11           **540.** Page 507, line 21: after that line insert:

12           “**SECTION 894m.** 36.34 (1) (c) of the statutes is created to read:

13           **36.34 (1) (c) 1.** In this paragraph:

14           a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for  
15 fiscal year 2000–01, “base amount” means the amount shown in the schedule under  
16 s. 20.005 for that appropriation for fiscal year 1999–2000.

17           b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for  
18 each fiscal year after fiscal year 2000–01, “base amount” means the appropriation  
19 determined under subd. 2. for the previous fiscal year.

20           2. Annually, by February 1, the board shall determine the appropriation under  
21 s. 20.285 (4) (dd) for the next fiscal year as follows:

22           a. The board shall determine the percentage by which the undergraduate  
23 academic fees charged for the current academic year at each institution within the

1 University of Wisconsin System has increased or decreased from the undergraduate  
2 academic fees charged for the previous academic year.

3 b. The appropriation for the next fiscal year shall be the result obtained by  
4 increasing, to the nearest \$100, the base amount by the highest percentage increase  
5 determined under subd. 2. a., except that if the undergraduate academic fees for the  
6 current academic year decreased or did not change from the undergraduate  
7 academic fees charged for the previous academic year at each institution specified  
8 in subd. 2. a., the appropriation shall be the base amount.”.

9 **541.** Page 508, line 8: after that line insert:

10 “SECTION 895s. 36.56 of the statutes is created to read:

11 **36.56 Grants for forestry cooperatives. (1)** From the appropriation under  
12 s. 20.285 (1) (qm), the center for cooperatives under s. 36.11 (40) may award grants  
13 to persons to form forestry cooperatives under ch. 185 that consist primarily of  
14 private, nonindustrial owners of woodland. A grant recipient shall provide matching  
15 funds equal to 50% of the grant amount awarded. The match may be in the form of  
16 money or in-kind services or both, but may not include money received from the  
17 state.

18 **(2)** In each fiscal year, the center for cooperatives may not encumber funds from  
19 the appropriation under s. 20.285 (1) (qm) for administrative expenses if the  
20 amounts encumbered in that fiscal year for administrative expenses exceed 5% of the  
21 total expenditures from the appropriation for the fiscal year.”.

22 **542.** Page 812, line 2: after that line insert:

23 “SECTION 1660m. 70.58 of the statutes is amended to read:

1           **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of  
2 one mill for each dollar of the assessed valuation of the property of the state as  
3 determined by the department of revenue under s. 70.57, for the purpose of  
4 acquiring, preserving and developing the forests of the state and for the purpose of  
5 forest crop law and county forest law administration and aid payments, for grants  
6 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and  
7 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax  
8 to be paid into the conservation fund. The tax shall not be levied in any year in which  
9 general funds are appropriated for the purposes specified in this section, equal to or  
10 in excess of the amount which the tax would produce.”.

11           **543.** Page 508, line 9: delete the material beginning with that line and ending  
12 with page 509, line 2.

13           **544.** Page 509, line 7: delete the material beginning with that line and ending  
14 with page 511, line 6.

15           **545.** Page 511, line 7: delete the material beginning with that line and ending  
16 with page 512, line 3.

17           **546.** Page 512, line 3: after that line insert:

18           “**SECTION 897s.** 38.18 of the statutes is renumbered 38.18 (1) and amended to  
19 read:

20           38.18 (1) All contracts made by a district board for public construction in a  
21 district, the estimated cost of which exceeds \$10,000, shall be let by the district board  
22 to the lowest responsible bidder in accordance with s. 62.15 (1) to (11) and (14). For  
23 purposes of this section and subject to sub. (2), the district board shall possess the  
24 powers conferred by s. 62.15 on the board of public works and the common council.

1 All contracts made under this section shall be made in the name of the district and  
2 shall be executed by the district board chairperson and district board secretary.

3 **SECTION 897t.** 38.18 (2) of the statutes is created to read:

4 38.18 (2) Only a district board governing a district that includes a 1st class city  
5 may let a contract using the design–build process under s. 62.15 (1m).”.

6 **547.** Page 513, line 20: delete the material beginning with that line and  
7 ending with page 516, line 5.

8 **548.** Page 518, line 12: after that line insert:

9 “**SECTION 912h.** 39.41 (1) (bm) of the statutes is amended to read:

10 39.41 (1) (bm) “Senior” means a pupil enrolled in the 12th grade in a public or  
11 private high school, the Wisconsin school School for the deaf and Deaf or the  
12 Wisconsin school for the visually handicapped school operated by the Wisconsin  
13 Center for the Blind and Visually Impaired.

14 **SECTION 912g.** 39.41 (1m) (c) 1. of the statutes is amended to read:

15 39.41 (1m) (c) 1. For the Wisconsin school for the visually handicapped school  
16 operated by the Wisconsin Center for the Blind and Visually Impaired, designate the  
17 senior with the highest grade point average in all subjects as a scholar.”.

18 **549.** Page 520, line 9: after that line insert:

19 “**SECTION 913mv.** 39.41 (1m) (f) of the statutes is amended to read:

20 39.41 (1m) (f) If 2 or more seniors from the Wisconsin school for the visually  
21 handicapped school operated by the Wisconsin Center for the Blind and Visually  
22 Impaired have the same grade point average and, except for the limitation of one  
23 designated senior, are otherwise eligible for designation under par. (c) 1., the  
24 executive secretary shall make the designation under par. (c) 1. of the senior who may

1 be eligible for a higher education scholarship as a scholar and, if that senior does not  
2 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate  
3 one or more of the remaining seniors with the same grade point average as eligible  
4 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the  
5 scholarship may be awarded by the board.”.

6 **550.** Page 521, line 7: after that line insert:

7 “**SECTION 918g.** 39.435 (7) of the statutes is created to read:

8 39.435 (7) (a) In this subsection:

9 1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for  
10 fiscal year 2000–01, “base amount” means the amount shown in the schedule under  
11 s. 20.005 for that appropriation for fiscal year 1999–2000.

12 2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for  
13 each fiscal year after fiscal year 2000–01, “base amount” means the maximum  
14 appropriation amount determined under par. (b) for the previous fiscal year.

15 (b) Annually, by February 1, the board shall determine the appropriation under  
16 s. 20.235 (1) (fe) for the next fiscal year as follows:

17 1. The board shall determine the percentage by which the undergraduate  
18 academic fees charged for the current academic year at each institution within the  
19 University of Wisconsin System has increased or decreased from the undergraduate  
20 academic fees charged for the previous academic year.

21 2. The appropriation for the next fiscal year shall be the result obtained by  
22 increasing, to the nearest \$100, the base amount by the highest percentage increase  
23 determined under subd. 1., except that if the undergraduate academic fees for the  
24 current academic year decreased or did not change from the undergraduate

1 academic fees charged for the previous academic year at each institution specified  
2 in subd. 1., the appropriation shall be the base amount.

3 **SECTION 918r.** 39.435 (8) of the statutes is created to read:

4 39.435 (8) (a) In this subsection:

5 1. For purposes of determining the appropriation under s. 20.235 (1) (fd) for  
6 fiscal year 2000–01, “base amount” means the amount shown in the schedule under  
7 s. 20.005 for that appropriation for fiscal year 1999–2000.

8 2. For purposes of determining the appropriation under s. 20.235 (1) (fd) for  
9 each fiscal year after fiscal year 2000–01, “base amount” means the maximum  
10 appropriation amount determined under par. (b) for the previous fiscal year.

11 (b) Annually, by February 1, the board shall determine the appropriation under  
12 s. 20.235 (1) (fd) for the next fiscal year as follows:

13 1. The board shall determine the percentage by which the undergraduate  
14 academic fees charged for the current academic year at each institution within the  
15 University of Wisconsin System has increased or decreased from the undergraduate  
16 academic fees charged for the previous academic year.

17 2. The appropriation for the next fiscal year shall be the result obtained by  
18 increasing, to the nearest \$100, the base amount by the highest percentage increase  
19 determined under subd. 1., except that if the undergraduate academic fees for the  
20 current academic year decreased or did not change from the undergraduate  
21 academic fees charged for the previous academic year at each institution specified  
22 in subd. 1., the appropriation shall be the base amount.”.

23 **551.** Page 523, line 1: delete the material beginning with that line and ending  
24 with page 532, line 2.

1           **552.** Page 532, line 11: after that line insert:

2           “**SECTION 930vc.** 40.02 (25) (b) 1. of the statutes is amended to read:

3           40.02 **(25)** (b) 1. Any teacher who is employed by the university for an expected  
4 duration of not less than 6 months on at least a one-third full-time employment  
5 basis and who is not described in subd. 1m.;

6           **SECTION 930vq.** 40.02 (25) (b) 1m. of the statutes is created to read:

7           40.02 **(25)** (b) 1m. Any teacher who is a participating employe and who is  
8 employed by the university for an expected duration of not less than 6 months on at  
9 least a one-third full-time employment basis;”.

10          **553.** Page 532, line 11: after that line insert:

11          “**SECTION 930wb.** 40.02 (26) (intro.) of the statutes is amended to read:

12          40.02 **(26)** (intro.) “Employe” means any person who receives earnings as  
13 payment for personal services rendered for the benefit of any employer including  
14 officers of the employer, except as provided in subch. X. An employe is deemed to  
15 have separated from the service of an employer at the end of the day on which the  
16 employe last performed services for the employer, or, if later, the day on which the  
17 employe-employer relationship is terminated because of the expiration or  
18 termination of leave without pay, sick leave, vacation or other leave of absence. A  
19 person shall not be considered an employe if a person:

20          **SECTION 930wm.** 40.02 (26) (intro.) of the statutes, as affected by 1999  
21 Wisconsin Act .... (this act), section 930wb, is amended to read:

22          40.02 **(26)** (intro.) “Employe” means any person who receives earnings as  
23 payment for personal services rendered for the benefit of any employer including  
24 officers of the employer, ~~except as provided in subch. X.~~ An employe is deemed to

1 have separated from the service of an employer at the end of the day on which the  
2 employe last performed services for the employer, or, if later, the day on which the  
3 employe–employer relationship is terminated because of the expiration or  
4 termination of leave without pay, sick leave, vacation or other leave of absence. A  
5 person shall not be considered an employe if a person:”.

6 **554.** Page 532, line 12: delete lines 12 to 20 and substitute:

7 “**SECTION 931b.** 40.02 (28) of the statutes is amended to read:

8 40.02 (28) “Employer” means the state, including each state agency, any  
9 county, city, village, town, school district, other governmental unit or  
10 instrumentality of 2 or more units of government now existing or hereafter created  
11 within the state and any federated public library system established under s. 43.19  
12 whose territory lies within a single county with a population of 500,000 or more, a  
13 local exposition district created under subch. II. of ch. 229 and a family care district  
14 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3), ~~or a~~  
15 ~~local exposition district created under subch. II of ch. 229 and subch. X.~~ Each  
16 employer shall be a separate legal jurisdiction for OASDHI purposes.

17 **SECTION 931c.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act ....  
18 (this act), section 931b, is amended to read:

19 40.02 (28) “Employer” means the state, including each state agency, any  
20 county, city, village, town, school district, other governmental unit or  
21 instrumentality of 2 or more units of government now existing or hereafter created  
22 within the state and any federated public library system established under s. 43.19  
23 whose territory lies within a single county with a population of 500,000 or more, a  
24 local exposition district created under subch. II of ch. 229 and a family care district



1 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3) and  
2 subch. X. Each employer shall be a separate legal jurisdiction for OASDHI  
3 purposes.”.

4 **555.** Page 533, line 6: delete lines 6 to 23.

5 **556.** Page 533, line 23: after that line insert:

6 “**SECTION 936t.** 40.03 (2) (g) of the statutes is amended to read:

7 40.03 (2) (g) Shall submit once each year to each participant currently making  
8 contributions, and to any other participant upon request or as in the secretary’s  
9 judgment is desirable, a statement of the participant’s account together with  
10 appropriate explanatory material. The secretary shall ensure that the participant’s  
11 social security number does not appear on the statement.”.

12 **557.** Page 533, line 24: delete the material beginning with that line and  
13 ending with page 534, line 25.

14 **558.** Page 535, line 3: delete “administration” and substitute “justice”.

15 **559.** Page 535, line 5: delete “administration” and substitute “justice”.

16 **560.** Page 535, line 6: after that line insert:

17 “**SECTION 940c.** 40.05 (4) (a) 2. of the statutes is amended to read:

18 40.05 (4) (a) 2. For an insured employe who is an eligible employe under s. 40.02  
19 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions  
20 toward the health insurance premium of the insured employe beginning on the date  
21 on which the employe becomes insured. For an insured employe who is currently  
22 employed but who is not an eligible employe under s. 40.02 (25) (a) 2. or (b) 1m. or  
23 2m., the employer shall pay required employer contributions toward the health  
24 insurance premium of the insured employe beginning on the first day of the 7th

1 month beginning after the date on which the employe begins employment with the  
2 state, not including any leave of absence.”.

3 **561.** Page 535, line 6: after that line insert:

4 “**SECTION 940d.** 40.05 (4) (ag) 2. of the statutes is amended to read:

5 40.05 (4) (ag) 2. For eligible employes not specified in subd. 1., 90% of the gross  
6 premium for the standard health insurance plan offered to state employes by the  
7 group insurance board or 105% of the gross premium, excluding any premium cost  
8 related to point-of-service coverage required to be offered under s. 609.23, of the  
9 alternative qualifying plan offered under s. 40.03 (6) that is the least costly  
10 qualifying plan within the county in which the alternate plan is located, whichever  
11 is lower, but not more than the total amount of the premium. Employer contributions  
12 for employes who select the standard plan shall be based on their county of residence.  
13 Qualifying health insurance plans shall be determined in accordance with standards  
14 established by the group insurance board.”.

15 **562.** Page 535, line 7: delete the material beginning with that line and ending  
16 with page 536, line 3.

17 **563.** Page 535, line 20: after that line insert:

18 “**SECTION 939tc.** 40.41 (6) (b) of the statutes is amended to read:

19 40.41 (6) (b) Services performed by ~~a student or~~ a member of a board or  
20 commission, except members of governing bodies, in a position or office which does  
21 not normally require actual performance of duty for at least 600 hours in each  
22 calendar year. For purposes of this paragraph, a “board” or “commission” is a body  
23 referred to in the statutes as a board or commission.

24 **SECTION 939tr.** 40.41 (6) (c) of the statutes is created to read:

1           40.41 (6) (c) Service performed in the employ of a school, college or university,  
2 if the service is performed by a student who is enrolled and regularly attending  
3 classes at the school, college or university.”.

4           **564.** Page 536, line 12: after that line insert:

5           “**SECTION 944w.** 40.82 (3) of the statutes is created to read:

6           40.82 (3) The deferred compensation board shall ensure that any statement  
7 sent to employes who participate in a deferred compensation plan established under  
8 this subchapter does not contain the social security number of the employe.”.

9           **565.** Page 536, line 12: after that line insert:

10          “**SECTION 944wr.** 41.11 (4m) of the statutes is created to read:

11          41.11 (4m) ACCESS TO CUSTOMER INFORMATION; FEES. (a) Notwithstanding s.  
12 19.35, the department may refuse to reveal names, addresses and related  
13 demographic information maintained on any list that the department has compiled  
14 of persons who have requested information about travel opportunities in the state.  
15 The department may not refuse to reveal such information to representatives of the  
16 news media.

17          (b) Notwithstanding s. 19.71, if the department provides information from a list  
18 of persons requesting travel information, the department may charge the person  
19 requesting the information a fee to recover the department’s actual costs of compiling  
20 and providing the information. The department may reduce or waive the fee under  
21 this subsection if the department determines that the reduction or waiver is in the  
22 public interest.”.

23          **566.** Page 536, line 13: before that line insert:

1           **“SECTION 944ym.** Subchapter X of chapter 40 [precedes 40.98] of the statutes  
2 is created to read:

3   **CHAPTER 40**

4   **SUBCHAPTER X**

5   **PRIVATE EMPLOYER HEALTH**

6   **CARE COVERAGE**

7           **40.98 Health care coverage. (1)** In this subchapter:

8           (ar) “Board” means the private employer health care coverage board.

9           (b) “Dependent” means a spouse, an unmarried child under the age of 19 years,  
10 an unmarried child who is a full-time student under the age of 21 years and who is  
11 financially dependent upon the parent, or an unmarried child of any age who is  
12 medically certified as disabled and who is dependent upon the parent.

13           (c) “Employe” means any person who receives earnings as payment for personal  
14 services rendered for the benefit of any employer including officers of the employer.  
15 An employe is considered to have separated from the service of an employer at the  
16 end of the day on which the employe last performed services for the employer, or, if  
17 later, the day on which the employe–employer relationship is terminated because of  
18 the expiration or termination of leave without pay, sick leave, vacation or other leave  
19 of absence. A person shall not be considered an employe if any of the following  
20 applies:

21           1. The person is employed under a contract involving the furnishing of more  
22 than personal services.

23           2. The person is customarily engaged in an independently established trade,  
24 business or profession providing the same type of services to more than one employer

1 and the person's services to an employer are not compensated for on a payroll of that  
2 employer.

3 3. The person is a patient or inmate of a hospital, home or institution and  
4 performs services in the hospital, home or institution.

5 (d) "Employer" means any person doing business or operating an organization  
6 in this state and employing at least 2 employes, except that for a person operating  
7 a farm business the person must employ at least one employe. "Employer" does not  
8 include an employer as defined in s. 40.02 (28).

9 (e) "Health care coverage program" means the health care coverage program  
10 established under sub. (2) (a).

11 (f) "Insurer" has the meaning given in s. 600.03 (27).

12 (2) (a) The department shall design, establish and administer an actuarially  
13 sound health care coverage program for employers that provides at least 2 group  
14 health care coverage plans beginning not later than January 1, 2002. In designing  
15 the health care coverage program, the department shall consult with the  
16 departments of commerce and health and family services and the office of the  
17 commissioner of insurance. In establishing the health care coverage program, the  
18 department shall solicit and accept bids and enter into contracts with insurers who  
19 are to provide health care coverage under the health care coverage program. Health  
20 care coverage plans offered under the health care coverage program are subject to  
21 the provisions of chs. 600 to 646 that apply to group health benefit plans, as defined  
22 in s. 632.745 (9), to the same extent as any other group health benefit plan, as defined  
23 in s. 632.745 (9). Before the health care coverage program may be implemented, the  
24 board must approve the plan.

1 (am) The health care coverage program established under par. (a), or any  
2 health care coverage plan included in the program, may not be combined with any  
3 health care coverage plan under subch. IV.

4 (b) All insurance rates for health care coverage under the program shall be  
5 published annually in a single publication that is made available to employers and  
6 employes. The rates shall be listed by county and by any other factor that the  
7 department considers appropriate.

8 (c) All plans under the health care coverage program shall have an enrollment  
9 period that is established by the board.

10 (d) The department shall charge employers who participate in the health care  
11 coverage program a fee to cover the department's cost in designing, establishing and  
12 administering the health care coverage program. All moneys received under this  
13 paragraph shall be credited to the appropriation account under s. 20.515 (2) (g).

14 (e) The department may not sell any health care coverage under the health care  
15 coverage program to an employer or enroll any employe in the health care coverage  
16 program, but the department may publicize the availability of the health care  
17 coverage program for employers.

18 (f) The department may enter into a contract with any person to provide  
19 services relating to the administration of the health care coverage program.

20 **(3)** Any employer who participates in the health care coverage program shall  
21 do all of the following:

22 (a) Offer health care coverage under one or more plans to all of its permanent  
23 employes who have a normal work week of 30 or more hours and may offer health  
24 care coverage under one or more plans to any of its other employes.

1           (b) Provide health care coverage under one or more plans to at least 50% of its  
2 permanent employes who have a normal work week of 30 or more hours and who do  
3 not otherwise receive health care coverage as a dependent under any other plan that  
4 is not offered by the employer or a percentage of such employes specified by the board,  
5 whichever percentage is greater.

6           (c) Pay for each employe at least 50% but not more than 100% of the lowest  
7 premium rate that would be available to the employer for that employe's coverage  
8 under the health care coverage program.

9           (d) Make premium payments for the health care coverage of its employes in the  
10 manner specified by the board.

11           (4) Any employer that provides health care coverage for its employes under the  
12 program and that voluntarily terminates coverage under the program is not eligible  
13 to participate in the program for at least 3 years from the date that coverage is  
14 terminated.

15           (5) Any insurer that offers a health care coverage plan under the health care  
16 coverage program shall provide coverage under the plan to any employer that applies  
17 for coverage, and to all of the employer's employes who elect coverage under the  
18 health care coverage plan, without regard to the health condition or claims  
19 experience of any individual who would be covered under the health care coverage  
20 plan if all of the following apply:

21           (a) The employer agrees to pay the premium required for coverage under the  
22 health care coverage plan.

23           (b) The employer agrees to comply with all provisions of the health care  
24 coverage plan that apply generally to a policyholder or an insured without regard to  
25 health condition or claims experience.

1           **(6)** (a) Health care coverage under the health care coverage program may only  
2 be sold by insurance agents licensed under ch. 628.

3           (b) An insurance agent may not sell any health care coverage under the health  
4 care coverage program on behalf of an insurer unless he or she is employed by the  
5 insurer or has a contract with the insurer to sell the health care coverage on behalf  
6 of the insurer.

7           (c) The board shall set, and may adjust as often as semiannually, the  
8 commission rate for the sale of a policy under the health care coverage program. The  
9 rate shall be based on the average commission rate that insurance agents are paid  
10 in the state for the sale of comparable health insurance policies at the time that the  
11 rate is set or adjusted.

12           (d) An insurer shall specify on the first page of any policy sold under the health  
13 care coverage program the amount of the commission paid to the insurance agent.

14           **(7)** (a) Annually, on or before December 31, the board shall submit a report to  
15 the appropriate standing committees under s. 13.172 (3) and to the governor on the  
16 operation of the health care coverage program. The report shall specify the number  
17 of employers participating in the health care coverage program, calculate the costs  
18 of the health care coverage program to employers and their employees and include  
19 recommendations for improving the health care coverage program.

20           (b) No later than January 1, 2005, the board shall submit a report to the  
21 appropriate standing committees under s. 13.172 (3) and to the governor that offers  
22 recommendations as to whether the department should continue to administer the  
23 health care coverage program, whether a different state agency should administer  
24 the health care coverage program or whether the health care coverage program  
25 should be administered by a private nonprofit organization. If the board



1 recommends that a different state agency administer the health care coverage  
2 program or that the health care coverage program be administered by a private  
3 nonprofit organization, the board shall submit proposed legislation to the  
4 appropriate standing committees under s. 13.172 (3) at the time that the board  
5 submits its report.

6 **SECTION 944yr.** Subchapter X of chapter 40 [precedes 40.98] of the statutes, as  
7 created by 1999 Wisconsin Act ... (this act), section 944ym, is repealed.”

8 **567.** Page 537, line 16: delete lines 16 to 19.

9 **568.** Page 537, line 19: after that line insert:

10 “**SECTION 945de.** 43.24 (1) (intro.) of the statutes is amended to read:

11 43.24 (1) (intro.) Each public library system shall be paid state aid for the  
12 operation and maintenance of the system. The Except as provided in pars. (b) and  
13 (c), the amount paid to each system shall be determined as follows:

14 **SECTION 945dh.** 43.24 (1) (a) of the statutes is repealed and recreated to read:

15 43.24 (1) (a) 1. Determine the percentage change in the total amount  
16 appropriated under s. 20.255 (3) (e) between the previous fiscal year and the current  
17 fiscal year.

18 2. Multiply the amount of state aid received by the system in the previous fiscal  
19 year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

20 **SECTION 945dp.** 43.24 (1) (b) of the statutes is repealed and recreated to read:

21 43.24 (1) (b) If the territory of a public library system is altered, the department  
22 shall adjust the aid paid to that system under par. (a). The department shall  
23 promulgate rules establishing the method the department will use to make the  
24 adjustment.

1           **SECTION 945dt.** 43.24 (1) (c) of the statutes is repealed and recreated to read:

2           43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid  
3           appropriated for public library systems under s. 20.255 (3) (e), as determined by the  
4           department, equals at least 11.25% of the total operating expenditures for public  
5           library services from local and county sources in the calendar year ending in that  
6           fiscal year, the amount paid to each system shall be determined by adding the result  
7           of each of the following calculations:

8           1. Multiply the system's percentage of the state's population by the product of  
9           the amount appropriated under s. 20.255 (3) (e) and 0.85.

10          2. Multiply the system's percentage of the state's geographical area by the  
11          product of the amount appropriated under s. 20.255 (3) (e) and 0.075.

12          3. Divide the sum of the payments to the municipalities and counties in the  
13          system under subch. I of ch. 79 for the current fiscal year, as reflected in the  
14          statement of estimated payments under s. 79.015, by the total of all payments under  
15          subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated  
16          payments under s. 79.015, and multiply the result by the product of the amount  
17          appropriated under s. 20.255 (3) (e) and 0.075.”

18          **569.** Page 537, line 19: after that line insert:

19          “**SECTION 945ds.** 43.17 (9) (a) of the statutes is amended to read:

20          43.17 (9) (a) All contracts for public construction, the estimated cost of which  
21          exceeds \$5,000, made by a federated public library system whose territory lies within  
22          2 or more counties or by a federated public library system whose territory lies within  
23          a single county with a population of at least 500,000 shall be let, subject to par. (c),  
24          by the public library system board to the lowest responsible bidder in accordance

1 with s. 62.15 (1) to (11) and (14). For purposes of this section, the system board  
2 possesses the powers conferred by s. 62.15 on the board of public works and the  
3 common council. All contracts made under this section shall be made in the name  
4 of the federated public library system and shall be executed by the system board  
5 president and such other board officer as the system board designates.

6 **SECTION 945dt.** 43.17 (9) (c) of the statutes is created to read:

7 43.17 (9) (c) Only a federated public library system whose territory lies within  
8 a single county with a population of at least 500,000 may let a contract using the  
9 design-build process under s. 62.15 (1m).”.

10 **570.** Page 541, line 19: delete “School for the Visually” and substitute “Center  
11 for the Blind and Visually Impaired”.

12 **571.** Page 541, line 20: delete “Handicapped”.

13 **572.** Page 543, line 6: after that line insert:

14 “**SECTION 955p.** 44.72 (1) (e) of the statutes is created to read:

15 44.72 (1) (e) Consult with the department of public instruction before awarding  
16 grants under this subsection.”.

17 **573.** Page 545, line 16: delete the material beginning with that line and  
18 ending with page 546, line 4.

19 **574.** Page 552, line 2: before “to” insert “including a community-based  
20 residential facility.”.

21 **575.** Page 555, line 18: after “contract.” insert “The contract may not result  
22 in reduced funding to local public health agencies, boards or departments that  
23 perform the same or substantially similar services under multiple contracts that  
24 expire immediately before the consolidated contract becomes effective. Any savings

1 realized from consolidating contracts shall be distributed among the local public  
2 health agencies, boards and departments. The department shall promulgate rules  
3 relating to the implementation of of the contracts.”.

4 **576.** Page 555, line 25: after that line insert:

5 “**SECTION 999p.** 46.041 (1) (a) of the statutes is amended to read:

6 46.041 (1) (a) Provide for the temporary residence and evaluation of children  
7 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the  
8 institutions and services under the jurisdiction of the department, University of  
9 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,  
10 46.22 or 46.23, private child welfare agencies, ~~schools~~ the Wisconsin School for the  
11 ~~deaf and visually handicapped,~~ Deaf, the Wisconsin Center for the Blind and  
12 Visually Impaired and mental health facilities within the state at the discretion of  
13 the ~~superintendent~~ director of the institution providing services under this section.”.

14 **577.** Page 560, line 13: after that line insert:

15 “**SECTION 1011g.** 46.215 (1) (k) of the statutes is amended to read:

16 46.215 (1) (k) ~~Except as provided under sub. (1g), certify~~ Certify eligibility for  
17 and issue food coupons to needy households in conformity with the federal ~~food stamp~~  
18 ~~act~~ Food Stamp Act of 1964 as amended, and, in addition, the county department of  
19 social services may certify eligibility for and distribute surplus commodities and food  
20 stuffs.”.

21 **578.** Page 560, line 25: delete the material beginning with that line and  
22 ending with page 561, line 5 and substitute:

23 “**SECTION 1014pb.** 46.215 (1g) of the statutes is repealed.”.

24 **579.** Page 562, line 18: after that line insert:

1           **“SECTION 1021m.** 46.22 (1) (b) 2. d. of the statutes is amended to read:  
2           46.22 (1) (b) 2. d. ~~Except as provided in sub. (1g), to~~ To certify eligibility for and  
3           issue food coupons to needy households in conformity with 7 USC 2011 to 2029.”.

4           **580.** Page 564, line 17: delete lines 17 to 22 and substitute:

5           **“SECTION 1026pb.** 46.22 (1g) of the statutes is repealed.”.

6           **581.** Page 569, line 25: delete “whether or not the person is a private pay  
7           admittee at the time of admission.” and substitute “~~whether or not the person is a~~  
8           ~~private pay admittee at the time of admission.~~ except that a person seeking  
9           admission or about to be admitted on a private pay basis may waive the assessment,  
10          unless the person will be eligible for medical assistance within 6 months of  
11          assessment.”.

12          **582.** Page 570, line 4: after that line insert:

13          **“SECTION 1045g.** 46.27 (7) (cL) of the statutes is created to read:

14          46.27 (7) (cL) No county department or aging unit may deny services to a  
15          person under par. (cj) who refused to have an assessment completed as required  
16          under par. (cj) 3. a. before the effective date of this paragraph .... [revisor inserts  
17          date].”.

18          **583.** Page 574, line 8: after that line insert:

19          **“SECTION 1056r.** 46.27 (11) (c) 5q. of the statutes is created to read:

20          46.27 (11) (c) 5q. No county department or aging unit may deny services to a  
21          person under subd. 5n. who refused to have an assessment completed as required  
22          under subd. 5n. a. before the effective date of this subdivision .... [revisor inserts  
23          date].”.

1           **584.** Page 574, line 23: delete “whether or not the person is a private pay  
2 admittee at the time of admission.” and substitute “~~whether or not the person is a~~  
3 ~~private pay admittee at the time of admission.~~ except that a person seeking  
4 admission or about to be admitted on a private pay basis may waive the assessment,  
5 unless the person will be eligible for medical assistance within 6 months of  
6 assessment.”.

7           **585.** Page 576, line 3: delete “whether or not the person is a private pay  
8 admittee at the time of admission.” and substitute “~~whether or not the person is a~~  
9 ~~private pay admittee at the time of admission.~~ except that a person seeking  
10 admission or about to be admitted on a private pay basis may waive the assessment,  
11 unless the person will be eligible for medical assistance within 6 months of  
12 assessment.”.

13           **586.** Page 594, line 9: after “supervision.” insert “A resource center need not  
14 provide a financial screen for a person seeking admission or about to be admitted on  
15 a private pay basis who waives the requirement for a financial screen under this  
16 paragraph, unless the person will be eligible for medical assistance within 6 months  
17 after performance of the financial screen.”.

18           **587.** Page 622, line 7: delete lines 7 to 14.

19           **588.** Page 622, line 18: delete “\$283,778,800” and substitute “\$285,378,800”.

20           **589.** Page 622, line 19: delete “\$279,886,800” and substitute “\$287,386,800”.

21           **590.** Page 624, line 14: after that line insert:

22           “**SECTION 1091k.** 46.46 (1) of the statutes is amended to read:

1           46.46 (1) The department shall perform activities to augment the amount of  
2           moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC  
3           1396 to 1396v. The department shall perform those income augmentation activities  
4           itself and may not contract with any person to perform those income augmentation  
5           activities. From the appropriation account under s. 20.435 (8) (mb), the department  
6           shall support costs that are exclusively related to the operational costs of  
7           ~~augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395~~  
8           ~~to 1395ddd and 42 USC 1396 to 1396v~~ performing those income augmentation  
9           activities. In addition, the department may expend moneys from the appropriation  
10          account under s. 20.435 (8) (mb) as provided in sub. (2).”.

11           **591.** Page 625, line 25: after that line insert:

12           “**SECTION 1098m.** 46.48 (30) of the statutes is created to read:

13           46.48 (30) SUBSTANCE ABUSE TREATMENT GRANTS. (a) From the appropriation  
14           under s. 20.435 (7) (bc), the department shall distribute grants on a competitive basis  
15           to county departments of social services and to private nonprofit organizations, as  
16           defined in s. 103.21 (2), for the provision of alcohol and other drug abuse treatment  
17           services in counties with a population of 500,000 or more. Grants distributed under  
18           this subsection may be used only to provide treatment for alcohol and other drug  
19           abuse to individuals who are eligible for federal temporary assistance for needy  
20           families under 42 USC 601 et. seq. and who have a family income of not more than  
21           200% of the poverty line, as defined in s. 49.001 (5).

22           (b) Notwithstanding par. (a), the department may distribute grants under par.

23           (a) only to the extent that the distribution meets the maintenance-of-effort

1 requirement under the federal temporary assistance for needy families program  
2 under 42 USC 601 et. seq.”.

3 **592.** Page 626, line 4: after that line insert:

4 “**SECTION 1099g.** 46.481 (5) of the statutes is created to read:

5 46.481 (5) HEALTHY FAMILIES PROGRAM. The department shall distribute  
6 \$100,000 in each fiscal year to Kenosha Area Family and Aging Services, Inc., for the  
7 provision of home visiting services for mothers who are under 18 years of age under  
8 that organization’s healthy families program.”.

9 **593.** Page 626, line 4: after that line insert:

10 “**SECTION 1099m.** 46.481 (6) of the statutes is created to read:

11 46.481 (6) CHILDREN’S SAFE HOUSE CHILD CARE PROGRAM. The department shall  
12 distribute \$50,000 in each fiscal year to the children’s safe house child care program  
13 in Kenosha County for the operation of that program.”.

14 **594.** Page 627, line 19: after that line insert:

15 “**SECTION 1104L.** 46.515 (2) of the statutes is amended to read:

16 46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected  
17 by the department under sub. (5) to participate in the program under this section,  
18 the department shall award, from the ~~appropriation~~ appropriations under s. 20.435  
19 (3) (de) and (km), a grant annually to be used only for the purposes specified in sub.  
20 (4) (a) and (am). The minimum amount of a grant is \$10,000. The department shall  
21 determine the amount of a grant awarded to a county, other than a county with a  
22 population of 500,000 or more, or Indian tribe in excess of the minimum amount  
23 based on the number of births that are funded by medical assistance under subch.  
24 IV of ch. 49 in that county or the reservation of that Indian tribe in proportion to the



1 number of births that are funded by medical assistance under subch. IV of ch. 49 in  
2 all of the counties and the reservations of all of the Indian tribes to which grants are  
3 awarded under this section. The department shall determine the amount of a grant  
4 awarded to a county with a population of 500,000 or more in excess of the minimum  
5 amount based on 60% of the number of births that are funded by medical assistance  
6 under subch. IV of ch. 49 in that county in proportion to the number of births that  
7 are funded by medical assistance under subch. IV of ch. 49 in all of the counties and  
8 the reservations of all of the Indian tribes to which grants are awarded under this  
9 section.

10 **SECTION 1104m.** 46.515 (3) (a) of the statutes is amended to read:

11 46.515 (3) (a) *Number selected.* In the ~~1997–99~~ 2000–01 state fiscal biennium,  
12 no more than ~~6~~ 20 rural counties, ~~3~~ 9 urban counties and ~~2~~ 5 Indian tribes may be  
13 selected by the department to participate in the program under this section.

14 **SECTION 1104p.** 46.515 (4) (a) 4m. of the statutes is amended to read:

15 46.515 (4) (a) 4m. Other than in a county with a population of 500,000 or more,  
16 to reimburse a case management provider under s. 49.45 (25) (b) for the amount of  
17 the allowable charges under the medical assistance program that is not provided by  
18 the federal government for case management services provided to a medical  
19 assistance beneficiary described in s. 49.45 (25) (am) 9. who is a child and who is a  
20 member of a family that receives home visitation program services under par. (b) 1.  
21 or to reimburse a case management provider as permitted under the temporary  
22 assistance for needy families program, 42 USC 601 to 619.”.

23 **595.** Page 645, line 22: after that line insert:

24 “**SECTION 1130c.** 48.09 (5) of the statutes is amended to read:

1           48.09 (5) By the district attorney or, if designated by the county board of  
2 supervisors, by the corporation counsel, in any matter arising under s. 48.13, 48.133  
3 or 48.977. If the county board transfers this authority to or from the district attorney  
4 on or after May 11, 1990, the board may do so only if the action is effective on  
5 September 1 of an odd-numbered year and the board notifies the department of  
6 ~~administration~~ justice of that change by January 1 of that odd-numbered year.”.

7           **596.** Page 645, line 22: after that line insert:

8           “**SECTION 1130m.** 48.20 (8) of the statutes is amended to read:

9           48.20 (8) If a child is held in custody, the intake worker shall notify the child’s  
10 parent, guardian and legal custodian of the reasons for holding the child in custody  
11 and of the child’s whereabouts unless there is reason to believe that notice would  
12 present imminent danger to the child. The parent, guardian and legal custodian  
13 shall also be notified of the time and place of the detention hearing required under  
14 s. 48.21, the nature and possible consequences of that hearing, the right to counsel  
15 under s. 48.23 regardless of ability to pay and the right to present and cross-examine  
16 witnesses at the hearing. If the parent, guardian or legal custodian is not  
17 immediately available, the intake worker or another person designated by the court  
18 shall provide notice as soon as possible. When the child is 12 years of age or older,  
19 the child shall receive the same notice about the detention hearing as the parent,  
20 guardian or legal custodian. The intake worker shall notify both the child and the  
21 child’s parent, guardian or legal custodian. When the child is an expectant mother  
22 who has been taken into custody under s. 48.19 (1) (cm) or (d) 8., the unborn child,  
23 through the unborn child’s guardian ad litem, shall receive the same notice about the  
24 whereabouts of the child expectant mother, about the reasons for holding the child

1 expectant mother in custody and about the detention hearing as the child expectant  
2 mother and her parent, guardian or legal custodian. The intake worker shall notify  
3 the child expectant mother, her parent, guardian or legal custodian and the unborn  
4 child, by the unborn child's guardian ad litem.

5 **SECTION 1130p.** 48.21 (3) (d) of the statutes is amended to read:

6 48.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian  
7 or legal custodian shall be informed by the court of the allegations that have been  
8 made or may be made, the nature and possible consequences of this hearing as  
9 compared to possible future hearings, the right to counsel under s. 48.23 regardless  
10 of ability to pay, the right to confront and cross-examine witnesses and the right to  
11 present witnesses.

12 **SECTION 1130r.** 48.23 (2) of the statutes is renumbered 48.23 (2) (a) and  
13 amended to read:

14 48.23 (2) (a) Whenever a child is alleged to be in need of protection or services  
15 under s. 48.13 or is the subject of a proceeding involving a contested adoption or the  
16 involuntary termination of parental rights, any parent under 18 years of age who  
17 appears before the court shall be represented by counsel; but no such parent may  
18 waive counsel. A minor parent petitioning for the voluntary termination of parental  
19 rights shall be represented by a guardian ad litem. If a proceeding involves a  
20 contested adoption or the involuntary termination of parental rights, any parent 18  
21 years old or older who appears before the court shall be represented by counsel; but  
22 the parent may waive counsel provided the court is satisfied such waiver is  
23 knowingly and voluntarily made.

24 **SECTION 1130s.** 48.23 (2) (b) of the statutes is created to read:

1           48.23 (2) (b) If a petition under s. 48.13 is contested, no child may be placed  
2 outside of his or her home unless the nonpetitioning parent is represented by counsel  
3 at the fact-finding hearing and subsequent proceedings. If the petition is not  
4 contested, the child may not be placed outside of his or her home unless the  
5 nonpetitioning parent is represented by counsel at the hearing at which the  
6 placement is made. A parent who is required under this paragraph to be represented  
7 by counsel may, however, waive counsel if the court is satisfied that such waiver is  
8 knowingly and voluntarily made, and the court may place the child outside the home  
9 even though the parent was not represented by counsel.

10           **SECTION 1130t.** 48.23 (3) of the statutes is amended to read:

11           48.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings under~~  
12 ~~s. 48.13, at~~ At any time, upon request or on its own motion, the court may appoint  
13 counsel for the child or any party, unless the child or the party has or wishes to retain  
14 counsel of his or her own choosing. ~~The court may not appoint counsel for any party~~  
15 ~~other than the child in a proceeding under s. 48.13.~~

16           **SECTION 1130x.** 48.23 (4) of the statutes is amended to read:

17           48.23 (4) PROVIDING COUNSEL. In any situation under this section in which a  
18 ~~person~~ child has a right to be represented by counsel or is provided counsel at the  
19 discretion of the court and counsel is not knowingly and voluntarily waived, the court  
20 shall refer the ~~person~~ child to the state public defender and counsel shall be  
21 appointed by the state public defender under s. 977.08 without a determination of  
22 indigency. If the referral is of a ~~person~~ child who has filed a petition under s. 48.375  
23 (7), the state public defender shall appoint counsel within 24 hours after that  
24 referral. Any counsel appointed in a petition filed under s. 48.375 (7) shall continue  
25 to represent the child in any appeal brought under s. 809.105 unless the child

1 requests substitution of counsel or extenuating circumstances make it impossible for  
2 counsel to continue to represent the child. In any situation under sub. (2) or (2m) in  
3 which a parent 18 years of age or over or an adult expectant mother is entitled to  
4 representation by counsel; counsel is not knowingly and voluntarily waived; and it  
5 appears that the parent or adult expectant mother is unable to afford counsel in full,  
6 or the parent or adult expectant mother so indicates; the court shall refer the parent  
7 or adult expectant mother to the authority for indigency determinations specified  
8 under s. 977.07 (1). In any other situation under this section in which a person has  
9 a right to be represented by counsel or is provided counsel at the discretion of the  
10 court, competent and independent counsel shall be provided and reimbursed in any  
11 manner suitable to the court regardless of the person's ability to pay, except that the  
12 court may not order a person who files a petition under s. 813.122 or 813.125 to  
13 reimburse counsel for the child who is named as the respondent in that petition.”.

14 **597.** Page 645, line 22: after that line insert:

15 “**SECTION 1131c.** 48.207 (1) (a) of the statutes is amended to read:

16 48.207 (1) (a) The home of a parent or guardian, except that a child may not  
17 be held in the home of a parent or guardian if the parent or guardian has been  
18 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05  
19 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction  
20 has not been reversed, set aside or vacated, unless the person making the custody  
21 decision determines by clear and convincing evidence that the placement would be  
22 in the best interests of the child. The person making the custody decision shall  
23 consider the wishes of the child in making that determination.

24 **SECTION 1131cf.** 48.207 (1) (b) of the statutes is amended to read:

1           48.207 (1) (b) The home of a relative, except that a child may not be held in the  
2 home of a relative if the relative has been convicted under s. 940.01 of the  
3 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional  
4 homicide, of a parent of the child, and the conviction has not been reversed, set aside  
5 or vacated, unless the person making the custody decision determines by clear and  
6 convincing evidence that the placement would be in the best interests of the child.  
7 The person making the custody decision shall consider the wishes of the child in  
8 making that determination.”.

9           **598.** Page 646, line 3: after that line insert:

10           “**SECTION 1131h.** 48.32 (2) (a) of the statutes is amended to read:

11           48.32 (2) (a) A consent decree shall remain in effect up to ~~6 months~~ one year  
12 unless the child, parent, guardian, legal custodian or expectant mother is discharged  
13 sooner by the judge or juvenile court commissioner.”.

14           **599.** Page 646, line 3: after that line insert:

15           “**SECTION 1131gb.** 48.27 (4) (a) 2. of the statutes is amended to read:

16           48.27 (4) (a) 2. Advise the child and any other party, if applicable, of his or her  
17 right to legal counsel regardless of ability to pay.”.

18           **600.** Page 646, line 3: after that line insert:

19           “**SECTION 1131h.** 48.345 (3) (a) of the statutes is amended to read:

20           48.345 (3) (a) The home of a parent or other relative of the child, except that  
21 the judge may not designate the home of a parent or other relative of the child as the  
22 child’s placement if the parent or other relative has been convicted under s. 940.01  
23 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree  
24 intentional homicide, of a parent of the child, and the conviction has not been

1 reversed, set aside or vacated, unless the judge determines by clear and convincing  
2 evidence that the placement would be in the best interests of the child. The judge  
3 shall consider the wishes of the child in making that determination.

4 **SECTION 1131hd.** 48.345 (3) (b) of the statutes is amended to read:

5 48.345 (3) (b) ~~A home which need not be~~ The home of a person who is not  
6 required to be licensed if placement is for less than 30 days, except that the judge may  
7 not designate the home of a person who is not required to be licensed as the child's  
8 placement if the person has been convicted under s. 940.01 of the first-degree  
9 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
10 a parent of the child, and the conviction has not been reversed, set aside or vacated,  
11 unless the judge determines by clear and convincing evidence that the placement  
12 would be in the best interests of the child. The judge shall consider the wishes of the  
13 child in making that determination.

14 **SECTION 1131i.** 48.355 (3) of the statutes is renumbered 48.355 (3) (a) and  
15 amended to read:

16 48.355 (3) (a) ~~If Except as provided in par. (b), if~~, after a hearing on the issue  
17 with due notice to the parent or guardian, the judge court finds that it would be in  
18 the best interest of the child, the judge court may set reasonable rules of parental  
19 visitation.

20 **SECTION 1131id.** 48.355 (3) (b) of the statutes is created to read:

21 48.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant  
22 visitation under par. (a) to a parent of a child if the parent has been convicted under  
23 s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the  
24 2nd-degree intentional homicide, of the child's other parent, and the conviction has  
25 not been reversed, set aside or vacated.

1           1m. Except as provided in subd. 2., if a parent who is granted visitation rights  
2 with a child under par. (a) is convicted under s. 940.01 of the first-degree intentional  
3 homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of the child's  
4 other parent, and the conviction has not been reversed, set aside or vacated, the court  
5 shall issue an order prohibiting the parent from having visitation with the child on  
6 petition of the child, the guardian or legal custodian of the child, a person or agency  
7 bound by the dispositional order or the district attorney or corporation counsel of the  
8 county in which the dispositional order was entered, or on the court's own motion,  
9 and on notice to the parent.

10           2. Subdivisions 1. and 1m. do not apply if the court determines by clear and  
11 convincing evidence that the visitation would be in the best interests of the child.  
12 The court shall consider the wishes of the child in making that determination.

13           **SECTION 1131ir.** 48.357 (4d) of the statutes is created to read:

14           48.357 (4d) (a) Except as provided in par. (b), the court may not change a child's  
15 placement to a placement in the home of a person who has been convicted under s.  
16 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree  
17 intentional homicide, of a parent of the child, if the conviction has not been reversed,  
18 set aside or vacated.

19           (am) Except as provided in par (b), if a parent in whose home a child is placed  
20 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.  
21 940.05 of the 2nd-degree intentional homicide, of the child's other parent, and the  
22 conviction has not been reversed, set aside or vacated, the court shall change the  
23 child's placement to a placement out of the home of the parent on petition of the child,  
24 the guardian or legal custodian of the child, a person or agency bound by the  
25 dispositional order or the district attorney or corporation counsel of the county in



1 which the dispositional order was entered, or on the court's own motion, and on notice  
2 to the parent.

3 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and  
4 convincing evidence that the placement would be in the best interests of the child.  
5 The court shall consider the wishes of the child in making that determination.”.

6 **601.** Page 647, line 9: after that line insert:

7 “**SECTION 1131p.** 48.415 (8) of the statutes is amended to read:

8 48.415 (8) ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO  
9 COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to  
10 commit homicide of a parent, which shall be established by proving that a parent of  
11 the child has been a victim of first-degree intentional homicide in violation of s.  
12 940.01, first-degree reckless homicide in violation of s. 940.02 or 2nd-degree  
13 intentional homicide in violation of s. 940.05 or a crime under federal law or the law  
14 of any other state that is comparable to ~~a crime specified in this subsection~~ any of  
15 those crimes, or has been the intended victim of a solicitation to commit first-degree  
16 intentional homicide in violation of s. 939.30 or a crime under federal law or the law  
17 of any other state that is comparable to that crime, and that the person whose  
18 parental rights are sought to be terminated has been convicted of that intentional  
19 or reckless homicide, solicitation or crime under federal law or the law of any other  
20 state as evidenced by a final judgment of conviction.”.

21 **602.** Page 647, line 9: after that line insert:

22 “**SECTION 1131p.** 48.42 (1m) (b) of the statutes is amended to read:

23 48.42 (1m) (b) ~~The~~ Subject to par. (e), the court may issue the temporary order  
24 ex parte or may refuse to issue the temporary order and hold a hearing on whether

1 to issue an injunction. The temporary order is in effect until a hearing is held on the  
2 issuance of an injunction. The court shall hold a hearing on the issuance of an  
3 injunction on or before the date of the hearing on the petition to terminate parental  
4 rights under s. 48.422 (1).

5 **SECTION 1131pd.** 48.42 (1m) (c) of the statutes is amended to read:

6 48.42 (1m) (c) Notwithstanding any other order under s. 48.355 (3), the court,  
7 subject to par. (e), may grant an injunction prohibiting the respondent from visiting  
8 or contacting the child if the court determines that the prohibition would be in the  
9 best interests of the child. An injunction under this subsection is effective according  
10 to its terms but may not remain in effect beyond the date the court dismisses the  
11 petition for termination of parental rights under s. 48.427 (2) or issues an order  
12 terminating parental rights under s. 48.427 (3).

13 **SECTION 1131pg.** 48.42 (1m) (e) of the statutes is created to read:

14 48.42 (1m) (e) 1. Except as provided in subd. 2., the court shall issue a  
15 temporary order and injunction prohibiting a parent of a child from visitation or  
16 contact with the child if the parent has been convicted under s. 940.01 of the  
17 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional  
18 homicide, of the child's other parent, and the conviction has not been reversed, set  
19 aside or vacated.

20 2. Subdivision 1. does not apply if the court determines by clear and convincing  
21 evidence that the visitation or contact would be in the best interests of the child. The  
22 court shall consider the wishes of the child in making that determination.

23 **SECTION 1131pm.** 48.428 (6) of the statutes is renumbered 48.428 (6) (a) and  
24 amended to read:

1           48.428 (6) (a) ~~The~~ Except as provided in par. (b), the court may order or prohibit  
2 visitation by a birth parent of a child placed in sustaining care.

3           **SECTION 1131pp.** 48.428 (6) (b) of the statutes is created to read:

4           48.428 (6) (b) 1. Except as provided in subd. 2., the court may not grant  
5 visitation under par. (a) to a birth parent of a child who has been placed in sustaining  
6 care if the birth parent has been convicted under s. 940.01 of the first-degree  
7 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
8 the child's other birth parent, and the conviction has not been reversed, set aside or  
9 vacated.

10           1m. Except as provided in subd. 2., if a birth parent who is granted visitation  
11 rights with a child under par. (a) is convicted under s. 940.01 of the first-degree  
12 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
13 the child's other birth parent, and the conviction has not been reversed, set aside or  
14 vacated, the court shall issue an order prohibiting the birth parent from having  
15 visitation with the child on petition of the child, the guardian or legal custodian of  
16 the child, or the district attorney or corporation counsel of the county in which the  
17 dispositional order was entered, or on the court's own motion, and on notice to the  
18 birth parent.

19           2. Subdivisions 1. and 1m. do not apply if the court determines by clear and  
20 convincing evidence that the visitation would be in the best interests of the child.  
21 The court shall consider the wishes of the child in making that determination.”.

22           **603.** Page 649, line 21: after that line insert:

23           “**SECTION 1142g.** 48.57 (3m) (f) of the statutes is amended to read:

1           48.57 **(3m)** (f) Any person whose application for payments under par. (am) is  
2 not acted on promptly or is denied on the grounds that ~~a condition~~ any of the  
3 conditions specified in par. (am) 1., ~~2., 5. or~~ to 6. has not been met and any person  
4 whose payments under par. (am) are discontinued under par. (d) may petition the  
5 department under par. (g) for a review of that action or failure to act. Review is  
6 unavailable if the action or failure to act arose more than 45 days before submission  
7 of the petition for review.”.

8           **604.** Page 650, line 5: after that line insert:

9           “**SECTION 1145g.** 48.57 (3n) (f) of the statutes is amended to read:

10           48.57 **(3n)** (f) Any person whose application for payments under par. (am) is not  
11 acted on promptly or is denied on the grounds that ~~a condition~~ any of the conditions  
12 specified in par. (am) 1., ~~2., 5., 5m. or~~ to 5r. has not been met and any person whose  
13 payments under par. (am) are discontinued under par. (d) may petition the  
14 department under par. (g) for a review of that action or failure to act. Review is  
15 unavailable if the action or failure to act arose more than 45 days before submission  
16 of the petition for review.

17           **SECTION 1145h.** 48.57 (3p) (fm) 1. of the statutes is amended 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. ~~or payment is approved under par. (h) 4.~~ The county department or  
3 department of health and family services may make payments under sub. (3m)  
4 conditioned on the receipt of information from the federal bureau of investigation  
5 indicating that the person's conviction record under the law of any other state or  
6 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

7 **SECTION 1145j.** 48.57 (3p) (g) (intro.) of the statutes is amended to read:

8 48.57 (3p) (g) (intro.) ~~Except as provided in par. (h), the~~ A county department  
9 or, in a county having a population of 500,000 or more, the department of health and  
10 family services may not make payments to a person applying for payments under  
11 sub. (3m) and a person receiving payments under sub. (3m) may not employ a person  
12 in a position in which that person would have regular contact with the child for whom  
13 those payments are being made or permit a person to be an adult resident if any of  
14 the following applies:

15 **SECTION 1145m.** 48.57 (3p) (h) of the statutes is repealed.

16 **SECTION 1145p.** 48.57 (3t) of the statutes is amended to read:

17 48.57 (3t) Notwithstanding subs. (3m), (3n) and (3p), the department may  
18 enter into an agreement with the governing body of a federally recognized American  
19 Indian tribe or band to allow that governing body to administer the program under  
20 subs. (3m), (3n) and (3p) within the boundaries of that reservation. ~~Any agreement~~  
21 ~~under this subsection relating to the administration of the program under sub. (3m)~~  
22 ~~shall specify the person with whom a request for review under sub. (3p) (h) 2. may~~  
23 ~~be filed and the person who has been designated by the governing body to conduct~~  
24 ~~the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4.~~  
25 Any agreement under this subsection relating to the administration of the program

1 under sub. (3n) shall specify who is to make any determination as to whether a  
2 conviction record is satisfactory.”.

3 **605.** Page 654, line 25: after that line insert:

4 “**SECTION 1195m.** 48.981 (7) (b) of the statutes is amended to read:

5 48.981 (7) (b) Notwithstanding par. (a), either parent of a child may authorize  
6 the disclosure of a record for use in a child custody proceeding under s. 767.24 or  
7 767.325 or in an adoption proceeding under s. 48.833 (1), 48.835, 48.837 or 48.839  
8 when the child has been the subject of a report. Any information that would identify  
9 a reporter shall be deleted before disclosure of a record under this paragraph.”.

10 **606.** Page 654, line 25: after that line insert:

11 “**SECTION 1192p.** 48.925 (1) (intro.) of the statutes is amended to read:

12 48.925 (1) (intro.) Upon petition by a relative who has maintained a  
13 relationship similar to a parent–child relationship with a child who has been adopted  
14 by a stepparent or relative, the court, subject to subs. (1m) and (2), may grant  
15 reasonable visitation rights to that person if the petitioner has maintained such a  
16 relationship within 2 years prior to the filing of the petition, if the adoptive parent  
17 or parents, or, if a birth parent is the spouse of an adoptive parent, the adoptive  
18 parent and birth parent, have notice of the hearing and if the court determines all  
19 of the following:

20 **SECTION 1192r.** 48.925 (1m) of the statutes is created to read:

21 48.925 (1m) (a) Except as provided in par. (b), the court may not grant  
22 visitation rights under sub. (1) to a relative who has maintained a relationship  
23 similar to a parent–child relationship with a child if the relative has been convicted  
24 under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the

1 2nd-degree intentional homicide, of a parent of the child, and the conviction has not  
2 been reversed, set aside or vacated.

3 (am) Except as provided in par. (b), if a relative who is granted visitation rights  
4 with a child under sub. (1) is convicted under s. 940.01 of the first-degree intentional  
5 homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of  
6 the child, and the conviction has not been reversed, set aside or vacated, the court  
7 shall issue an order prohibiting the relative from having visitation with the child on  
8 petition of the child or the parent, guardian or legal custodian of the child, or on the  
9 court's own motion, and on notice to the relative.

10 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and  
11 convincing evidence that the visitation would be in the best interests of the child.  
12 The court shall consider the wishes of the child in making that determination.”.

13 **607.** Page 657, line 21: after that line insert:

14 “**SECTION 1209qt.** 49.124 (2) (a) of the statutes is amended to read:

15 49.124 (2) (a) A county, or federally recognized American Indian tribe ~~or~~  
16 ~~Wisconsin works agency~~ is liable for all food stamp coupons lost, misappropriated or  
17 destroyed while under the county's, or tribe's ~~or Wisconsin works agency's~~ direct  
18 control, except as provided in par. (b).

19 **SECTION 1209qu.** 49.124 (2) (b) of the statutes is amended to read:

20 49.124 (2) (b) A county, or federally recognized American Indian tribe ~~or~~  
21 ~~Wisconsin works agency~~ is not liable for food stamp coupons lost in natural disasters  
22 if it provides evidence acceptable to the department that the coupons were destroyed  
23 and not redeemed.

24 **SECTION 1209qv.** 49.124 (2) (c) of the statutes is amended to read:

1           49.124 (2) (c) A county, or federally recognized American Indian tribe or  
2 Wisconsin works agency is liable for food stamp coupons mailed to residents of the  
3 county, or members of the tribe ~~or participants in the Wisconsin works program~~ and  
4 lost in the mail due to incorrect information submitted to the department by the  
5 county, or tribe ~~or Wisconsin works agency~~.

6           **SECTION 1209qw.** 49.125 (1) of the statutes is amended to read:

7           49.125 (1) The department, ~~or~~ a county, or an elected governing body of a  
8 federally recognized American Indian tribe or band ~~or a Wisconsin works agency~~  
9 acting on behalf of the department, may recover overpayments that arise from an  
10 overissuance of food coupons under the food stamp program administered under s.  
11 46.215 (1) (k), or 46.22 (1) (b) 2. d. ~~or 49.143 (2) (e)~~. Recovery shall be made in  
12 accordance with 7 USC 2022.”.

13           **608.** Page 657, line 21: after that line insert:

14           “**SECTION 1209qm.** 49.124 (1m) (e) of the statutes is created to read:

15           49.124 (1m) (e) 1. In this paragraph, “area” means a county or combination of  
16 counties; a city; a village; a town; a smaller geographic region of a county, city, village  
17 or town; or a federally recognized American Indian reservation.

18           2. The department shall request a waiver from the secretary of the federal  
19 department of agriculture to permit the department to waive the work requirement  
20 under par. (a) for any group of individuals, to the extent permitted under federal law,  
21 for whom any of the following is true:

22           a. The group resides in an area determined by the department to have an  
23 unemployment rate of over 10%.



1           b. The group resides in an area that the department determines does not have  
2 a sufficient number of jobs to provide employment for that group of individuals.

3           3. If the waiver under subd. 2. is granted and in effect, the department shall  
4 implement the waiver.”.

5           **609.** Page 661, line 5: delete “budgeting”.

6           **610.** Page 661, line 6: delete that line and substitute “credit establishment  
7 and credit repair”.

8           **611.** Page 661, line 7: delete “assistance training” and substitute  
9 “assistance”.

10          **612.** Page 662, line 1: delete lines 1 to 7 and substitute:

11          “**SECTION 1222b.** 49.143 (2) (e) of the statutes is repealed.”.

12          **613.** Page 662, line 7: after that line insert:

13          “**SECTION 1222g.** 49.143 (2) (es) of the statutes is created to read:

14          49.143 (2) (es) Provide to every individual who requests assistance from the  
15 Wisconsin works agency a single–page description of all of the benefits and services  
16 that may be provided to any individual by the Wisconsin works agency. The  
17 department shall develop the description and distribute it to all Wisconsin works  
18 agencies. The department shall update the description as frequently as necessary  
19 to reflect all benefits and services that may be offered by Wisconsin works agencies.”.

20          **614.** Page 662, line 11: after “works.” insert “In establishing the performance  
21 standards, the department may not consider the degree to which any Wisconsin  
22 works agency contracts with faith-based providers.”.

23          **615.** Page 662, line 11: after “standards” insert “by rule”.

1           **616.** Page 662, line 11: after “works.” insert “In developing the standards, the  
2 department shall consult with the appropriate standing committees of the  
3 legislature and shall consider all of the criteria specified under sub. (3g).”.

4           **617.** Page 663, line 5: after that line insert:

5           “(bg) The department may not base any performance bonus payments on a  
6 Wisconsin works agency’s decision whether to contract with faith-based providers.”.

7           **618.** Page 664, line 6: after that line insert:

8           “**SECTION 1226v.** 49.145 (3) (b) 1. of the statutes is amended to read:

9           49.145 (3) (b) 1. All earned and unearned income of the individual, except any  
10 amount received under section 32 of the internal revenue code, as defined in s. 71.01  
11 (6), any amount received under s. 71.07 (9e), any payment made by an employer  
12 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any  
13 assistance received under s. 49.148. In determining the earned and unearned  
14 income of the individual, the Wisconsin works agency may not include income earned  
15 by a dependent child of the individual.”.

16           **619.** Page 666, line 15: delete “and (av)” and substitute “(av), and sub. (5m)”.

17           **620.** Page 668, line 4: after that line insert:

18           “**SECTION 1229qc.** 49.147 (6) (a) 2. of the statutes is amended to read:

19           49.147 (6) (a) 2. The individual needs the loan to obtain or continue  
20 employment. Fulfillment of this requirement includes a loan that is needed to repair  
21 or purchase a vehicle that is needed to obtain or continue employment.”.

22           **621.** Page 668, line 4: after that line insert:

23           “**SECTION 1233g.** 49.147 (5) (bs) of the statutes is amended to read:

1           49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),  
2 a Wisconsin works agency may require a participant placed in a transitional  
3 placement to engage in activities under par. (b) 1. for up to 28 hours per week. ~~A~~  
4 Except as provided in sub. (5m), a Wisconsin works agency may require a participant  
5 placed in a transitional placement to participate in education or training activities  
6 under par. (bm) for not more than 12 hours per week.

7           **SECTION 1233m.** 49.147 (5m) of the statutes is created to read:

8           49.147 (5m) POSTSECONDARY EDUCATION. (a) To the extent permitted under 42  
9 USC 607, and except as provided in par. (bL), a participant under sub. (4) (b) or (5)  
10 may elect to participate in a self-initiated technical college education program as  
11 part of a community service job placement or transitional placement if all of the  
12 following requirements are met:

13           1. The Wisconsin works agency, in consultation with the community steering  
14 committee established under s. 49.143 (2) (a) and the technical college district board,  
15 determines that the technical college education program is likely to lead to  
16 employment.

17           2. The participant maintains full-time status in the technical college education  
18 program, as determined by the technical college that the participant attends, and  
19 regularly attends all classes.

20           3. The participant maintains a grade point average of at least a 2.0, or the  
21 equivalent as determined by the technical college.

22           4. The participant is employed or engages in work under a community service  
23 job or transitional placement.

1 (b) No Wisconsin works agency may require a participant under this subsection  
2 to be employed or to engage in work or other activities under a community service  
3 job or transitional placement for more than 15 hours per week.

4 (bL) A participant may participate under this subsection for the duration of the  
5 technical college education program, except that the participant may not participate  
6 under this subsection for more than 2 years.

7 (c) The Wisconsin works agency shall work with the community steering  
8 committee established under s. 49.143 (2) (a) and the technical college district board  
9 to monitor the participant's progress in the technical college education program and  
10 the effectiveness of the program in leading to employment.”.

11 **622.** Page 668, line 21: delete “or by the department under sub (2)”.

12 **623.** Page 669, line 21: after that line insert:

13 “**SECTION 1237f.** 49.148 (1) (b) 3. of the statutes is created to read:

14 49.148 (1) (b) 3. For a participant in a community service job who participates  
15 in self-initiated technical college education under s. 49.147 (5m), a monthly grant  
16 of \$673, paid by the Wisconsin works agency. For every hour that the participant  
17 misses work or other required activities without good cause, the grant amount shall  
18 be reduced by \$5.15. Good cause shall be determined by the financial and  
19 employment planner in accordance with rules promulgated by the department. Good  
20 cause shall include required court appearances for a victim of domestic abuse.

21 **SECTION 1237h.** 49.148 (1) (c) of the statutes is amended to read:

22 49.148 (1) (c) *Transitional placements.* For a participant in a transitional  
23 placement under s. 49.147 (5) or in a transitional placement and in self-initiated  
24 technical college education under s. 49.147 (5m), a grant of \$628, paid monthly by

1 the Wisconsin works agency ~~or by the department under sub. (2)~~. For every hour that  
2 the participant fails to participate in any required activity without good cause,  
3 including any activity under s. 49.147 (5) (b) 1. a. to e., the grant amount shall be  
4 reduced by \$5.15. Good cause shall be determined by the financial and employment  
5 planner in accordance with rules promulgated by the department. Good cause shall  
6 include required court appearances for a victim of domestic abuse.”.

7 **624.** Page 670, line 23: delete the material beginning with that line and  
8 ending with page 671, line 5 and substitute:

9 “**SECTION 1237t.** 49.148 (2m) of the statutes is created to read:

10 49.148 **(2m)** PAY PERIOD. (a) Except as provided in par. (b), benefits under this  
11 section shall be paid on the first day of each month. A payment made under this  
12 paragraph shall be for any participation from the 26th day of the month immediately  
13 preceding the month that immediately precedes the month in which the payment is  
14 made through the 25th day of the month that immediately precedes the month in  
15 which the payment is made.

16 (b) The Wisconsin works agency shall make the first grant payment under this  
17 section 14 days after the participant begins participating under s. 49.147 (4).  
18 Payments made under this paragraph shall include payment for all participation  
19 through the date of the payment.”.

20 **625.** Page 673, line 7: delete that line and substitute:

21 “**SECTION 1250b.** 49.155 (1m) (a) 4. (intro.) of the statutes is renumbered 49.155  
22 (1m) (a) 4. and amended to read:”.

23 **626.** Page 673, line 8: delete “(intro.)”.

1           **627.** Page 673, line 20: delete lines 20 to 24 and substitute “for up to two 2  
2 years. ~~An individual may not receive aid under this subdivision unless the~~  
3 ~~individual meets at least one of the following conditions:~~

4           **SECTION 1251b.** 49.155 (1m) (a) 4. a. of the statutes is repealed.

5           **SECTION 1251c.** 49.155 (1m) (a) 4. b. of the statutes is repealed.”.

6           **628.** Page 674, line 5: delete “years. An individual” and substitute “years.”.

7           **629.** Page 674, line 6: delete lines 6 to 10.

8           **630.** Page 674, line 17: delete “200%” and substitute “200% 225%”.

9           **631.** Page 676, line 15: delete lines 15 to 17 and substitute:

10           “49.155 (5) LIABILITY FOR PAYMENT. An individual receiving aid under this  
11 section is liable for the a percentage of the cost of the child care that received, payable  
12 in accordance with a sliding scale formula developed by the department specified  
13 based on ability to pay. In developing the sliding scale formula, the department may  
14 not require any individual to pay more than 10% of the individual’s family’s income  
15 for the cost of the child care received. An individual who is under the age of 20 and  
16 is attending high”.

17           **632.** Page 677, line 1: delete “or 49.19”.

18           **633.** Page 677, line 11: delete “or 49.19”.

19           **634.** Page 680, line 12: after “following” insert “to any person who is eligible  
20 for for the federal temporary assistance to needy families program under 42 USC 601  
21 et. seq.”.

22           **635.** Page 682, line 13: delete “\$2,779,800” and substitute “\$2,570,100”.

23           **636.** Page 682, line 14: delete “\$5,559,800” and substitute “\$5,350,100”.

1           **637.** Page 682, line 14: after that line insert:

2           “(cr) *Credit assistance.* For payments to Wisconsin works agencies in 1st class  
3 cities for the provision of credit establishment and credit repair assistance to  
4 Wisconsin works participants, not more than \$3,000,000 in each fiscal year.  
5 Notwithstanding sub. (2), the department may not use any funds allocated under  
6 this paragraph for any other purpose under this subsection.”.

7           **638.** Page 682, line 16: delete “49.143 (3p)” and substitute “49.179”.

8           **639.** Page 682, line 21: delete “\$95,000,000” and substitute “\$76,998,600”.

9           **640.** Page 683, line 19: delete “\$159,330,000” and substitute “\$59,430,000”.

10          **641.** Page 683, line 19: delete “\$180,700,000” and substitute “\$180,900,000”.

11          **642.** Page 683, line 19: delete “\$159,330,000” and substitute “\$160,930,000”.

12          **643.** Page 683, line 19: delete “\$180,700,000” and substitute “\$187,100,000”.

13          **644.** Page 683, line 19: delete “\$159,330,000” and substitute “\$159,460,000”.

14          **645.** Page 683, line 19: delete “\$180,700,000” and substitute “\$180,850,000”.

15          **646.** Page 685, line 1: delete lines 1 to 3.

16          **647.** Page 685, line 12: delete “\$24,489,400” and substitute “\$24,530,100”.

17          **648.** Page 685, line 13: delete “\$26,109,800” and substitute “\$26,164,100”.

18          **649.** Page 686, line 6: after “46.93” insert “, 46.99”.

19          **650.** Page 687, line 10: delete “\$100,000” and substitute “\$200,000”.

20          **651.** Page 688, line 2: after that line insert:

21          “**SECTION 1330m.** 49.175 (1) (ze) 10. of the statutes is created to read:

1           49.175 (1) (ze) 10. ‘Child abuse and neglect prevention grants.’ For child abuse  
2 and neglect prevention grants under s. 46.515 (2), \$2,100,000 in each fiscal year.”.

3           **652.** Page 693, line 2: delete “and” and substitute “. The department”.

4           **653.** Page 693, line 3: delete “or for” and substitute “if the person received the  
5 overpayment under s. 49.141 to 49.161, and for”.

6           **654.** Page 693, line 7: after “subsection.” insert “The rules shall include  
7 notification procedures similar to those established for child support collections. The  
8 department may not recover overpayments made as a result of department error.”.

9           **655.** Page 693, line 24: delete “60” and substitute “90”.

10          **656.** Page 695, line 9: after that line insert:

11           “(h) If the department arranges a payment schedule with the debtor and the  
12 debtor complies with the payment schedule, the department shall issue a notice of  
13 withdrawal of the warrant to the clerk of circuit court for the county in which the  
14 warrant is filed. The clerk shall void the warrant and the resulting liens.”.

15          **657.** Page 697, line 11: delete “No other action to”.

16          **658.** Page 697, line 12: delete lines 12 and 13.

17          **659.** Page 702, line 2: after that line insert:

18           “**SECTION 1346c.** 49.195 (3s) of the statutes is created to read:

19           49.195 (3s) The department shall specify by rule when requests for reviews,  
20 hearings and appeals under this section may be made and the process to be used for  
21 the reviews, hearings and appeals. In promulgating the rules, the department shall  
22 provide for a hearing or review after a warrant under sub. (3m) has been issued and  
23 before the warrant has been executed, before property is levied under sub. (3m) or



1 (3n) and after levied property is seized and before it is sold. The department shall  
2 specify by rule the time limit for a request for review or hearing. The department  
3 shall also specify by rule a minimum amount that must be due before collection  
4 proceedings under this section may be commenced.”.

5 **660.** Page 706, line 19: after that line insert:

6 “**SECTION 1375m.** 49.45 (3) (e) 11. of the statutes is created to read:

7 49.45 (3) (e) 11. Notwithstanding subds. 1. to 10., the department may  
8 authorize the public service commission to determine price caps for reimbursement  
9 rates under subch. II of ch. 196.”.

10 **661.** Page 716, line 21: after that line insert:

11 “**SECTION 1418m.** 49.45 (7) (a) of the statutes is amended to read:

12 49.45 (7) (a) A recipient who is a patient in a public medical institution or an  
13 accommodated person and has a monthly income exceeding the payment rates  
14 established under 42 USC 1382 (e) may retain \$40 \$45 unearned income or the  
15 amount of any pension paid under 38 USC 3203 (f), whichever is greater, per month  
16 for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply  
17 income in excess of \$40 \$45 or the amount of any pension paid under 38 USC 3203  
18 (f), whichever is greater, less any amount deducted under rules promulgated by the  
19 department, toward the cost of care in the facility.”.

20 **662.** Page 717, line 10: delete lines 10 to 15 and substitute “department shall  
21 determine which medical assistance recipients who have attained the age of 3 but  
22 have not attained the age of 6 and who are at risk for lead poisoning have not received  
23 lead screening from those health maintenance organizations. The department shall  
24 report annually to the appropriate standing committees of the legislature under s.

1 13.172 (3) on the percentage of medical assistance recipients under the age of 2 who  
2 received a lead screening test in that year provided by a health maintenance  
3 organization compared with the percentage that the department set as a goal for that  
4 year.”.

5 **663.** Page 717, line 24: delete the material beginning with “School for” and  
6 ending with “Handicapped” on line 25 and substitute “Center for the Blind and  
7 Visually Impaired”.

8 **664.** Page 718, line 9: delete that line and substitute “behalf of the Wisconsin  
9 Center for the Blind and Visually Impaired and the Wisconsin”.

10 **665.** Page 718, line 14: delete that line and substitute “pars. (b) and (c) to the  
11 Wisconsin Center for the Blind and Visually Impaired and the”.

12 **666.** Page 718, line 16: after “is” insert “renumbered 49.45 (39) (b) 1. and”.

13 **667.** Page 718, line 17: delete “*Payment for school medical services.*” and  
14 substitute “1. *Payment for school medical services.*”.

15 **668.** Page 718, line 21: after “and” insert “, as specified in subd. 2.,”.

16 **669.** Page 718, line 22: delete that line and substitute “administrative costs.  
17 If the Wisconsin Center for the Blind and Visually Impaired or the”.

18 **670.** Page 719, line 1: delete that line and substitute “medical services that  
19 the Wisconsin Center for the Blind and Visually Impaired or the”.

20 **671.** Page 719, line 2: delete “for allowable administrative costs.” and  
21 substitute “, as specified in subd. 2., for allowable administrative costs. A school  
22 district, cooperative educational service agency, the Wisconsin School for the  
23 Visually Handicapped or the Wisconsin School for the Deaf may submit, and the”.

1 department shall allow, claims for common carrier transportation costs as a school  
2 medical service unless the department receives notice from the federal health care  
3 financing administration that, under a change in federal policy, the claims are not  
4 allowed. If the department receives the notice, a school district, cooperative  
5 educational service agency, the Wisconsin School for the Visually Handicapped or the  
6 Wisconsin School for the Deaf may submit, and the department shall allow,  
7 unreimbursed claims for common carrier transportation costs incurred before the  
8 date of the change in federal policy.”.

9 **672.** Page 719, line 8: delete “School for the Visually Handicapped” and  
10 substitute “Center for the Blind and Visually Impaired”.

11 **673.** Page 719, line 11: after that line insert:

12 “**SECTION 1427j.** 49.45 (39) (b) 2. of the statutes is created to read:

13 49.45 (39) (b) 2. ‘Payment for school medical services administrative costs.’ The  
14 department shall reimburse a school district or a cooperative educational service  
15 agency specified under subd. 1. and the department of public instruction on behalf  
16 of the Wisconsin School for the Visually Handicapped or the Wisconsin School for the  
17 Deaf for allowable administrative costs, on a quarterly basis, using time studies,  
18 beginning in the first quarter of fiscal year 1999–2000. A school district or a  
19 cooperative education service agency may submit, and the department shall allow,  
20 claims for administrative costs incurred during the period that is up to 24 months  
21 before the date of the claim, if allowable under federal law.”.

22 **674.** Page 720, line 14: after that line insert:

23 “**SECTION 1429d.** 49.45 (48) of the statutes is created to read:

1           49.45 (48) PURCHASE OF INCONTINENCE PRODUCTS. The department may not  
2 authorize the purchase of incontinence products from a single supplier under this  
3 section.”.

4           **675.** Page 722, line 25: delete “(b) 17.”.

5           **676.** Page 723, line 2: delete “(b) 17.”.

6           **677.** Page 723, line 13: delete lines 13 to 16.

7           **678.** Page 728, line 9: after that line insert:

8           “**SECTION 1443m.** 49.49 (2) (c) 1. of the statutes is amended to read:

9           49.49 (2) (c) 1. A discount or other reduction in price obtained by a provider of  
10 services or other entity under chs. 46 to 51 and 58 and subch. II of ch. 196 if the  
11 reduction in price is properly disclosed and appropriately reflected in the costs  
12 claimed or charges made by the provider or entity under a medical assistance  
13 program.”.

14           **679.** Page 732, line 24: after that line insert:

15           “**SECTION 1466m.** 49.665 (1) (bq) of the statutes is created to read:

16           49.665 (1) (bq) “Eligible individual” means an individual who is eligible under  
17 sub. (4) (ag) for health care coverage under this section.

18           **SECTION 1466q.** 49.665 (1) (c) of the statutes is renumbered 49.665 (1) (c)  
19 (intro.) and amended to read:

20           49.665 (1) (c) (intro.) “Employer–subsidized health care coverage” means one  
21 of the following:

22           1. With respect to a family eligible under sub. (4) (a), family coverage under a  
23 group health insurance plan offered by an employer for which the employer pays at

1 least 80% of the cost, excluding any deductibles or copayments that may be required  
2 under the plan.

3 **SECTION 1466t.** 49.665 (1) (c) 2. of the statutes is created to read:

4 49.665 (1) (c) 2. With respect to an eligible individual, coverage under a group  
5 health insurance plan offered by the eligible individual's employer, or by the  
6 employer of a family member of the eligible individual, for which the eligible  
7 individual qualifies and for which the employer pays at least 80% of the cost,  
8 excluding any deductibles or copayments that may be required under the plan.”.

9 **680.** Page 733, line 11: after “(4)” insert “and to eligible individuals”.

10 **681.** Page 733, line 17: after “household” insert “or individual coverage  
11 offered by the employer of an eligible individual,”.

12 **682.** Page 734, line 9: after that line insert:

13 “**SECTION 1470m.** 49.665 (4) (ag) of the statutes is created to read:

14 49.665 (4) (ag) Beginning on July 1, 2001, an individual is eligible for health  
15 care coverage under this section if the individual meets all of the following  
16 requirements:

17 1. The individual is employed by a child care provider as a child care worker  
18 for at least 30 hours per week.

19 2. The individual's income does not exceed 185% of the poverty line, except that  
20 an individual who is already receiving health care coverage under this section may  
21 have an income that does not exceed 200% of the poverty line. The department shall  
22 establish by rule the criteria to be used to determine income.

23 3. The individual does not have access to employer-subsidized health care  
24 coverage and has not had access to employer-subsidized health care coverage within

1 the time period established by the department by rule, but not to exceed 18 months,  
2 immediately preceding application for health care coverage under this section. The  
3 department may establish exceptions to this subdivision by rule.

4 4. The individual meets all other requirements established by the department  
5 by rule. The department may not require that an individual under this paragraph  
6 be a parent as a condition of eligibility.”.

7 **683.** Page 736, line 5: delete “or” and substitute “a”.

8 **684.** Page 736, line 6: after “parent,” insert “or an eligible individual”.

9 **685.** Page 736, line 9: delete “or” and substitute “a”.

10 **686.** Page 736, line 10: delete that line and substitute “parent or an eligible  
11 individual to contribute more than 3% of the family’s, child’s or eligible individual’s  
12 income toward the cost”.

13 **687.** Page 736, line 19: delete “or” and substitute “a”.

14 **688.** Page 736, line 20: delete that line and substitute “parent or an eligible  
15 individual to contribute more than 3% of the family’s, child’s or eligible individual’s  
16 income unless the joint”.

17 **689.** Page 736, line 22: delete “family” and substitute “family”.

18 **690.** Page 736, line 23: delete that line and substitute “child or an eligible  
19 individual to contribute more than 3.5% of the family’s, child’s or eligible individual’s  
20 income toward the cost”.

21 **691.** Page 737, line 1: delete “or” and substitute “a”.

22 **692.** Page 737, line 2: after “parent,” insert “or an eligible individual”.

23 **693.** Page 737, line 3: after that line insert:

1           **“SECTION 1476b.** 49.665 (5) (c) of the statutes is amended to read:

2           49.665 (5) (c) The department may establish by rule requirements for wage  
3 withholding as a means of collecting the family’s or eligible individual’s share of the  
4 cost of the health care coverage under this section.”.

5           **694.** Page 739, line 8: after that line insert:

6           **“SECTION 1483m.** 49.74 of the statutes is amended to read:

7           **49.74** (title) **Institutions subject to ~~chapter~~ chapters 150 and 196.** Any  
8 institution created under the authority of s. ~~49.70, 49.71, 49.72~~ or 49.73 is subject to  
9 ch. 150 and subch. II of ch. 196.”.

10          **695.** Page 739, line 8: after that line insert:

11          **“SECTION 1483k.** 49.775 (2) (a) of the statutes is amended to read:

12          49.775 (2) (a) The custodial parent is a ~~recipient of~~ eligible for supplemental  
13 security income under 42 USC 1381 to 1383c or ~~of~~ for state supplemental payments  
14 under s. 49.77, or both.

15          **SECTION 1483L.** 49.775 (2) (b) of the statutes is amended to read:

16          49.775 (2) (b) If the dependent child has 2 custodial parents, each custodial  
17 parent ~~receives~~ is eligible for supplemental security income under 42 USC 1381 to  
18 1383c or for state supplemental payments under s. 49.77, or both.”.

19          **696.** Page 739, line 9: delete lines 9 to 12 and substitute:

20          **“SECTION 1483t.** 49.775 (1) (a) of the statutes is amended to read:

21          49.775 (1) (a) “Custodial parent” ~~has the meaning given in s. 49.141 (1) (b)~~  
22 means, with respect to a dependent child, a parent who is a recipient of supplemental  
23 security income under 42 USC 1381 to 1383d or of state supplemental payments  
24 under s. 49.77, or both, and who resides with a dependent child and, if there has been

1 a determination of legal custody with respect to the dependent child, has legal  
2 custody of that child. For the purposes of this paragraph, “legal custody” has the  
3 meaning given in s. 767.001 (2) (a).

4 **SECTION 1483u.** 49.775 (1) (b) of the statutes is amended to read:

5 49.775 (1) (b) ~~“Dependent child” has the meaning given in s. 49.141 (1) (e)~~  
6 means a person who is the son or daughter of a custodial parent, who resides with  
7 that parent and who is under the age of 18 or, if the person is a full-time student at  
8 a secondary school or a vocational or technical equivalent and is reasonably expected  
9 to complete the program before attaining the age of 19, is under the age of 19.

10 **SECTION 1483v.** 49.775 (1) (c) of the statutes is created to read:

11 49.775 (1) (c) “Grandchild” means a person who is the son or daughter of a  
12 custodial parent’s dependent child who resides with the dependent child and, if there  
13 has been a determination of legal custody with respect to that person, of whom the  
14 dependent child has legal custody. For the purposes of this paragraph, “legal  
15 custody” has the meaning given in s. 767.001 (2) (a).

16 **SECTION 1483w.** 49.775 (1) (d) of the statutes is created to read:

17 49.775 (1) (d) “Parent” has the meaning given in s. 49.141 (1) (j).

18 **SECTION 1483x.** 49.775 (2) (intro.) of the statutes is amended to read:

19 49.775 (2) SUPPLEMENTAL PAYMENTS. (intro.) Subject to sub. (3), from the  
20 appropriation under s. 20.435 (7) (ky), the department shall make a monthly  
21 payment in the amount specified in sub. (4) to a custodial parent for the support of  
22 each dependent child of the custodial parent, and for the support of each grandchild,  
23 if all of the following conditions are met:

24 **SECTION 1483y.** 49.775 (2) (a) of the statutes is repealed.

25 **SECTION 1483z.** 49.775 (2) (c) of the statutes is amended to read:



1           49.775 (2) (c) The dependent child and grandchild, if any, of the eustodian  
2 custodial parent ~~meets~~ meet the eligibility criteria under the aid to families with  
3 dependent children program under s. 49.19 (1) to (19) or would meet the eligibility  
4 criteria under s. 49.19 but for the application of s. 49.19 (20).

5           **SECTION 1483zb.** 49.775 (2) (d) of the statutes is amended to read:

6           49.775 (2) (d) The dependent child or the grandchild does not receive  
7 supplemental security income under 42 USC 1381 to 1383d.

8           **SECTION 1484b.** 49.775 (4) of the statutes is renumbered 49.775 (4) (a) and  
9 amended to read:

10           49.775 (4) PAYMENT AMOUNT. (a) The payment under sub. (2) is \$100 \$250 per  
11 month ~~per~~ for one dependent child and \$150 per month for each additional dependent  
12 child and, except as provided in par. (b), \$150 per month for each grandchild.

13           **SECTION 1484c.** 49.775 (4) (b) of the statutes is created to read:

14           49.775 (4) (b) If the custodial parent receives a payment under s. 48.57 (3m)  
15 for the care and maintenance of a child, no payment may be made under this section  
16 with respect to that child.”

17           **697.** Page 739, line 23: after that line insert:

18           “**SECTION 1488m.** 49.857 (1) (d) 12. of the statutes is amended to read:

19           49.857 (1) (d) 12. A license or certificate of registration issued under s. 138.09,  
20 138.12, 217.06, 218.01, 218.02, 218.04, 218.05 ~~or~~, 224.72, 224.93 or subch. III of ch.  
21 551.”

22           **698.** Page 742, line 12: after that line insert:

23           “(d) For performance of a financial screen, the person, if seeking admission or  
24 about to be admitted on a private pay basis, waives the requirement under s. 46.283

1 (4) (g), unless the person will be eligible for medical assistance within 6 months after  
2 performance of the financial screen.”.

3 **699.** Page 743, line 11: after that line insert:

4 “(d) For performance of a financial screen, the person, if seeking admission or  
5 about to be admitted on a private pay basis, waives the requirement under s. 46.283  
6 (4) (g), unless the person will be eligible for medical assistance within 6 months after  
7 performance of the financial screen.”.

8 **700.** Page 745, line 25: after that line insert:

9 “(d) For performance of a financial screen, the person, if seeking admission or  
10 about to be admitted on a private pay basis, waives the requirement under s. 46.283  
11 (4) (g), unless the person will be eligible for medical assistance within 6 months after  
12 performance of the financial screen.”.

13 **701.** Page 748, line 18: after that line insert:

14 “4. For performance of a financial screen, the person, if seeking admission or  
15 about to be admitted on a private pay basis, waives the requirement under s. 46.283  
16 (4) (g), unless the person will be eligible for medical assistance within 6 months after  
17 performance of the financial screen.”.

18 **702.** Page 749, line 17: after “(1)” insert “. For performance of a financial  
19 screen, the individual who consents, if seeking admission for the individual or if the  
20 individual is about to be admitted on a private pay basis, may waive the requirement  
21 under s. 46.283 (4) (g), unless the person will be eligible for medical assistance within  
22 6 months after performance of the financial screen”.

23 **703.** Page 750, line 3: after that line insert:

24 “**SECTION 1524m.** 50.36 (1) of the statutes is amended to read:

1           50.36 (1) The department shall promulgate, adopt, amend and enforce such  
2 rules and standards for hospitals for the construction, maintenance and operation  
3 of the hospitals deemed necessary to provide safe and adequate care and treatment  
4 of the patients in the hospitals and to protect the health and safety of the patients  
5 and employes; and nothing contained herein shall pertain to a person licensed to  
6 practice medicine and surgery or dentistry. The building codes and construction  
7 standards of the department of commerce shall apply to all hospitals and the  
8 department may adopt additional construction codes and standards for hospitals,  
9 provided they are not lower than the requirements of the department of commerce.  
10 Except for the construction codes and standards of the department of commerce and  
11 except as provided in s. 50.39 (3) and subch. II of ch. 196, the department shall be the  
12 sole agency to adopt and enforce rules and standards pertaining to hospitals.”.

13           **704.** Page 752, line 10: after that line insert:

14           “**SECTION 1531p.** 50.94 of the statutes is created to read:

15           **50.94 Certain admissions to facilities.** (1) In this section:

16           (a) “Close friend” means a person who is at least 18 years of age and who has  
17 exhibited special care and concern for the incapacitated individual.

18           (b) “Incapacitated” means unable to receive and evaluate information  
19 effectively or to communicate decisions to such an extent that the individual lacks  
20 the capacity to manage his or her health care decisions.

21           (2) A person under sub. (3) may, except as provided in sub. (5), make decisions  
22 related to care in a hospice on behalf of an incapacitated individual who does not have  
23 a valid living will or a valid power of attorney for health care and who has not been  
24 adjudicated incompetent under ch. 880, if, to the best knowledge of the physician who

1 oversees the care, no person who is listed under sub. (3) in the same order of priority  
2 as, or higher in priority than, the person who is making the decisions disagrees with  
3 the proposed decisions.

4 **(3)** The following persons, in the following order of priority, may serve as a  
5 substitute decision maker under sub. (2):

6 (a) The spouse of the incapacitated individual.

7 (b) An adult child of the incapacitated individual.

8 (c) A parent of the incapacitated individual.

9 (d) An adult sibling of the incapacitated individual.

10 (e) A close friend of the incapacitated individual.

11 **(4)** A determination that an individual is incapacitated for purposes of sub. (2)  
12 shall be made by 2 physicians, as defined in s. 448.01 (5), or by one physician and one  
13 licensed psychologist, as defined in s. 455.01 (4), who personally examine the  
14 individual and sign a statement specifying that the individual is incapacitated. Mere  
15 old age, eccentricity or physical disability, either singly or together, are insufficient  
16 to make a finding that an individual is incapacitated. Neither of the individuals who  
17 make a finding that an individual is incapacitated may be a relative, as defined in  
18 s. 242.01 (11), of the individual or have knowledge that he or she is entitled to or has  
19 a claim on any portion of the individual's estate. A copy of the statement shall be  
20 included in the individual's records in the facility to which he or she is admitted.

21 **(5)** A person who serves as a substitute decision maker under sub. (2) may not  
22 authorize expenditures related to care in a hospice for the incapacitated individual  
23 if the incapacitated individual has an agent under a durable power of attorney, as  
24 defined in s. 243.07 (1) (a), who may authorize expenditures related to care in a  
25 hospice.”.

1           **705.** Page 759, line 13: after that line insert:

2           “**SECTION 1572g.** 51.437 (4rm) (c) 2. b. of the statutes is amended to read:

3           51.437 (**4rm**) (c) 2. b. Bill the county department of developmental disabilities  
4 services for services provided on or after December 31, 1997, at \$48 per day, if an  
5 independent professional review established under 42 USC 1396a (a) (31) designates  
6 the person served as appropriate for community care, including persons who have  
7 been admitted for more than 180 consecutive days and for whom the cost of care in  
8 the community would be less than ~~\$184~~ \$200 per day. The department of health and  
9 family services shall use money it receives from the county department of  
10 developmental disabilities services to offset the state’s share of medical assistance.  
11 Payment is due from the county department of developmental disabilities services  
12 within 60 days of the billing date, subject to provisions of the contract. If the  
13 department of health and family services does not receive any payment within 60  
14 days, it shall deduct all or part of the amount due from any payment the department  
15 of health and family services is required to make to the county department of  
16 developmental disabilities services. The department of health and family services  
17 shall first use collections received under s. 46.10 as a result of care at a center for the  
18 developmentally disabled to reduce the costs paid by medical assistance, and shall  
19 remit the remainder to the county department of developmental disabilities services  
20 up to the portion billed. The department of health and family services shall use the  
21 appropriation under s. 20.435 (2) (gk) to remit collection credits and other  
22 appropriate refunds to county departments of developmental disabilities services.”.

23           **706.** Page 759, line 14: after that line insert:

24           “**SECTION 1575n.** 59.10 (2) (a) of the statutes is amended to read:

1           59.10 (2) (a) *Composition; supervisory districts.* Within 60 days after the  
2 population count by block, established in the decennial federal census of population,  
3 and maps showing the location and numbering of census blocks become available in  
4 printed form from the federal government or are published for distribution by an  
5 agency of this state, but no later than July 1 following the year of each decennial  
6 census, the board shall adopt and transmit to the governing body of each city and  
7 village wholly or partially contained within the county a tentative county  
8 supervisory district plan to be considered by the cities and villages when dividing  
9 into wards. The plan shall specify the number of supervisors to be elected and shall  
10 divide the county into a number of districts equal to the number of supervisors, with  
11 each district substantially equal in population and consisting of contiguous whole  
12 wards. In any plan that specifies districts to be created within the boundaries of the  
13 1st judicial administration district, the number of districts and the number of  
14 supervisors under the plan shall equal the number of odd-numbered branches of the  
15 circuit court within the 1st judicial administration district. Except as otherwise  
16 provided in this paragraph, the board shall develop and adopt the tentative plan in  
17 accordance with sub. (3) (b) 1. The board shall adopt a final plan by enacting an  
18 ordinance in accordance with sub. (3) (b) 2. to 4.”

19           **707.** Page 761, line 21: after that line insert:

20           “**SECTION 1577mm.** 59.52 (29) (a) of the statutes is amended to read:

21           59.52 (29) (a) All Except as provided in par. (c) 2., all public work, including any  
22 contract for the construction, repair, remodeling or improvement of any public work,  
23 building, or furnishing of supplies or material of any kind where the estimated cost  
24 of such work will exceed \$20,000 shall be let by contract to the lowest responsible

1 bidder. Any public work, the estimated cost of which does not exceed \$20,000, shall  
2 be let as the board may direct. If the estimated cost of any public work is between  
3 \$5,000 and \$20,000, the board shall give a class 1 notice under ch. 985 before it  
4 contracts for the work or shall contract with a person qualified as a bidder under s.  
5 66.29 (2). A contract, the estimated cost of which exceeds \$20,000, shall be let and  
6 entered into under s. 66.29, except that the board may by a three-fourths vote of all  
7 the members entitled to a seat provide that any class of public work or any part  
8 thereof may be done directly by the county without submitting the same for bids.  
9 This subsection does not apply to highway contracts which the county highway  
10 committee or the county highway commissioner is authorized by law to let or make.

11 **SECTION 2577nm.** 59.52 (29) (c) to (f) of the statutes are created to read:

12 59.52 (29) (c) 1. In this subsection, “design-build construction process” means  
13 a procurement process under which the engineering, design and construction  
14 services are provided by a single entity under a process described under par. (d).

15 2. Any public works contract described in par. (a), the estimated cost of which  
16 exceeds \$3,000,000, may be let by a county with a population of at least 500,000 using  
17 the design-build construction process.

18 (d) If a county with a population of at least 500,000 wishes to construct a public  
19 work using the design-build construction process, the county shall use a selection  
20 process that contains the following procedures:

21 1. The county shall issue a request for proposals from design-build teams by  
22 publishing a class 1 notice under ch. 985. The notice shall include a project statement  
23 that describes the space needs and design goals for the project, detailed submission  
24 requirements, selection procedures, site information, an outline of specifications for  
25 the project, a budget for the project, a project schedule, the composition of the

1 selection panel, the approximate amount of the bond that the county will require  
2 under par. (e) and whether the county will offer a stipend to unsuccessful  
3 design-build teams and, if so, the amount of the stipend.

4 2. Following receipt of the proposals, the county shall select 5 or less  
5 design-build teams to participate in the final stage of the selection process. The  
6 selection of teams under this subdivision shall be based on factors that include the  
7 background, experience and qualifications of the members of the teams; the financial  
8 strength and surety capacity of the teams; the quality of the initial proposal; and the  
9 past performance and current workload of the teams. The county selection panel  
10 that selects the teams under this subdivision for the final selection process under  
11 subd. 3. may include design and construction professionals who work for the county  
12 or are hired by the county to assist in the selection, members of the county board and  
13 representatives from the county entity that will use the facility that is to be  
14 constructed under the selection process described in this paragraph.

15 3. The county shall make a final selection from among the teams selected under  
16 subd. 2. if the county determines that at least one of the teams selected as a finalist  
17 under subd. 2. will be able to construct the public work in a way that is satisfactory  
18 to the county. The final selection shall be made following interviews and  
19 presentations from the finalists, based on criteria that are published as a class 1  
20 notice under ch. 985. The notice shall state the weight that is given to each criterion.  
21 The criteria to be used in making a final selection under this subdivision may include  
22 the quality of the proposed design, the construction approach to be used to complete  
23 the project, the extent to which a proposal demonstrates compliance with the project  
24 statement described under subd. 1., the proposed management plan for the project,  
25 the estimated cost of the project and a guaranteed maximum price for the project.



1 (e) If the county selects a design–build team under par. (d) 3. and enters into  
2 a contract for the construction of the project, the design–build team shall obtain  
3 bonding, in an amount specified by the county, to guarantee completion of the project  
4 according to the terms of the contract.

5 (f) 1. In this paragraph:

6 a. “Minority business” has the meaning given in s. 560.036 (1) (e).

7 b. “Minority group member” has the meaning given in s. 560.036 (1) (f).

8 c. “Women’s business” means a sole proprietorship, partnership, joint venture  
9 or corporation that is at least 51% owned, controlled and actively managed by  
10 women.

11 2. The board shall ensure that, for construction work and professional services  
12 contracts that relate to a public works contract for which the design–build  
13 construction process is used, a person who is awarded such a contract by a district  
14 shall agree, as a condition to receiving the contract, that his or her goal shall be to  
15 ensure that at least 25% of the employees hired because of the contract will be  
16 minority group members and at least 5% of the employees hired because of the  
17 contract will be women if the contract is for the construction of any part of baseball  
18 park facilities.

19 3. It shall be a goal of the board to ensure that at least 25% of the aggregate  
20 dollar value of contracts awarded by the board in the following areas shall be  
21 awarded to minority businesses and at least 5% of the aggregate dollar value of  
22 contracts awarded by the district in the following areas shall be awarded to women’s  
23 businesses:

24 a. Construction contracts that relate to a public works contract for which the  
25 design–build construction process is used.

1           b. Professional services contracts that relate to a public works contract for  
2           which the design–build construction process is used.

3           4. It shall be a goal of the board, with regard to each of the contracts described  
4           under subd. 3. a. and b., to award at least 25% of the dollar value of such contracts  
5           to minority businesses and at least 5% of the dollar value of such contracts to  
6           women’s businesses.

7           5. a. The board shall ensure that, for construction work and professional  
8           services contracts, a person who is awarded such a contract by the board shall agree,  
9           as a condition to receiving the contract, that if he or she is unable to meet the goal  
10          under subd. 2., he or she shall make a good faith effort to contract with the technical  
11          college district board of the technical college district in which the facilities are to be  
12          constructed or the professional services contract is to be performed, to develop  
13          appropriate training programs designed to increase the pool of minority group  
14          members and women who are qualified to perform the construction work or  
15          professional services.

16          b. If the board is unable to meet the goals under subds. 3. and 4., the board shall  
17          make a good faith effort to contract with the technical college district board of the  
18          technical college district in which the contracts described under subd. 3. a. and b. are  
19          to be performed, to develop appropriate training programs designed to increase the  
20          pool of minority group members and women who are qualified to perform the  
21          contracts described under subd. 3. a., b. and c.

22          6. a. The board shall hire an independent person to monitor the board’s  
23          compliance with minority contracting goals under subds. 2., 3. and 4. The person  
24          hired shall have previous experience working with minority group members. The  
25          board shall develop a mechanism to receive regular reports from the person hired

1 with respect to the results of the person’s studies of compliance with minority  
2 contracting goals.

3 b. If the board or a contractor is unable to meet the goals under subd. 2., 3. or  
4 4., the person hired under this subd. 6. a. shall assess whether the board or contractor  
5 made a good faith effort to reach the goals. In determining whether a good faith effort  
6 was made to meet the goals, the person hired shall consider all of the factors listed  
7 in subd. 7.

8 7. a. The supply of eligible minority businesses and women’s businesses that  
9 have the financial capacity, technical capacity and previous experience in the areas  
10 in which contracts were awarded.

11 b. The competing demands for the services provided by eligible minority  
12 businesses and women’s businesses, as described in this subd. 7. a., in areas in which  
13 contracts were awarded.

14 c. The extent to which the board or contractors advertised for and aggressively  
15 solicited bids from eligible minority businesses and women’s businesses, as described  
16 in this subd. 7. a., and the extent to which eligible minority businesses and women’s  
17 businesses submitted bids.”.

18 **708.** Page 762, line 13: delete the material beginning with that line and  
19 ending with page 763, line 10.

20 **709.** Page 763, line 10: after that line insert:

21 “**SECTION 1579u.** 59.692 (6m) of the statutes is created to read:

22 59.692 (**6m**) For an amendment to an ordinance enacted under this section that  
23 affects an activity that meets all of the requirements under s. 281.165 (1) to (5), the  
24 department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review the

1 amendment, to determine whether the ordinance, as amended, fails to meet the  
2 shoreland zoning standards.”.

3 **710.** Page 763, line 11: delete lines 11 to 23.

4 **711.** Page 763, line 23: after that line insert:

5 “**SECTION 1580p.** 60.615 of the statutes is created to read:

6 **60.615 Town of Troy farmland preservation pilot program; special**  
7 **zoning powers, purchase of development rights. (1) TOWN BOARD PURCHASE OF**  
8 **DEVELOPMENT RIGHTS. (a) *Definitions.* In this section:**

9 1. “Board” means the town of Troy board of supervisors.

10 2. “Conservation easement” means a holder’s nonpossessory interest in real  
11 property that imposes a limitation or affirmative obligation the purpose of which is  
12 to retain or protect natural, scenic or open space values of real property, assuring the  
13 availability of real property for agricultural, forest, wildlife habitat, recreational or  
14 open space use, protecting natural resources or maintaining or enhancing air or  
15 water quality.

16 3. “Developer” means a person that constructs or creates a land development.

17 4. “Development rights” means a holder’s nonpossessory interest in farmland  
18 that imposes a limitation or affirmative obligation the purpose of which is to retain  
19 or protect natural, scenic or open space values of farmland, assuring the availability  
20 of farmland for agricultural, forest, wildlife habitat, recreational or open space use,  
21 protecting natural resources or maintaining or enhancing air or water quality.

22 5. “Farmland” has the meaning given for eligible farmland under s. 91.01 (6).

23 6. “Land development” means the construction of residential dwelling units  
24 within the town of Troy in an area that is subject to zoning under sub. (2) (b).

1           7. “Town of Troy” means the town of Troy in St. Croix County.

2           (b) *Purchase of development rights.* 1. The board may purchase development  
3 rights to farmland that is located in the town of Troy.

4           2. The town may purchase the development rights with the grant received from  
5 the department of agriculture, trade and consumer protection under s. 20.115 (7) (dr)  
6 or from funds received by a developer who makes the payments described under sub.  
7 (2) (c) 2. If the board adopts a resolution requesting the department of agriculture,  
8 trade and consumer protection to make the grant payment described under this  
9 subdivision, the department shall do so.

10          3. The board shall determine which farmland in the town is the best farmland  
11 and shall attempt to purchase the development rights to that farmland.

12          **(2) SPECIAL ZONING PROVISIONS.** (a) *Zoning authority.* Notwithstanding s. 91.77  
13 (1), the board may rezone a parcel that is zoned for exclusive agricultural use under  
14 subch. V of ch. 91 if the owner of the parcel grants a permanent conservation  
15 easement to the town of Troy that applies to at least 60% of the parcel, including the  
16 best farmland in the parcel as determined by the board. Except as provided in par.  
17 (c), the provisions of s. 91.77 (2) do not apply to a parcel that is rezoned under this  
18 paragraph or that is developed under par. (b).

19          (b) *Development procedures.* With regard to the portion of a parcel described  
20 under par. (a) that is not subject to a permanent conservation easement, a developer  
21 may, subject to par. (c), create a land development.

22          (c) *Development conditions.* 1. The board may determine population density  
23 limits that apply to a land development.

24          2. If a developer creates a land development under par. (b) the developer shall  
25 pay to the town of Troy the amount of tax credits that would be subject to a lien, as

1 calculated under s. 91.77 (2), on the parcels on which the land development is  
2 proposed.

3 (3) SUNSET PROVISIONS. The board may not exercise the zoning authority  
4 described under sub. (2) after the first day of the 24th month beginning after  
5 publication.”.

6 **712.** Page 764, line 25: after that line insert:

7 “SECTION 1588m. 62.03 (1) of the statutes is amended to read:

8 62.03 (1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j)  
9 and (k), 62.15 (1m), 62.175 and 62.23 (7) (em) and (he), does not apply to 1st class  
10 cities under special charter.

11 SECTION 1588r. 62.15 (1) of the statutes is amended to read:

12 62.15 (1) CONTRACTS; HOW LET. ~~All~~ Except as provided in sub. (1m), all public  
13 construction, the estimated cost of which exceeds \$10,000, shall be let by contract to  
14 the lowest responsible bidder; all other public construction shall be let as the council  
15 may direct. If the estimated cost of any public construction exceeds \$5,000 but is not  
16 greater than \$10,000, the board of public works shall give a class 1 notice, under ch.  
17 985, of the proposed construction before the contract for the construction is executed.  
18 The council may also by a vote of three-fourths of all the members-elect provide by  
19 ordinance that any class of public construction or any part thereof may be done  
20 directly by the city without submitting the same for bids.

21 SECTION 1588s. 62.15 (1m) of the statutes is created to read:

22 62.15 (1m) DESIGN-BUILD CONTRACTS. Any contract for public construction  
23 under sub. (1) that is let by a 1st class city, the estimated cost of which exceeds  
24 \$3,000,000, may be let using the design-build construction process, as defined in s.

1 59.52 (29) (c) 1. Section 59.52 (29) (d), (e) and (f), as it applies to counties with a  
2 population of at least 500,000, applies to 1st class cities.”

3 **713.** Page 767, line 18: delete lines 18 to 25.

4 **714.** Page 768, line 1: delete lines 1 to 15.

5 **715.** Page 768, line 15: after that line insert:

6 “**SECTION 1591k.** 62.231 (6m) of the statutes is created to read:

7 62.231 (**6m**) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an  
8 ordinance enacted under this section that affects an activity that meets all of the  
9 requirements under s. 281.165 (1) to (5), the department of natural resources may  
10 not proceed under sub. (6), or otherwise review the amendment, to determine  
11 whether the ordinance, as amended, fails to meet reasonable minimum standards.”

12 **716.** Page 778, line 6: delete the material beginning with that line and ending  
13 with page 779, line 6.

14 **717.** Page 779, line 6: after that line insert:

15 “**SECTION 1608m.** 66.082 (3) (a) of the statutes is amended to read:

16 66.082 (**3**) (a) Own and operate a cable television system, except that such a  
17 system shall be operated on a competitively neutral and nondiscriminatory basis.”

18 **718.** Page 785, line 13: after that line insert:

19 “**SECTION 1618j.** 66.293 (3) (av) of the statutes is amended to read:

20 66.293 (**3**) (av) In determining prevailing wage rates under par. (am) or (ar),  
21 the department may not use data from projects that are subject to this section, s.  
22 103.49 or 103.50 or 40 USC 276a unless the department determines that there is  
23 insufficient wage data in the area to determine those prevailing wage rates, in which  
24 case the department may use data from projects that are subject to this section, s.

1 103.49 or 103.50 or 40 USC 276a. The department may also use data from a project  
2 that is subject to this section, s. 103.49 or 103.50 or 40 USC 276a in determining  
3 prevailing wage rates under par. (am) or (ar) if the department determines that the  
4 wage rate paid on that project is higher than the prevailing wage rate determined  
5 for that project.”.

6 **719.** Page 785, line 13: after that line insert:

7 “SECTION 1617r. 66.184 of the statutes is amended to read:

8 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a  
9 village provides health care benefits under its home rule power, or if a town provides  
10 health care benefits, to its officers and employes on a self-insured basis, the  
11 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),  
12 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),  
13 632.895 (9) to (13), 632.896, and 767.25 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b)~~  
14 4.”.

15 **720.** Page 786, line 18: after that line insert:

16 “SECTION 1621e. 66.307 (2) (a) of the statutes is amended to read:

17 66.307 (2) (a) The governing body of a political subdivision, by a two-thirds vote  
18 of the members of the governing body who are present when the vote is taken, may  
19 enact an ordinance or adopt a resolution declaring itself to be a premier resort area  
20 if, except as provided in par. (e), at least 40% of the equalized assessed value of the  
21 taxable property within such political subdivision is used by tourism-related  
22 retailers.

23 **SECTION 1621f.** 66.307 (2) (e) of the statutes is created to read:



1           66.307 (2) (e) 1. The legislature finds the following with respect to the city of  
2 Eagle River:

3           a. It is extremely close to the 40% threshold described in par. (a).

4           b. It has an atypical percentage of tax-exempt land within its boundaries that  
5 is used for tourism-related purposes.

6           c. It is the site of national recreational competitions that draw tourism business  
7 to the entire northern region of this state.

8           2. The city of Eagle River may enact an ordinance or adopt a resolution  
9 declaring itself to be a premier resort area under par. (a) even if less than 40% of the  
10 equalized assessed value of the taxable property within Eagle River is used by  
11 tourism-related retailers.”

12           **721.** Page 788, line 24: after that line insert:

13           “**SECTION 1630ce.** 66.431 (5c) of the statutes is created to read:

14           66.431 (5c) MINORITY CONTRACTING PROVISIONS. (a) In this subsection:

15           1. “Minority business” has the meaning given in s. 560.036 (1) (e).

16           2. “Minority group member” has the meaning given in s. 560.036 (1) (f).

17           (b) With regard to a neighborhood school construction project that is financed  
18 from the proceeds of bonds that are described in sub. (5) (a) 4. d., the board of directors  
19 of the school district operating under ch. 119 shall ensure that, for construction work  
20 and professional services contracts, a person who is awarded such a contract by the  
21 board shall agree, as a condition to receiving the contract, that at least 50% of the  
22 employes hired because of the contract will be minority group members if the  
23 contract is for the construction of any part of a neighborhood school construction  
24 project.

1 (c) With regard to a neighborhood school construction project that is financed  
2 from the proceeds of bonds that are described in sub. (5) (a) 4. d., the board of directors  
3 of the school district operating under ch. 119 shall ensure that at least 50% of the  
4 aggregate dollar value of contracts awarded by the board shall be awarded to  
5 minority businesses in the following areas:

6 1. Contracts for the construction of a neighborhood school project.

7 2. Contracts for professional services related to the construction of a  
8 neighborhood school project.”.

9 **722.** Page 800, line 13: delete the material beginning with that line and  
10 ending with page 806, line 9.

11 **723.** Page 806, line 20: after that line insert:

12 “**SECTION 1638s.** 66.77 (2) of the statutes is amended to read:

13 66.77 (2) LIMIT. Except as provided in ~~sub. subs.~~ (3) and (3m), no county may  
14 impose an operating levy at an operating levy rate that exceeds .001 or the operating  
15 levy rate in 1992, whichever is greater.

16 **SECTION 1638u.** 66.77 (3m) of the statutes is created to read:

17 66.77 (3m) EXCEPTION. Notwithstanding sub. (1) (d), “operating levy” in a  
18 county that was created in 1853 that borders the St. Croix and Mississippi rivers  
19 means the county purpose levy, less the debt levy, less any expenditures for the  
20 operation and maintenance of jails and other correctional facilities.”.

21 **724.** Page 806, line 20: after that line insert:

22 “**SECTION 1642m.** 66.904 (2) (a) of the statutes is amended to read:

23 66.904 (2) (a) Except for a contract awarded under par. (am) and except as  
24 provided in par. (b), all work done and all purchases of supplies and materials by the

1 commission shall be by contract awarded to the lowest responsible bidder complying  
2 with the invitation to bid, if the work or purchase involves an expenditure of \$7,500  
3 or more. If the commission decides to proceed with construction of any sewer after  
4 plans and specifications for the sewer are completed and approved by the commission  
5 and by the department of natural resources under ch. 281, the commission shall  
6 advertise by a class 2 notice under ch. 985 for construction bids. All contracts and  
7 the awarding of contracts are subject to s. 66.29, except for a contract awarded under  
8 par. (am).

9 **SECTION 1642n.** 66.904 (2) (am) of the statutes is created to read:

10 66.904 (2) (am) Any contract for public construction under sub. (1), the  
11 estimated cost of which exceeds \$3,000,000, may be let using the design-build  
12 construction process, as defined in s. 59.52 (29) (c) 1. Section 59.52 (29) (d), (e) and  
13 (f), as it applies to counties with a population of at least 500,000, applies to the  
14 district.

15 **SECTION 1642p.** 66.904 (2) (e) of the statutes is amended to read:

16 66.904 (2) (e) Paragraphs (a) ~~to~~ and (b) to (d) do not apply to contracts awarded  
17 under s. 66.905. Paragraph (am) applies to contracts awarded under s. 66.905.”

18 **725.** Page 809, line 1: delete lines 1 to 13.

19 **726.** Page 809, line 24: delete the material beginning with that line and  
20 ending with page 810, line 3.

21 **727.** Page 811, line 18: after that line insert:

22 “**SECTION 1653b.** 70.11 (39) of the statutes is amended to read:

23 70.11 (39) COMPUTERS. If the owner of the property fulfills the requirements  
24 under s. 70.35, mainframe computers, minicomputers, personal computers,

1 networked personal computers, servers, terminals, monitors, disk drives, electronic  
2 peripheral equipment, tape drives, printers, basic operational programs, systems  
3 software, prewritten software and custom software. The exemption under this  
4 subsection does not apply to fax machines, copiers, equipment with embedded  
5 computerized components or telephone systems, including equipment that is used  
6 to provide telecommunications services, as defined in s. 76.80 (3). This subsection  
7 does not apply to automatic teller machines. Notwithstanding 1997 Wisconsin Act  
8 237, section 9442 (2), this subsection does not apply to property tax assessments  
9 before January 1, 2002.”

10 **728.** Page 812, line 2: after that line insert:

11 “**SECTION 1655L.** 70.32 (2) (c) 1. of the statutes is renumbered 70.32 (2) (c) 1.  
12 (intro.) and amended to read:

13 70.32 (2) (c) 1. (intro.) “Agricultural land” means land, exclusive of buildings  
14 and improvements, that is devoted primarily to agricultural use, as defined by rule.,  
15 except that “agricultural land” does not include any of the following:

16 **SECTION 1655Lq.** 70.32 (2) (c) 1. a. to d. of the statutes are created to read:

17 70.32 (2) (c) 1. a. A tract of land that is less than 20 acres and that is not  
18 contiguous to agricultural land that is owned by the person who owns the tract.

19 b. A tract of land that is platted or subdivided.

20 c. Land that generates less than \$2,000 in gross farm profits resulting from  
21 agricultural use as defined under s. 91.01 (1).

22 d. Land that is not zoned for agricultural use.”.

23 **729.** Page 812, line 3: delete lines 3 to 16.

24 **730.** Page 822, line 6: delete lines 6 to 11.

1           **731.** Page 822, line 12: delete lines 12 to 21.

2           **732.** Page 823, line 21: delete the material beginning with that line and  
3 ending with page 824, line 17.

4           **733.** Page 825, line 15: delete the material beginning with that line and  
5 ending with page 833, line 8.

6           **734.** Page 834, line 19: delete “, (2dy) and (3s)” and substitute “and, (2dy), (3s)  
7 and (5d)”.

8           **735.** Page 836, line 1: delete lines 1 to 7.

9           **736.** Page 836, line 7: after that line insert:

10           “**SECTION 1688f.** 71.05 (6) (b) 30. of the statutes is created to read:

11           71.05 (6) (b) 30. For taxable years beginning after December 31, 1998, any  
12 settlement received for claims against any person for any recovered assets, or any  
13 amount of assets or any gain generated on such assets, that were stolen from, hidden  
14 from or otherwise lost by an individual who was persecuted by Nazi Germany or any  
15 Axis regime during any period from 1933 to 1945 and have been recovered, returned  
16 or otherwise paid to the original victim or his or her heirs or beneficiaries. The assets  
17 to which this subdivision applies includes cash, bonds, stocks, deposits in a financial  
18 institution, proceeds from a life or other type of insurance policy, jewelry, precious  
19 metals, artwork or any other item of value owned by such a victim during any period  
20 from 1920 to 1945.”.

21           **737.** Page 836, line 7: after that line insert:

22           “**SECTION 1688h.** 71.05 (6) (b) 31. of the statutes is created to read:

1           71.05 (6) (b) 31. An amount paid by an employer to an employe for the purchase  
2 of a public transportation pass, token or fare card, or the value of such a pass, token  
3 or fare card provided by an employer to an employe, if the money provided for, or the  
4 value of, the pass, token or fare card exceeds the amount that may be excluded from  
5 federal gross income under section 132 (a) (5) of the Internal Revenue Code for a  
6 transit pass under section 132 (f) (1) (B) of the Internal Revenue Code per month.”.

7           **738.** Page 836, line 9: delete “*and thereafter to 1999*” and substitute “*and*  
8 *thereafter*”.

9           **739.** Page 836, line 10: delete “~~on or after January 1, 1994~~ after” and  
10 substitute “on or after January 1, 1994”.

11           **740.** Page 836, line 11: delete that line and substitute “, the Wisconsin  
12 standard deduction”.

13           **741.** Page 837, line 20: delete the material beginning with that line and  
14 ending with page 838, line 24.

15           **742.** Page 839, line 2: delete “2000” and substitute “2001”.

16           **743.** Page 839, line 18: on lines 18 and 19, delete “(dp)” and substitute “(dm)”.

17           **744.** Page 840, line 5: delete the material beginning with that line and ending  
18 with page 847, line 6, and substitute:

19           “**SECTION 1703e.** 71.06 (2e) of the statutes is amended to read:

20           71.06 (2e) BRACKET INDEXING. For taxable years beginning after December 31,  
21 1998, the maximum dollar amount in each tax bracket, and the corresponding  
22 minimum dollar amount in the next bracket, under subs. (1m) and (2) (c) and (d) shall  
23 be increased each year by a percentage equal to the percentage change between the  
24 U.S. consumer price index for all urban consumers, U.S. city average, for the month

1 of August of the previous year and the U.S. consumer price index for all urban  
2 consumers, U.S. city average, for the month of August of the year before the previous  
3 year 1997, as determined by the federal department of labor. Each amount that is  
4 revised under this subsection shall be rounded to the nearest multiple of \$10 if the  
5 revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5,  
6 such an amount shall be increased to the next higher multiple of \$10. The  
7 department of revenue shall annually adjust the changes in dollar amounts required  
8 under this subsection and incorporate the changes into the income tax forms and  
9 instructions.”.

10 **745.** Page 849, line 3: delete lines 3 to 7.

11 **746.** Page 849, line 7: after that line insert:

12 “**SECTION 1710h.** 71.07 (3m) (b) 1. a. of the statutes is amended to read:

13 71.07 (**3m**) (b) 1. a. Subject to the limitations provided in this subsection and  
14 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income  
15 taxes otherwise due, the amount derived under par. (c). If the allowable amount of  
16 claim exceeds the income taxes otherwise due on the claimant’s income or if there are  
17 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not  
18 used as an offset against income taxes shall be certified to the department of  
19 administration for payment to the claimant by check, share draft or other draft paid  
20 from the ~~appropriation~~ appropriations under s. 20.835 (2) (ka) and (q).”.

21 **747.** Page 849, line 8: delete lines 8 to 13.

22 **748.** Page 849, line 17: after that line insert:

23 “**SECTION 1712d.** 71.07 (5d) of the statutes is created to read:

24 71.07 (**5d**) STUDY ABROAD CREDIT. (a) In this subsection:

1           1. “Claimant” means a sole proprietor, a partner, a member of a limited liability  
2 company or a shareholder of a tax–option corporation who files a claim under this  
3 subsection.

4           2. “Qualified expenses” means expenses related to attending school in a foreign  
5 country and includes transportation costs, room and board, books and tuition.

6           (b) A claimant may claim as a credit against the tax imposed under s. 71.02 an  
7 amount equal to \$1,000 if all of the following apply:

8           1. The claimant pays or incurs at least \$3,000 in qualified expenses on behalf  
9 of a student who attends school in a foreign country.

10          2. The student under subd. 1. is a full–time undergraduate student enrolled in  
11 the University of Wisconsin System.

12          3. The student under subd. 1. is eligible for a Wisconsin higher education grant  
13 under s. 39.435.

14          (c) A claimant may not claim the credit under par. (b) for any tuition amounts  
15 that the claimant excluded under s. 71.05 (6) (b) 28. or under section 127 of the  
16 Internal Revenue Code.

17          (d) The carry–over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
18 under s. 71.28 (4), apply to the credit under this subsection.

19          (e) Partnerships, limited liability companies and tax–option corporations may  
20 not claim the credit under this subsection, but the eligibility for, and the amount of,  
21 the credit are based on their payment of qualified expenses under par. (b) 1. A  
22 partnership, limited liability company or tax–option corporation shall compute the  
23 amount of credit that each of its partners, members or shareholders may claim and  
24 shall provide that information to each of them. Partners, members of limited liability



1 companies and shareholders of tax-option corporations may claim the credit in  
2 proportion to their ownership interest.

3 (f) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
4 applies to the credit under this subsection.”.

5 **749.** Page 849, line 18: delete the material beginning with that line and  
6 ending with page 850, line 9, and substitute:

7 “**SECTION 1716p.** 71.07 (9) (a) 4. of the statutes is amended to read:

8 71.07 (9) (a) 4. “Rent constituting property taxes” means, in taxable years  
9 beginning before January 1, 2000, 25% of rent if heat is not included, or 20% of rent  
10 if heat is included, paid during the taxable year for which credit is claimed under this  
11 subsection, at arm’s length, for the use of a principal dwelling and contiguous land,  
12 excluding any payment for domestic, food, medical or other services which are  
13 unrelated to use of the dwelling as housing, less any rent paid that is properly  
14 includable as a trade or business expense under the internal revenue code. “Rent”  
15 includes space rental paid to a landlord for parking a mobile home. Rent shall be  
16 apportioned among the occupants of a principal dwelling according to their  
17 respective contribution to the total amount of rent paid. “Rent” does not include rent  
18 paid for the use of housing which was exempt from property taxation, except housing  
19 for which payments in lieu of taxes were made under s. 66.40 (22).

20 **SECTION 1716q.** 71.07 (9) (a) 5. of the statutes is created to read:

21 71.07 (9) (a) 5. “Rent constituting property taxes” means, in taxable years  
22 beginning after December 31, 1999, 35% of rent if heat is not included, or 30% of rent  
23 if heat is included, paid during the taxable year for which credit is claimed under this  
24 subsection, at arm’s length, for the use of a principal dwelling and contiguous land,

1 excluding any payment for domestic, food, medical or other services which are  
2 unrelated to use of the dwelling as housing, less any rent paid that is properly  
3 includable as a trade or business expense under the Internal Revenue Code. “Rent”  
4 includes space rental paid to a landlord for parking a mobile home. Rent shall be  
5 apportioned among the occupants of a principal dwelling according to their  
6 respective contribution to the total amount of rent paid. “Rent” does not include rent  
7 paid for the use of housing which was exempt from property taxation, except housing  
8 for which payments in lieu of taxes were made under s. 66.40 (22).

9 **SECTION 1716r.** 71.07 (9) (b) 1. of the statutes is amended to read:

10 71.07 (9) (b) 1. ~~Subject~~ For taxable years beginning before January 1, 1998, and  
11 for taxable years beginning after December 31, 1998 and before January 1, 2000,  
12 subject to the limitations under this subsection and except as provided in subd. 2.,  
13 a claimant may claim as a credit against, but not to exceed the amount of, taxes under  
14 s. 71.02, 10% of the first \$2,000 of property taxes or rent constituting property taxes,  
15 or 10% of the first \$1,000 of property taxes or rent constituting property taxes of a  
16 married person filing separately.

17 **SECTION 1716s.** 71.07 (9) (b) 3. of the statutes is created to read:

18 71.07 (9) (b) 3. For taxable years beginning after December 31, 1999, subject  
19 to the limitations under this subsection, a claimant may claim as a credit against,  
20 but not to exceed the amount of, taxes under s. 71.02, 10% of the first \$2,000 of  
21 property taxes or 14.1% of the first \$2,000 of rent constituting property taxes, or 10%  
22 of the first \$1,000 of property taxes or 14.1% of the first \$1,000 of rent constituting  
23 property taxes of a married person filing separately.”.

24 **750.** Page 850, line 17: delete lines 17 to 22

1           **751.** Page 851, line 1: after “(3s),” insert “(5d).”

2           **752.** Page 851, line 2: delete the material beginning with “(2m)” and ending  
3 with “(2m) and (3)” on line 3 and substitute “(2m) ~~and~~, (3) and (5d) and 71.47 (1dd),  
4 (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) ~~and~~, (3) and (5d)”.

5           **753.** Page 851, line 9: after that line insert:

6           “**SECTION 1719n.** 71.10 (4) (i) of the statutes is amended to read:

7           71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland  
8 preservation credit under subch. IX, homestead credit under subch. VIII, farmland  
9 tax relief credit under s. 71.07 (3m), farmers’ drought property tax credit under s.  
10 71.07 (2fd), study abroad credit under s. 71.07 (5d), earned income tax credit under  
11 s. 71.07 (9e), estimated tax payments under s. 71.09, and taxes withheld under  
12 subch. X.”.

13           **754.** Page 851, line 17: delete the material beginning with that line and  
14 ending with page 852, line 2.

15           **755.** Page 853, line 9: delete lines 9 to 13.

16           **756.** Page 853, line 14: delete lines 14 to 18.

17           **757.** Page 853, line 21: delete “and (3s)” and substitute “~~and~~, (3s) and (5d)”.

18           **758.** Page 853, line 23: delete the material beginning with that line and  
19 ending with page 854, line 7.

20           **759.** Page 854, line 12: delete lines 12 to 17.

21           **760.** Page 873, line 21: after that line insert:

22           “**SECTION 1722yc.** 71.23 (3) (d) of the statutes is created to read:

1           71.23 (3) (d) The storage for any length of time in this state in or on property  
2 owned by a person, other than the foreign corporation, of the foreign corporation's  
3 tangible personal property, if the tangible personal property is used in this state by  
4 another person for fabricating, processing, manufacturing or printing on the parcel  
5 of property in or on which the tangible personal property is stored and if the parcel  
6 of property has an assessed value, for property tax purposes, of at least \$10,000,000  
7 but no more than \$11,000,000 on January 1, 1999.”.

8           **761.** Page 873, line 22: delete the material beginning with that line and  
9 ending with page 888, line 14.

10           **762.** Page 889, line 11: delete “and (1dy)” and substitute “, (1dy) and (5d)”.

11           **763.** Page 910, line 18: after that line insert:

12           “**SECTION 1740s.** 71.26 (3) (e) 1. of the statutes is amended to read:

13           71.26 (3) (e) 1. So that payments for wages, salaries, commissions and bonuses  
14 of employes and officers may be deducted only if the name, address and amount paid  
15 to each resident of this state to whom compensation of \$600 or more has been paid  
16 during the taxable year is reported or if the department of revenue is satisfied that  
17 failure to report has resulted in no revenue loss to this state. A deduction for wages,  
18 salaries, commissions and bonuses paid to an employe or officer shall not exceed an  
19 amount equal to the wages, salaries, commissions and bonuses paid to the  
20 corporation's lowest paid full-time employe during the taxable year multiplied by  
21 25.”.

22           **764.** Page 913, line 3: delete the material beginning with that line and ending  
23 with page 914, line 4.

24           **765.** Page 913, line 7: after that line insert:

1           “**SECTION 1744be.** 71.28 (2m) (b) 1. a. of the statutes is amended to read:

2           71.28 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and  
3 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income  
4 taxes otherwise due, the amount derived under par. (c). If the allowable amount of  
5 claim exceeds the income taxes otherwise due on the claimant’s income or if there are  
6 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not  
7 used as an offset against income taxes shall be certified to the department of  
8 administration for payment to the claimant by check, share draft or other draft paid  
9 from the ~~appropriation~~ appropriations under s. 20.835 (2) (ka) and (q).”

10           **766.** Page 914, line 4: after that line insert:

11           “**SECTION 1746m.** 71.28 (5d) of the statutes is created to read:

12           71.28 **(5d)** STUDY ABROAD CREDIT. (a) In this subsection:

13           1. “Claimant” means a corporation that files a claim under this subsection.

14           2. “Qualified expenses” means expenses related to attending school in a foreign  
15 country and includes transportation costs, room and board, books and tuition.

16           (b) A claimant may claim as a credit against the tax imposed under s. 71.23 an  
17 amount equal to \$1,000 if all of the following apply:

18           1. The claimant pays or incurs at least \$3,000 in qualified expenses on behalf  
19 of a student who attends school in a foreign country.

20           2. The student under subd. 1. is a full-time undergraduate student enrolled in  
21 the University of Wisconsin System.

22           3. The student under subd. 1. is eligible for a Wisconsin higher education grant  
23 under s. 39.435.

1 (c) A claimant may not claim the credit under par. (b) for any tuition amounts  
2 that the claimant excluded under s. 71.05 (6) (b) 28. or under section 127 of the  
3 Internal Revenue Code.

4 (d) The carry-over provisions of sub. (4) (e) and (f), as they apply to the credit  
5 under sub. (4), apply to the credit under this subsection.

6 (e) Partnerships, limited liability companies and tax-option corporations may  
7 not claim the credit under this subsection, but the eligibility for, and the amount of,  
8 the credit are based on their payment of qualified expenses under par. (b) 1. A  
9 partnership, limited liability company or tax-option corporation shall compute the  
10 amount of credit that each of its partners, members or shareholders may claim and  
11 shall provide that information to each of them. Partners, members of limited liability  
12 companies and shareholders of tax-option corporations may claim the credit in  
13 proportion to their ownership interest.

14 (f) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies  
15 to the credit under this subsection.”.

16 **767.** Page 914, line 6: after that line insert:

17 “**SECTION 1747n.** 71.30 (3) (f) of the statutes is amended to read:

18 71.30 (3) (f) The total of farmers’ drought property tax credit under s. 71.28  
19 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under  
20 s. 71.28 (2m), study abroad credit under s. 71.28 (5d) and estimated tax payments  
21 under s. 71.29.”.

22 **768.** Page 917, line 5: delete “, (1dy) and (3)” and substitute “and, (1dy), (3)  
23 and (5d)”.

24 **769.** Page 938, line 5: after “(1dy)” insert “and (5d)”.

1           **770.** Page 938, line 24: delete the material beginning with that line and  
2 ending with page 941, line 10.

3           **771.** Page 943, line 18: delete the material beginning with that line and  
4 ending with page 944, line 19.

5           **772.** Page 943, line 22: after that line insert:

6           “**SECTION 1757be.** 71.47 (2m) (b) 1. a. of the statutes is amended to read:

7           71.47 (**2m**) (b) 1. a. Subject to the limitations provided in this subsection and  
8 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income  
9 taxes otherwise due, the amount derived under par. (c). If the allowable amount of  
10 claim exceeds the income taxes otherwise due on the claimant’s income or if there are  
11 no Wisconsin income taxes due on the claimant’s income, the amount of the claim not  
12 used as an offset against income taxes shall be certified to the department of  
13 administration for payment to the claimant by check, share draft or other draft paid  
14 from the ~~appropriation~~ appropriations under s. 20.835 (2) (ka) and (q).”

15           **773.** Page 944, line 19: after that line insert:

16           “**SECTION 1759s.** 71.47 (5d) of the statutes is created to read:

17           71.47 (**5d**) STUDY ABROAD CREDIT. (a) In this subsection:

- 18           1. “Claimant” means a corporation that files a claim under this subsection.  
19           2. “Qualified expenses” means expenses related to attending school in a foreign  
20 country and includes transportation costs, room and board, books and tuition.

21           (b) A claimant may claim as a credit against the tax imposed under s. 71.43 an  
22 amount equal to \$1,000 if all of the following apply:

- 23           1. The claimant pays or incurs at least \$3,000 in qualified expenses on behalf  
24 of a student who attends school in a foreign country.

1           2. The student under subd 1. is a full-time undergraduate student enrolled in  
2 the University of Wisconsin System.

3           3. The student under subd. 1. is eligible for a Wisconsin higher education grant  
4 under s. 39.435.

5           (c) A claimant may not claim the credit under par. (b) for any tuition amounts  
6 that the claimant excluded under s. 71.05 (6) (b) 28. or under section 127 of the  
7 Internal Revenue Code.

8           (d) The carry-over provisions of s. 71.28 (4) (e) and (f), as they apply to the credit  
9 under s. 71.28 (4), apply to the credit under this subsection.

10          (e) Partnerships, limited liability companies and tax-option corporations may  
11 not claim the credit under this subsection, but the eligibility for, and the amount of,  
12 the credit are based on their payment of qualified expenses under par. (b) 1. A  
13 partnership, limited liability company or tax-option corporation shall compute the  
14 amount of credit that each of its partners, members or shareholders may claim and  
15 shall provide that information to each of them. Partners, members of limited liability  
16 companies and shareholders of tax-option corporations may claim the credit in  
17 proportion to their ownership interest.

18          (f) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
19 applies to the credit under this subsection.”.

20           **774.** Page 944, line 21: after that line insert:

21           “**SECTION 1760s.** 71.49 (1) (f) of the statutes is amended to read:

22           71.49 (1) (f) The total of farmers’ drought property tax credit under s. 71.47  
23 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under



1 s. 71.47 (2m), the study abroad credit under s. 71.47 (5d) and estimated tax payments  
2 under s. 71.48.”.

3 **775.** Page 945, line 2: delete that line and substitute: “71.54 (1) (e) 2000. The  
4 amount of any claim filed in 2000”.

5 **776.** Page 945, line 3: delete “thereafter”.

6 **777.** Page 945, line 13: after that line insert:

7 “**SECTION 1763c.** 71.54 (1) (f) of the statutes is created to read:

8 71.54 (1) (f) 2001 and thereafter. The amount of any claim filed in 2001 and  
9 thereafter and based on property taxes accrued or rent constituting property taxes  
10 accrued during the previous year is limited as follows:

11 1. If the household income was \$8,000 or less in the year to which the claim  
12 relates, the claim is limited to 80% of the property taxes accrued or rent constituting  
13 property taxes accrued or both in that year on the claimant’s homestead.

14 2. If the household income was more than \$8,000 in the year to which the claim  
15 relates, the claim is limited to 80% of the amount by which the property taxes accrued  
16 or rent constituting property taxes accrued or both in that year on the claimant’s  
17 homestead exceeds 10.357% of the household income exceeding \$8,000.

18 3. No credit may be allowed if the household income of a claimant exceeds  
19 \$22,000.”.

20 **778.** Page 945, line 20: delete the material beginning with that line and  
21 ending with page 946, line 3.

22 **779.** Page 946, line 4: delete the material beginning with that line and ending  
23 with page 947, line 20.

24 **780.** Page 950, line 21: after that line insert:

1           “**SECTION 1800m.** 73.0301 (1) (d) 6. of the statutes is amended to read:

2           73.0301 (1) (d) 6. A license or certificate of registration issued by the  
3 department of financial institutions, or a division of it, under s. 138.09, 138.12,  
4 217.06, 218.01, 218.02, 218.04, 218.05 or, 224.72, 224.93 or under subch. III of ch.  
5 551.”.

6           **781.** Page 950, line 23: delete “school aids” and substitute “intradistrict  
7 transfer aid”.

8           **782.** Page 951, line 1: delete “ss. 121.15 (3m) (a) 1m. a. to c. and” and  
9 substitute “s.”.

10          **783.** Page 951, line 5: after that line insert:

11          “**SECTION 1801s.** 74.48 (1) of the statutes is amended to read:

12          74.48 (1) If a person owns land that has been is valued as agricultural land  
13 under s. 70.32 (2r) (b) is sold by a person who and has owned it such land for less than  
14 5 years and who has benefited from a value lower than that established by, and either  
15 sells the land or the use of the land changes so that the land is not valued as  
16 agricultural land under s. 70.32 (2r) (a), there is imposed on that person a penalty  
17 equal to 5% of the difference between the sale price of the agricultural land and the  
18 value that would be established for it under s. 70.32 (2r) (e) property taxes that the  
19 person would have paid related to the land if the land had been assessed at the land's  
20 fair market value and the property taxes that the person paid during the last year  
21 of 2 years that the person's ownership person owned the land.”.

22          **784.** Page 952, line 22: after that line insert:

23          “**SECTION 1807b.** 76.025 (2) of the statutes is amended to read:

1           76.025 (2) If the property of any company defined in s. 76.28 (1), except a  
2 qualified wholesale electric company as defined in s. 76.28 (1) (gm) and a wholesale  
3 merchant plant as defined in s. 76.28 (1) (j), is located entirely within a single town,  
4 village or city, it shall be subject to local assessment and taxation.”.

5           **785.** Page 953, line 3: after that line insert:

6           “**SECTION 1808g.** 76.28 (1) (d) of the statutes is amended to read:

7           76.28 (1) (d) “Gross revenues” for a light, heat and power company other than  
8 a qualified wholesale electric company or a wholesale merchant plant means total  
9 operating revenues as reported to the public service commission except revenues for  
10 interdepartmental sales and for interdepartmental rents as reported to the public  
11 service commission and deductions from the sales and use tax under s. 77.61 (4),  
12 except that the company may subtract from revenues either the actual cost of power  
13 purchased for resale, as reported to the public service commission, by a light, heat  
14 and power company, except a municipal light, heat and power company, that  
15 purchases under federal or state approved wholesale rates more than 50% of its  
16 electric power from a person other than an affiliated interest, as defined in s. 196.52  
17 (1), if the revenue from that purchased electric power is included in the seller’s gross  
18 revenues or the following percentages of the actual cost of power purchased for  
19 resale, as reported to the public service commission, by a light, heat and power  
20 company, except a municipal light, heat and power company that purchases more  
21 than 90% of its power and that has less than \$50,000,000 of gross revenues: 10% for  
22 the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50%  
23 for the fee assessed on May 1, 1990, and thereafter. For a qualified wholesale electric

1 company or a wholesale merchant plant, “gross revenues” means total business  
2 revenues from those businesses included under par. (e) 1. to 4.

3 **SECTION 1808h.** 76.28 (1) (e) (intro.) of the statutes is amended to read:

4 76.28 (1) (e) (intro.) “Light, heat and power companies” means any person,  
5 association, company or corporation, including corporations described in s. 66.069 (2)  
6 and including qualified wholesale electric companies and wholesale merchant plants  
7 and except only business enterprises carried on exclusively either for the private use  
8 of the person, association, company or corporation engaged in them, or for the private  
9 use of a person, association, company or corporation owning a majority of all  
10 outstanding capital stock or who control the operation of business enterprises and  
11 except electric cooperatives taxed under s. 76.48 that engage in any of the following  
12 businesses:

13 **SECTION 1808j.** 76.28 (1) (j) of the statutes is created to read:

14 76.28 (1) (j) “Wholesale merchant plants” means wholesale merchant plants,  
15 as defined in s. 196.491 (1) (w), that receive a certificate of public convenience and  
16 necessity under s. 196.491 (3) after December 31, 1999.

17 **SECTION 1808m.** 76.28 (2) (a) of the statutes is amended to read:

18 76.28 (2) (a) There is imposed on every light, heat and power company an  
19 annual license fee to be assessed by the department on or before May 1, 1985, and  
20 every May 1 thereafter measured by the gross revenues of the preceding year at the  
21 rates and by the methods set forth under pars. (b) to ~~(d)~~ (e). The fee shall become  
22 delinquent if not paid when due and when delinquent shall be subject to interest at  
23 the rate of 1.5% per month until paid. Payment in full of the May 1 assessment  
24 constitutes a license to carry on business for the 12-month period commencing on the  
25 preceding January 1.

1           **SECTION 1808p.** 76.28 (2) (c) (intro.) of the statutes is amended to read:

2           76.28 (2) (c) (intro.) For private light, heat and power companies, except  
3 wholesale merchant plants, for 1986 and thereafter, an amount equal to the  
4 apportionment factor multiplied by the sum of:

5           **SECTION 1808q.** 76.28 (2) (d) of the statutes is amended to read:

6           76.28 (2) (d) For municipal light, heat and power companies, except wholesale  
7 merchant plants, an amount equal to the gross revenues, except gross revenues from  
8 operations within the municipality that operates the company, multiplied by the  
9 rates under par. (b) or (c).

10          **SECTION 1808r.** 76.28 (2) (e) of the statutes is created to read:

11          76.28 (2) (e) For wholesale merchant plants, an amount equal to the  
12 apportionment factor multiplied by the sum of gross revenues multiplied by 1.59%.”.

13          **786.** Page 953, line 3: after that line insert:

14          “**SECTION 1809b.** 76.28 (1) (d) of the statutes is amended to read:

15          76.28 (1) (d) “Gross revenues” for a light, heat and power company other than  
16 a qualified wholesale electric company or a transmission company means total  
17 operating revenues as reported to the public service commission except revenues for  
18 interdepartmental sales and for interdepartmental rents as reported to the public  
19 service commission and deductions from the sales and use tax under s. 77.61 (4),  
20 except that the company may subtract from revenues either the actual cost of power  
21 purchased for resale, as reported to the public service commission, by a light, heat  
22 and power company, except a municipal light, heat and power company, that  
23 purchases under federal or state approved wholesale rates more than 50% of its  
24 electric power from a person other than an affiliated interest, as defined in s. 196.52

1 (1), if the revenue from that purchased electric power is included in the seller’s gross  
2 revenues or the following percentages of the actual cost of power purchased for  
3 resale, as reported to the public service commission, by a light, heat and power  
4 company, except a municipal light, heat and power company that purchases more  
5 than 90% of its power and that has less than \$50,000,000 of gross revenues: 10% for  
6 the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50%  
7 for the fee assessed on May 1, 1990, and thereafter. For a qualified wholesale electric  
8 company, “gross revenues” means total business revenues from those businesses  
9 included under par. (e) 1. to 4. For a transmission company, “gross revenues” means  
10 total operating revenues as reported to the public service commission, except  
11 revenues for transmission service that is provided to a public utility that is subject  
12 to the license fee under sub. (2) (d), to a public utility, as defined in s. 196.01 (5), or  
13 to a cooperative association organized under ch. 185 for the purpose of providing  
14 electricity to its members only.”.

15 **SECTION 1809f.** 76.28 (1) (e) (intro.) of the statutes is amended to read:

16 76.28 (1) (e) (intro.) “Light, heat and power companies” means any person,  
17 association, company or corporation, including corporations described in s. 66.069 (2)  
18 ~~and including,~~ qualified wholesale electric companies and transmission companies  
19 and except only business enterprises carried on exclusively either for the private use  
20 of the person, association, company or corporation engaged in them, or for the private  
21 use of a person, association, company or corporation owning a majority of all  
22 outstanding capital stock or who control the operation of business enterprises and  
23 except electric cooperatives taxed under s. 76.48 that engage in any of the following  
24 businesses:

25 **SECTION 1809k.** 76.28 (1) (e) 5. of the statutes is created to read:

1           76.28 (1) (e) 5. Transmitting electric current for light, heat or power.

2           **SECTION 1809no.** 76.28 (1) (j) of the statutes is created to read:

3           76.28 (1) (j) “Transmission company” has the meaning given in s. 196.485 (1)  
4 (ge).

5           **SECTION 1809s.** 76.28 (2) (c) (intro.) of the statutes is amended to read:

6           76.28 (2) (c) (intro.) ~~For~~ Except as provided under par. (e), for private light, heat  
7 and power companies for 1986 and thereafter, an amount equal to the apportionment  
8 factor multiplied by the sum of:

9           **SECTION 1809w.** 76.28 (2) (d) of the statutes is amended to read:

10          76.28 (2) (d) ~~For~~ Except as provided under par. (e), for municipal light, heat and  
11 power companies, an amount equal to the gross revenues, except gross revenues from  
12 operations within the municipality that operates the company, multiplied by the  
13 rates under par. (b) or (c).

14          **SECTION 1809y.** 76.28 (2) (e) of the statutes is created to read:

15          76.28 (2) (e) For transmission companies, an amount equal to the gross  
16 revenues multiplied by the rates under par. (c).”.

17          **787.** Page 953, line 15: delete lines 15 to 21.

18          **788.** Page 953, line 21: after that line insert:

19          “**SECTION 1812t.** 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 and rights-of-way.”.

23          **789.** Page 953, line 21: after that line insert:

24          “**SECTION 1812np.** 77.54 (20) (c) 6. of the statutes is amended to read:

1           77.54 (20) (c) 6. For purposes of subd. 1., “premises” shall be construed broadly,  
2 and, by way of illustration but not limitation, shall include the lobby, aisles and  
3 auditorium of a theater or the seating, aisles and parking area of an arena, rink or  
4 stadium or the parking area of a drive-in or outdoor theater. The premises of a  
5 caterer with respect to catered meals or beverages shall be the place where served.  
6 ~~Vending machine premises shall include the room or area in which located~~ Sales from  
7 a vending machine shall be considered sales for off-premises consumption.”

8           **790.** Page 953, line 21: after that line insert:

9           “**SECTION 1812Lr.** 77.53 (17m) of the statutes is amended to read:

10           77.53 (17m) This section does not apply to a boat purchased ~~in a state~~  
11 ~~contiguous to this state~~ by a person domiciled in ~~that a state that is contiguous to this~~  
12 ~~state~~ if the boat is berthed in this state’s boundary waters adjacent to the state of the  
13 domicile of the purchaser and if the transaction was an exempt occasional sale under  
14 the laws of the state in which the purchase was made.”

15           **791.** Page 956, line 3: after that line insert:

16           “**SECTION 1817b.** 77.92 (4) of the statutes is amended to read:

17           77.92 (4) “Net business income”, with respect to a partnership, means taxable  
18 income as calculated under section 703 of the internal revenue code; plus the items  
19 of income and gain under section 702 of the internal revenue code; minus the items  
20 of loss and deduction under section 702 of the internal revenue code; plus payments  
21 treated as not made to partners under section 707 (a) of the internal revenue code;  
22 plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds),  
23 (2dx) ~~and~~, (3s) ~~and~~ (5d); but excluding income, gain, loss and deductions from  
24 farming. “Net business income”, with respect to a natural person, estate or trust,



1 means profit from a trade or business for federal income tax purposes and includes  
2 net income derived as an employe as defined in section 3121 (d) (3) of the internal  
3 revenue code.”.

4 **792.** Page 958, line 14: after that line insert:

5 “**SECTION 1818Lt.** 79.005 (2) of the statutes is amended to read:

6 79.005 (2) “Population” means the number of persons residing in each  
7 municipality and county of the state as last determined by the department of  
8 administration under s. 16.96, except that the residence of a county jail inmate is the  
9 last municipality in which the inmate resided prior to incarceration in the county  
10 jail.”.

11 **793.** Page 958, line 14: after that line insert:

12 “**SECTION 1818Lq.** 79.05 (2) (c) of the statutes is amended to read:

13 79.05 (2) (c) Its municipal budget, exclusive of principal and interest on  
14 long-term debt and exclusive of payments of the recycling fee under s. 289.645, for  
15 the year of the statement under s. 79.015 increased over its municipal budget as  
16 adjusted under sub. (6), exclusive of principal and interest on long-term debt and  
17 exclusive of payments of the recycling fee under s. 289.645, for the year before that  
18 year by less than the sum of the inflation factor and the valuation factor, rounded to  
19 the nearest 0.10%.”.

20 **794.** Page 958, line 14: after that line insert:

21 “**SECTION 1818Lk.** 79.01 (1) of the statutes is amended to read:

22 79.01 (1) There is established an account in the general fund entitled the  
23 “Expenditure Restraint Program Account”. There shall be appropriated to that  
24 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994 and,

1       \$48,000,000 in each year beginning in 1995 and ending in 1999 and \$60,000,000 in  
2       the year 2000 and in each year thereafter.

3               **SECTION 1818Ln.** 79.03 (3c) (f) of the statutes is amended to read:

4               79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.  
5       (c) to (e) exceed the total amount to be distributed under this subsection, the amount  
6       paid to each eligible municipality shall be paid on a prorated basis. The total amount  
7       to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning  
8       in 1996 and ending in 1999 and \$12,500,000 in the year 2000 and in each year  
9       thereafter.

10              **SECTION 1818Lp.** 79.03 (4) of the statutes is amended to read:

11              79.03 (4) ~~In 1991, the total amount to be distributed under ss. 79.03, 79.04 and~~  
12       ~~79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be~~  
13       ~~distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.~~  
14       ~~In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.~~  
15       ~~20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this~~  
16       ~~section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to~~  
17       ~~municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent~~  
18       ~~years ending in 1999, the total amounts to be distributed under ss. 79.03, 79.04 and~~  
19       ~~79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to~~  
20       ~~counties. In the year 2000 and subsequent years, the total amounts to be distributed~~  
21       ~~under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are \$791,937,100 to~~  
22       ~~municipalities and \$175,741,100 to counties.~~

23              **SECTION 1818Ls.** 79.058 (3) (b) of the statutes is amended to read:

24              79.058 (3) (b) In Beginning in 1995 and subsequent years ending in 1999,  
25       \$20,159,000.

1           **SECTION 1818Lt.** 79.058 (3) (c) of the statutes is created to read:

2           79.058 (3) (c) In the year 2000 and subsequent years, \$20,965,400.”.

3           **795.** Page 958, line 15: delete lines 15 to 19.

4           **796.** Page 958, line 19: after that line insert:

5           “**SECTION 1818w.** 84.013 (3) (ra) of the statutes is created to read:

6           84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond  
7           du Lac counties.”.

8           **797.** Page 959, line 4: delete lines 4 to 17.

9           **798.** Page 961, line 20: delete the material beginning with that line and  
10          ending with page 962, line 2.

11          **799.** Page 964, line 5: delete “\$1,440,665,900” and substitute  
12          “\$1,449,283,400”.

13          **800.** Page 966, line 4: delete lines 4 to 18.

14          **801.** Page 969, line 5: delete that line and substitute “85.20 (4m) (a) 6. cm.  
15          From”.

16          **802.** Page 969, line 6: after “\$53,555,600” insert “for calendar year 2000, and  
17          shall pay \$55,697,800 for calendar year 2001 and each calendar year thereafter,”.

18          **803.** Page 969, line 14: delete that line and substitute “85.20 (4m) (a) 6. d.  
19          From”.

20          **804.** Page 969, line 15: after “\$14,297,600” insert “for calendar year 2000, and  
21          shall pay \$14,869,500 for calendar year 2001 and each calendar year thereafter,”.

22          **805.** Page 969, line 25: after “2000” insert “, and \$20,596,400 in calendar year  
23          2001”.

1           **806.** Page 969, line 25: delete “1999 and” and substitute “1999.”

2           **807.** Page 970, line 6: after “2000” insert “, and \$5,563,100 in calendar year  
3           2001”.

4           **808.** Page 970, line 6: delete “1999 and” and substitute “1999.”

5           **809.** Page 972, line 16: delete that line and substitute:

6           “**SECTION 1853d.** 85.50 (title) of the statutes is repealed.

7           **SECTION 1853g.** 85.50 of the statutes is renumbered 341.406 (2) and amended  
8           to read:

9           341.406 (2) The department shall collect the fees established under s. ~~166.20~~  
10           ~~(7g)~~ sub. (1) to be paid by persons who may be required to file hazardous materials  
11           transportation registration statements with the federal department of  
12           transportation under 49 USC Appendix 1805 (e) 5108 or who may be required to  
13           register with the state under 49 USC 5119.”

14           **810.** Page 974, line 14: delete lines 14 to 19.

15           **811.** Page 974, line 21: delete that line and substitute: “86.19 (1r) The  
16           department shall maintain”.

17           **812.** Page 974, line 22: delete “directional signs along I 43” and substitute  
18           “the directional sign existing on the effective date of this subsection .... (revisor  
19           inserts date), that is located along I 43”.

20           **813.** Page 974, line 23: delete “any sign erected and” and substitute “the sign”.

21           **814.** Page 974, line 24: after that line insert:

22           “**SECTION 1855rm.** 86.30 (1) (am) of the statutes is created to read:

23           86.30 (1) (am) “Highway” has the meaning given in s. 340.01 (22).”

1           **815.** Page 975, line 6: after that line insert:

2           “**SECTION 1856rq.** 86.30 (2) (a) 3. (intro.) of the statutes is amended to read:

3           86.30 (2) (a) 3. (intro.) For each mile of ~~road or street~~ highway under the  
4 jurisdiction of a municipality as determined under s. 86.302, the mileage aid  
5 payment shall be an amount equal to the following:”.

6           **816.** Page 975, line 13: delete “\$1,709” and substitute “\$1,726”.

7           **817.** Page 975, line 18: delete “\$84,303,700” and substitute “\$85,138,400”.

8           **818.** Page 975, line 25: delete “\$265,229,400” and substitute “\$267,855,500”.

9           **819.** Page 980, line 1: before that line insert:

10          “**SECTION 1875cd.** 86.31 (1) (f) of the statutes is created to read:

11          86.31 (1) (f) “Street” has the meaning given in s. 340.01 (64).

12          **SECTION 1875ce.** 86.31 (2) (a) of the statutes is amended to read:

13          86.31 (2) (a) The department shall administer a local roads improvement  
14 program to accelerate the improvement of seriously deteriorating local roads by  
15 reimbursing political subdivisions for improvements. The selection of improvements  
16 that may be funded under the program shall be performed by officials of each political  
17 subdivision, consistent with the requirements of subs. (3), (3g) ~~and~~, (3m) and (3r).  
18 The department shall notify each county highway commissioner of any deadline that  
19 affects eligibility for reimbursement under the program no later than 15 days before  
20 such deadline.

21          **SECTION 1875di.** 86.31 (3) (b) (intro.) of the statutes is amended to read:

22          86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first  
23 deducting the funds allocated under subs. (3g) ~~and~~, (3m) and (3r), the department  
24 shall allocate funds for entitlement as follows:”.

1           **820.** Page 980, line 3: delete “\$1,500,000 in fiscal year 1999–2000 and”.

2           **821.** Page 980, line 4: delete “\$500,000 in each following” and substitute  
3 “\$500,000 \$1,500,000 in each”.

4           **822.** Page 980, line 6: after that line insert:

5           “**SECTION 1876e.** 87.30 (1) (d) of the statutes is created to read:

6           87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects  
7 an activity that meets all of the requirements under s. 281.165 (1) to (5), the  
8 department may not proceed under this subsection, or otherwise review the  
9 amendment, to determine whether the ordinance, as amended, is insufficient.”.

10          **823.** Page 980, line 6: after that line insert:

11          “**SECTION 1875fd.** 86.31 (3r) of the statutes is created to read:

12          86.31 (3r) MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.  
13 20.395 (2) (fr), the department shall allocate \$1,500,000 in fiscal year 1999–2000,  
14 and \$2,500,000 in each fiscal year thereafter, to fund street improvement projects  
15 having total estimated costs of \$250,000 or more. The funding of improvements  
16 under this subsection is in addition to the allocation of funds for entitlements under  
17 sub. (3).

18          **SECTION 1875gc.** 86.31 (6) (d) of the statutes is amended to read:

19          86.31 (6) (d) Procedures for reimbursements for county trunk highway  
20 improvements under sub. (3g) ~~and~~, for town road improvements under sub. (3m) and  
21 for municipal street improvements under sub. (3r).”.

22          **824.** Page 989, line 22: after that line insert:

23          “**SECTION 1926yu.** 93.01 (1m) of the statutes is amended to read:

1           93.01 **(1m)** “Business” includes any business, except that of banks, savings  
2 banks, credit unions, savings and loan associations and insurance companies.  
3 “Business” includes public utilities and telecommunications carriers to the extent  
4 that their activities, beyond registration, notice and reporting activities, are not  
5 regulated by the public service commission and includes public utility and  
6 telecommunications carrier methods of competition or trade and advertising  
7 practices that are exempt from regulation by the public service commission under s.  
8 196.195, 196.196, 196.202, 196.203, 196.219 or 196.499 or by other action of the  
9 commission.”.

10           **825.** Page 990, line 6: delete lines 6 to 8.

11           **826.** Page 991, line 9: after that line insert:

12           “**SECTION 1930r.** 93.07 (7) (e) of the statutes is created to read:

13           93.07 **(7)** (e) On September 1 of each year, to submit a consumer  
14 telecommunication services report to the chief clerk of each house of the legislature  
15 for distribution to the appropriate standing committees under s. 13.172 (3). The  
16 report shall contain all of the following information for the preceding 12 months:

17           1. The types of consumer complaints received by the department regarding  
18 telecommunication services, by category.

19           2. The number of consumer complaints in each category reported under subd.  
20 1. and the aggregate number of consumer complaints for all categories reported  
21 under subd. 1.

22           3. The number of consumer complaints reported under subd. 1. that the  
23 department referred to the department of justice for prosecution and the result of  
24 those prosecutions.

1           4. A description of the department’s efforts to coordinate with the department  
2 of justice and the public service commission to respond to and address consumer  
3 complaints regarding telecommunication services and the results of those efforts.

4           5. A description of how the services offered by the department to respond to and  
5 address consumer complaints regarding telecommunication services differ from  
6 those offered by the department of justice and the public service commission.”.

7           **827.** Page 991, line 12: delete lines 12 to 19.

8           **828.** Page 991, line 21: delete the material beginning with that line and  
9 ending with page 992, line 2, and substitute:

10           “**SECTION 1933gm.** 93.70 of the statutes is created to read:

11           **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In  
12 this section:

13           (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

14           (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955  
15 (1).

16           **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend  
17 funds from the appropriation account under s. 20.866 (2) (wf) to improve water  
18 quality, erosion control and wildlife habitat through participation by this state in the  
19 conservation reserve enhancement program as approved by the secretary of the  
20 federal department of agriculture under 16 USC 3834 (f) (4). The department shall  
21 administer the program in cooperation with the department of natural resources.

22           **(3) FORMS OF PARTICIPATION.** (a) Land enrolled in the conservation reserve  
23 enhancement program may either be subject to a permanent conservation easement  
24 or to a contract under which the owner of the land agrees to remove the land from



1 agricultural production. The department shall provide greater financial incentives  
2 for landowners to grant permanent easements than to enter into contracts. The  
3 department shall provide a financial bonus to landowners who allow public access  
4 to enrolled land.

5 (b) The department shall administer the conservation reserve enhancement  
6 program so that at least 50% of the acreage of land enrolled in the program is covered  
7 by permanent conservation easements under par. (a). If, after 50,000 acres of land  
8 have been enrolled in the program, less than 50% of the acreage of land enrolled in  
9 the program is covered by permanent conservation easements, the department and  
10 the department of natural resources shall review the effectiveness of the program to  
11 determine whether the program is meeting its water quality and wildlife habitat  
12 objectives and shall report the results of the review to the legislature under s. 13.172  
13 (2).

14 (c) On behalf of this state, the department and the department of natural  
15 resources shall jointly hold conservation easements entered into for land enrolled in  
16 the conservation reserve enhancement program.

17 (d) The department may provide funding from the appropriation under s.  
18 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years  
19 or longer.

20 (4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the  
21 federal department of agriculture authorizes this state to enroll 100,000 or more  
22 acres in the conservation resource enhancement program, the department shall  
23 administer the program so that at least 30,000 acres are designated for grassland  
24 wildlife habitat. If the secretary of the federal department of agriculture authorizes  
25 this state to enroll fewer than 100,000 acres, the department shall administer the

1 program so that at least 30% of the acreage of land enrolled in the program is  
2 designated for grassland wildlife habitat. The department shall designate for  
3 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane  
4 and Green counties, the prairie chicken range in Portage, Clark, Taylor and  
5 Marathon counties and the western prairie area in Polk and St. Croix counties.

6 (b) The department may not require that land designated for grassland wildlife  
7 habitat be riparian land.

8 (c) The department shall provide a financial bonus to landowners who enroll  
9 land that is designated for grassland habitat if the land is adjacent to land that is  
10 owned by another person and that is enrolled and designated for grassland habitat.  
11 The department shall also provide a financial bonus to a landowner who enrolls land  
12 that is designated for grassland habitat if the landowner agrees to implement a  
13 conservation practice that requires restoration of native prairie vegetation.

14 **(5) PARTICIPATION REQUIREMENTS.** The department may not impose more  
15 restrictive requirements for participation in the conservation reserve enhancement  
16 program with respect to production and land ownership than are required by the  
17 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

18 **(6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT.** A nonprofit  
19 conservation organization may negotiate contracts or easements under sub. (3) (a)  
20 with landowners with the assistance of the department and the department of  
21 natural resources. A county may negotiate contracts or easements under sub. (3) (a)  
22 with landowners with the assistance of the department and the department of  
23 natural resources. In counties that do not choose to participate, the department and  
24 the department of natural resources shall negotiate the contracts or easements.

1           **(7) PROHIBITION.** No person may use land enrolled in the conservation reserve  
2           enhancement program as a pheasant and quail farm licensed under s. 29.865, a game  
3           bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.  
4           29.869 or a deer farm licensed under s. 29.871.”.

5           **829.** Page 1012, line 14: after that line insert:

6           “**SECTION 1945s.** 95.197 of the statutes is created to read:

7           **95.197 Financial assistance for paratuberculosis testing.** (1) The  
8           department shall provide financial assistance to owners of livestock herds for  
9           conducting testing for paratuberculosis. The department may only provide financial  
10          assistance under this section for the first time that the owner of a livestock herd tests  
11          the herd.

12          **(2)** The department shall promulgate rules for providing financial assistance  
13          under sub. (1).”.

14          **830.** Page 1012, line 20: after that line insert:

15          “**SECTION 3947m.** 95.53 of the statutes is created to read:

16          **95.53 Poultry disease control.** (1) **DEFINITIONS.** In this section:

17          (a) “Affected party” means a person that keeps a total of 10,000 or more of any  
18          species of poultry within 6.2 miles of a covered facility that is required to comply with  
19          sub. (3) or within 2 miles of a location at which a person spreads or composts chicken  
20          or turkey manure, transports live or dead chickens or turkeys or stores or composts  
21          dead chickens or turkeys or chicken or turkey by-products any of which originate at  
22          a covered facility that is required to comply with sub. (3).

23          (b) “Animal unit” means 100 layer chickens, 200 broiler chickens or 55 turkeys.

1 (c) “Covered facility” means a poultry facility at which 1,000 or more animal  
2 units are kept.

3 (d) “Covered operator” means a person who operates a covered facility.

4 (e) “Poultry facility” means a facility at which chickens or turkeys are kept.

5 (f) “Sample population” means one or more birds chosen randomly for every 100  
6 animal units kept at a facility.

7 **(2) PROHIBITIONS.** A covered operator may not do any of the following unless the  
8 covered operator complies with sub. (3):

9 (a) Operate a covered facility if the covered facility is within 6.2 miles of one  
10 or more places, owned or operated by another person, at which a total of 10,000 or  
11 more of any species of poultry are kept and at which a total of 10,000 or more of any  
12 species of poultry were kept before the number of animal units at the covered facility  
13 reached 1,000.

14 (b) Spread or compost chicken or turkey manure, transport live or dead  
15 chickens or turkeys or store or compost dead chickens or turkeys or chicken or turkey  
16 by-products, any of which originate at a covered facility, within 2 miles of a place at  
17 which poultry are kept by another person that keeps a total of 10,000 or more of any  
18 species of poultry if that person kept poultry at that place, and kept a total of 10,000  
19 or more of any species of poultry, before the number of animal units at the covered  
20 facility reached 1,000.

21 **(3) REQUIREMENTS.** A covered operator complies with this subsection with  
22 respect to a covered facility if all of the following apply:

23 (a) The covered operator populates the covered facility only with chickens or  
24 turkeys that have been designated mycoplasma gallisepticum clean started and  
25 mycoplasma synoviae clean started under 9 CFR 145.24 (f) and (g).

1 (b) The covered operator obtains blood samples from a sample population at the  
2 covered facility at least once every 180 days and has a poultry diagnostic laboratory,  
3 certified under s. 93.12, conduct a serological test that is approved by the department  
4 to detect the presence of mycoplasma gallisepticum and mycoplasma synoviae.

5 (c) The covered operator has a poultry diagnostic laboratory, certified by the  
6 department under s. 93.12, conduct a confirmatory test within 10 days of receipt of  
7 the results of a test performed under par. (b) if those results indicate the presence of  
8 mycoplasma gallisepticum or mycoplasma synoviae.

9 (d) The covered operator transmits the results of tests conducted under pars.  
10 (b) and (c) to the department and to any affected party by 1st class mail within 5 days  
11 of receipt.

12 (e) Upon the order of the department under sub. (4) (a), the covered operator  
13 slaughters all poultry kept at the covered facility, disinfects all areas where the  
14 poultry have been kept and keeps those areas vacant of poultry for not less than 14  
15 days after the date of disinfection.

16 (f) The covered operator prepares and submits to the department a plan to  
17 prevent the spread of poultry disease that includes all of the following:

- 18 1. Clothing policies for employes.
- 19 2. Showering policies for employes.
- 20 3. Policies for disinfection of equipment.
- 21 4. Policies for the daily disposal of dead poultry.
- 22 5. Policies relating to vendors from whom the covered operator obtains  
23 products or services.
- 24 6. Policies for fencing and signs at the covered facility.
- 25 7. Isolation and sanitation procedures.

1 8. Policies for disinfecting structures in which poultry are kept.

2 9. Policies concerning vaccination and medication of poultry.

3 10. Manure handling policies.

4 11. Policies concerning the transportation of poultry.

5 12. Policies for employe training and accountability of employes.

6 (g) The covered operator obtains the approval of the department for the plan  
7 under par. (f).

8 (h) The covered operator maintains records of the results of each test under  
9 pars. (b) and (c) for 5 years after the test is conducted.

10 **(4) DUTIES OF THE DEPARTMENT.** (a) If the department determines that the  
11 results of a test under sub. (3) (c) indicate the presence of mycoplasma gallisepticum  
12 or mycoplasma synoviae, the department shall immediately order the slaughter of  
13 all poultry kept at the covered facility and supervise the disposal of the carcasses.

14 (b) The department shall review and approve, disapprove or conditionally  
15 approve plans submitted under sub. (3) (f). The department may require any  
16 revision to such a plan that the department determines is appropriate.

17 (c) The department shall retain a copy of the results of each test under sub. (3)  
18 (b) and (c) for at least 5 years after the test is conducted. The department shall retain  
19 a copy of a plan approved under par. (b) while the plan is in effect and for at least 5  
20 years after the plan ceases to be in effect.

21 **(5) NO INDEMNIFICATION.** Notwithstanding s. 95.31 (3) and (4), a covered  
22 operator is not eligible for indemnification for poultry ordered to be slaughtered  
23 under sub. (4) (a).

1           **(6) PENALTY.** Any person that violates this section or an order issued under this  
2 section may be required to forfeit not less than \$5,000 nor more than \$1,000,000 for  
3 each violation.

4           **(7) ENFORCEMENT.** (a) The department may bring an action to recover a  
5 forfeiture under sub. (6) or to seek an injunction restraining the violation of this  
6 section or an order issued under this section.

7           (b) An affected party that is injured or threatened with injury by a violation of  
8 this section or an order issued under this section may bring an action for a temporary  
9 or permanent injunction or damages. The action may not be commenced until 15  
10 days after the day on which the affected party notifies the department and the person  
11 alleged to be in violation of the intent to bring the action.

12           (c) An affected party that obtains an injunction or is awarded damages under  
13 par. (b) may recover costs and, notwithstanding s. 814.04 (1), reasonable attorney  
14 fees.”.

15           **831.** Page 1017, line 24: after that line insert:

16           “**SECTION 1975m.** 101.09 (2) (cm) of the statutes is created to read:

17           101.09 **(2)** (cm) Any rules promulgated under sub. (3) requiring an owner to test  
18 the ability of a storage tank, connected piping or ancillary equipment to prevent an  
19 inadvertent release of a stored substance do not apply to storage tanks that have a  
20 capacity of less than 1,100 gallons and that are used to store heating oil for  
21 residential, consumptive use on the premises where stored.”.

22           **832.** Page 1018, line 14: after that line insert:

23           “**SECTION 1977m.** 101.1205 (5m) of the statutes is amended to read:

1           101.1205 **(5m)** Notwithstanding subs. (1) and (5), a county, city, village or town  
2           ~~that has in effect on January 1, 1994, may administer and enforce~~ an ordinance that  
3           establishes standards for erosion control at building sites for the construction of  
4           public buildings and buildings that are places of employment ~~may continue to~~  
5           ~~administer and enforce that ordinance~~ if the standards in the ordinance are more  
6           stringent than the standards established under sub. (1).”

7           **833.** Page 1019, line 4: delete the material beginning with that line and  
8           ending with page 1031, line 23, and substitute:

9           “**SECTION 1979pm.** 101.143 (1) (bm) of the statutes is created to read:

10           101.143 **(1)** (bm) “Enforcement standard” has the meaning given in s. 160.01  
11           (2).

12           **SECTION 1979rm.** 101.143 (1) (cq) of the statutes is created to read:

13           101.143 **(1)** (cq) “Natural attenuation” means the reduction in the  
14           concentration and mass of a substance, and the products into which the substance  
15           breaks down, due to naturally occurring physical, chemical and biological processes.

16           **SECTION 1980cm.** 101.143 (2) (h) of the statutes is created to read:

17           101.143 **(2)** (h) The department of commerce, in consultation with the  
18           department of natural resources, shall promulgate rules designed to facilitate  
19           effective and cost-efficient administration of the program under this section that  
20           specify all of the following:

21           1. Information that must be submitted under this section, including quarterly  
22           summaries of costs incurred with respect to a discharge for which a claim is intended  
23           to be submitted under sub. (3) but for which a final claim has not been submitted.

24           2. Formats for submitting the information under subd. 1.



1           3. Review procedures that must be followed by employes of the department of  
2 natural resources and the department of commerce in reviewing the information  
3 under subd. 1.

4           **SECTION 1981cm.** 101.143 (2) (i) of the statutes is created to read:

5           101.143 (2) (i) The department of commerce, in consultation with the  
6 department of natural resources, shall promulgate rules specifying procedures for  
7 evaluating remedial actions under sub. (3) (c) 3. to be used by employes of the  
8 department of commerce and the department of natural resources while remedial  
9 actions are being conducted. The department of commerce shall specify procedures  
10 that include all of the following for ongoing remedial actions:

11           1. Annual reviews that include application of the method under sub. (2e) (a) to  
12 determine the risk posed by discharges that are the subject of the remedial actions.

13           2. Annual reports by consultants estimating the additional costs that must be  
14 incurred to comply with sub. (3) (c) 3. and with enforcement standards.

15           **SECTION 1981em.** 101.143 (2) (j) of the statutes is created to read:

16           101.143 (2) (j) The department of commerce, in consultation with the  
17 department of natural resources, shall promulgate rules specifying all of the  
18 following:

19           1. The conditions under which employes of the department of commerce and  
20 the department of natural resources must issue approvals under sub. (3) (c) 4.

21           2. Training and management procedures to ensure that employes comply with  
22 the requirements under subd. 1.

23           **SECTION 1982cm.** 101.143 (2e) of the statutes is created to read:

24           101.143 (2e) RISK-BASED ANALYSIS. (a) The department of commerce, in  
25 consultation with the department of natural resources, shall promulgate rules

1 specifying a method, which shall include consideration of the routes for migration of  
2 petroleum product contamination, for determining the risk to public health, safety  
3 and welfare and to the environment posed by discharges for which the department  
4 of commerce receives notification under sub. (3) (a) 3.

5 (b) The department of natural resources or, if the discharge is covered under  
6 s. 101.144 (2) (b), the department of commerce shall apply the method under par. (a)  
7 to determine the risk posed by a discharge for which the department of commerce  
8 receives notification under sub. (3) (a) 3.

9 **SECTION 1983bm.** 101.143 (3) (c) 2. of the statutes is amended to read:

10 101.143 (3) (c) 2. Prepare a remedial action plan that identifies specific  
11 remedial action activities proposed to be conducted under subd. 3. and submit the  
12 remedial action plan to the department.

13 **SECTION 1983f.** 101.143 (3) (cg) of the statutes is created to read:

14 101.143 (3) (cg) *Approval to begin remedial action.* 1. Except as provided in  
15 subds. 2. and 3., to be eligible for an award under sub. (4) an owner or operator may  
16 not begin remedial action under par. (c) 3. with respect to a discharge without the  
17 approval of the department of commerce and the department of natural resources.  
18 The department of commerce and the department of natural resources shall jointly  
19 determine when it is appropriate to begin remedial action with respect to a discharge  
20 based on the determination of risk under sub. (2e) (b) for the discharge and the  
21 availability of funds to pay awards under sub. (4).

22 2. Subdivision 1. does not apply if the discharge is from a home oil tank system,  
23 a petroleum product storage system that is described in sub. (4) (ei) 1. or a petroleum  
24 product storage system that is owned by a school district and that is used for storing  
25 heating oil for consumptive use on the premises where stored.

1           3. Subdivision 1. does not apply to remedial action in response to an emergency  
2 if par. (g) applies.

3           4. Notwithstanding s. 292.11 (3) and (7) (c), an owner or operator to whom subd.  
4 1. applies is not required to begin remedial action under par. (c) 3. until the owner  
5 or operator receives approval under subd. 1.

6           **SECTION 1983mm.** 101.143 (3) (cm) of the statutes is amended to read:

7           101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person  
8 owning a home oil tank system may, with the approval of the department of natural  
9 resources or, if the discharge is covered under s. 101.144 (2) (b), the department of  
10 commerce, satisfy the requirements of par. (c) 2. and 3. by proposing and  
11 implementing monitoring to ensure the effectiveness of ~~the natural process of~~  
12 ~~degradation~~ attenuation of petroleum product contamination.

13           **SECTION 1983tm.** 101.143 (3) (cp) of the statutes is created to read:

14           101.143 (3) (cp) *Bidding process.* 1. Except as provided in subds. 2. to 4., if the  
15 department of natural resources or, if the site is covered under s. 101.144 (2) (b), the  
16 department of commerce estimates that the cost to complete a site investigation,  
17 remedial action plan and remedial action for an occurrence exceeds \$60,000, the  
18 department of commerce shall implement a competitive public bidding process to  
19 obtain information to assist in making the determination under par. (cs).

20           2. The department of commerce may not implement the process under subd.  
21 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of a well  
22 operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other  
23 well used to provide water for human consumption.

24           3. The department of commerce may not implement the process under subd.  
25 1. if the department of natural resources waives the requirement on the grounds that

1 waiver is necessary in an emergency to prevent or mitigate an imminent hazard to  
2 public health, safety or welfare or to the environment.

3 4. The department of commerce may not implement the process under subd.  
4 1. if the secretary of natural resources waives the requirement after providing notice  
5 to the secretary of commerce.

6 **SECTION 1984cm.** 101.143 (3) (cs) of the statutes is created to read:

7 101.143 (3) (cs) *Determination of least costly method of remedial action.* 1. The  
8 department of commerce shall review the remedial action plan for a site that is  
9 classified as low or medium priority under s. 101.144 (3m) and shall determine the  
10 least costly method of complying with par. (c) 3. and with enforcement standards.  
11 The department shall notify the owner or operator of its determination of the least  
12 costly method and shall notify the owner or operator that reimbursement for  
13 remedial action under this section is limited to the amount necessary to implement  
14 that method.

15 2. The department of natural resources and the department of commerce shall  
16 review the remedial action plan for a site that is classified as high priority under s.  
17 101.144 (3m) and shall jointly determine the least costly method of complying with  
18 par. (c) 3. and with enforcement standards. The departments shall notify the owner  
19 or operator of their determination of the least costly method and shall notify the  
20 owner or operator that reimbursement for remedial action under this section is  
21 limited to the amount necessary to implement that method.

22 3. In making determinations under subds. 1. and 2., the department of natural  
23 resources and the department of commerce shall determine whether natural  
24 attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

25 **SECTION 1984m.** 101.143 (3) (cw) of the statutes is created to read:

1           101.143 (3) (cw) *Annual reviews.* 1. The department of commerce shall conduct  
2 the annual review required under sub. (2) (i) 1. for a site that is classified as low or  
3 medium priority under s. 101.144 (3m) and shall determine the least costly method  
4 of completing remedial action at the site in order to comply with par. (c) 3. and with  
5 enforcement standards. The department shall notify the owner or operator of its  
6 determination of the least costly method and shall notify the owner or operator that  
7 reimbursement under this section for any remedial action conducted after the date  
8 of the notice is limited to the amount necessary to implement that method.

9           2. The department of natural resources and the department of commerce shall  
10 conduct the annual review required under sub. (2) (i) 1. for a site that is classified as  
11 high priority under s. 101.144 (3m) and shall jointly determine the least costly  
12 method of completing remedial action at the site in order to comply with par. (c) 3.  
13 and with enforcement standards. The departments shall notify the owner or  
14 operator of their determination of the least costly method and shall notify the owner  
15 or operator that reimbursement under this section for remedial action conducted  
16 after the date of the notice is limited to the amount necessary to implement that  
17 method.

18           3. In making determinations under subds. 1. and 2., the department of natural  
19 resources and the department of commerce shall determine whether natural  
20 attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

21           **SECTION 1985bm.** 101.143 (3) (d) of the statutes is amended to read:

22           101.143 (3) (d) *Review of site investigations, remedial action plans and Final*  
23 *review of remedial action activities.* ~~The department of natural resources or, if the~~  
24 ~~discharge is covered under s. 101.144 (2) (b), the department of commerce shall, at~~  
25 ~~the request of the claimant, review the site investigation and the remedial action~~

1 ~~plan and advise the claimant on the adequacy of proposed remedial action activities~~  
2 ~~in meeting the requirements of s. 292.11. The advice is not an approval of the~~  
3 ~~remedial action activities.~~ The department of natural resources or, if the discharge  
4 is covered under s. 101.144 (2) (b), the department of commerce shall complete a final  
5 review of the remedial action activities within 60 days after the claimant notifies the  
6 appropriate department that the remedial action activities are completed.

7 **SECTION 1985em.** 101.143 (3) (g) (intro.) and 1. of the statutes are consolidated,  
8 renumbered 101.143 (3) (g) and amended to read:

9 101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1.  
10 and 2., an owner or operator or the person may submit a claim for an award under  
11 sub. (4) after notifying the department under par. (a) 3., without completing an  
12 investigation under par. (c) 1. and without preparing a remedial action plan under  
13 par. (c) 2. if any of the following apply: 1. An an emergency existed which made the  
14 investigation under par. (c) 1. and the remedial action plan under par. (c) 2.  
15 inappropriate and, before conducting remedial action, the owner or operator or  
16 person notified the department of natural resources of the emergency and the  
17 department of natural resources authorized emergency action.

18 **SECTION 1985fm.** 101.143 (3) (g) 2. of the statutes is repealed.

19 **SECTION 1985mm.** 101.143 (4) (b) (intro.) of the statutes is amended to read:

20 101.143 (4) (b) *Eligible costs.* (intro.) ~~Eligible~~ Except as provided in par. (c),  
21 eligible costs for an award under par. (a) include actual costs or, if the department  
22 establishes a schedule usual and customary cost under par. (cm) for an item, usual  
23 and customary costs for the following items ~~only~~:

24 **SECTION 1986gm.** 101.143 (4) (c) 10. of the statutes is created to read:

1           101.143 (4) (c) 10. Costs incurred with respect to a discharge if sub. (3) (cg) 1.  
2 applies and remedial action is begun before approval is given under sub. (3) (cg) 1.

3           **SECTION 1986i.** 101.143 (4) (c) 11. of the statutes is created to read:

4           101.143 (4) (c) 11. Costs that exceed the amount necessary to comply with sub.  
5 (3) (c) 3. and with enforcement standards using the least costly method.

6           **SECTION 1986k.** 101.143 (4) (c) 12. of the statutes is created to read:

7           101.143 (4) (c) 12. Costs that are incurred after the date of a notice under sub.  
8 (3) (cw) 1. or 2. and that exceed the amount necessary to comply with sub. (3) (c) 3.  
9 and with enforcement standards using the method specified in the notice.

10          **SECTION 1986mm.** 101.143 (4) (cm) of the statutes is renumbered 101.143 (4)  
11 (cm) 1. and amended to read:

12          101.143 (4) (cm) 1. The department ~~may~~ shall establish a schedule of usual and  
13 customary costs for any items under par. (b) and ~~may~~ that are commonly associated  
14 with claims under this section. The department shall use that schedule to determine  
15 the amount of a claimant's eligible costs for an occurrence for which a competitive  
16 bidding process is not used, except in circumstances under which higher costs must  
17 be incurred to comply with sub. (3) (c) 3. and with enforcement standards. For an  
18 occurrence for which a competitive bidding process is used, the department may not  
19 use the schedule. In the schedule, the department shall specify the maximum  
20 number of reimbursable hours for particular tasks and the maximum reimbursable  
21 hourly rates for those tasks. The department shall use methods of data collection and  
22 analysis that enable the schedule to be revised to reflect changes in actual costs. This  
23 subdivision does not apply after June 30, 2001.

24          **SECTION 1986pm.** 101.143 (4) (cm) 2. of the statutes is created to read:

1           101.143 (4) (cm) 2. The department may establish a schedule of usual and  
2 customary costs for any items under par. (b) and may use that schedule to determine  
3 the amount of a claimant’s eligible costs. This subdivision applies after June 30,  
4 2001.

5           **SECTION 1987b.** 101.143 (4) (d) 2. (intro.) of the statutes is amended to read:

6           101.143 (4) (d) 2. (intro.) The department shall issue the award under this  
7 paragraph without regard to fault in an amount equal to the amount of the eligible  
8 costs that exceeds a deductible amount of \$2,500 ~~plus 5% of the eligible costs~~ 100%  
9 of the amount by which eligible costs exceed \$18,750 but do not exceed \$21,250, plus  
10 10% of the amount by which eligible costs exceed \$21,250 but do not exceed \$40,000,  
11 plus 5% of the amount by which eligible costs exceed \$40,000, but not more than  
12 \$7,500 per occurrence, except that the deductible amount for a petroleum product  
13 storage system that is owned by a school district or a technical college district and  
14 that is used for storing heating oil for consumptive use on the premises is 25% of  
15 eligible costs. An award issued under this paragraph may not exceed the following  
16 for each occurrence.”.

17           **834.** Page 1033, line 1: delete “\$270,000,000” and substitute “\$450,000,000”.

18           **835.** Page 1033, line 6: delete lines 6 to 21.

19           **836.** Page 1034, line 9: delete the material beginning with that line and  
20 ending with page 1037, line 19, and substitute:

21           **“SECTION 1994mm.** 101.143 (11) of the statutes is created to read:

22           101.143 (11) ANNUAL REPORT. No later than October 1 annually, the department  
23 of commerce and the department of natural resources shall submit to the joint  
24 legislative audit committee, to the joint committee on finance and to the appropriate



1 standing committees of the legislature, under s. 13.172 (3), a report on the program  
2 under this section for the fiscal year ending on June 30 of the year in which the report  
3 is submitted. The departments shall include all of the following information in the  
4 report:

5 (a) The number of notices received under sub. (3) (a) 3. and the number of  
6 approvals given under sub. (3) (c) 4.

7 (b) The percentage of sites classified as high priority under s. 101.144 (3m).

8 (c) The name of each person providing engineering consulting services to a  
9 claimant under this section and the number of claimants to whom the person has  
10 provided those services.

11 (d) The charges for engineering consulting services for sites for which  
12 approvals are given under sub. (3) (c) 4. and for other sites.

13 (e) The charges by service providers other than engineering consultants for  
14 services for which reimbursement is provided under this section, including  
15 excavating, hauling, laboratory testing and landfill disposal.

16 (f) Strategies for recording and monitoring complaints of fraud in the program  
17 under this section and for the use of employes of the department of commerce who  
18 conduct audits to identify questionable claims and investigate complaints.”.

19 **837.** Page 1037, line 25: delete “501 (c) (3)” and substitute “501 (c) (6)”.

20 **838.** Page 1038, line 12: delete lines 12 and 13 and substitute “granted under  
21 s. 101.65 (1) (a) jointly under s. 101.65 (1) (b), unless any of the following conditions  
22 are met:”.

23 **839.** Page 1038, line 14: delete that line and substitute: “(a) The municipality  
24 adopts a resolution requesting under sub. (3) (a) that a county enforce this”.

1           **840.** Page 1038, line 16: delete “the department or”.

2           **841.** Page 1038, line 19: delete that line and substitute: “(b) The municipality  
3 adopts a resolution determining not to exercise jurisdiction over the construction and  
4 inspection”.

5           **842.** Page 1038, line 21: delete “sub. (3) that the department or” and  
6 substitute “sub. (3) (a) that”.

7           **843.** Page 1038, line 23: delete “sub. (3) that the department” and substitute  
8 “sub. (3) (a) that”.

9           **844.** Page 1038, line 24: delete “or”.

10          **845.** Page 1038, line 25: after that line insert:

11           “(c) Under sub. (3) (b), the department enforces this subchapter or an ordinance  
12 enacted under s. 101.65 (1) (a) throughout the municipality and provides inspection  
13 services in the municipality to administer and enforce this subchapter or an  
14 ordinance enacted under s. 101.65 (1) (a).”.

15          **846.** Page 1039, line 1: before that line insert:

16           “**SECTION 1998aw.** 101.651 (3) (title) of the statutes is created to read:

17           101.651 (3) (title) DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES;  
18 GENERALLY.”.

19          **847.** Page 1039, line 1: delete lines 1 to 3 and substitute:

20           “**SECTION 1998ax.** 101.651 (3) of the statutes is renumbered 101.651 (3) (a) and  
21 amended to read:

22           101.651 (3) (a) Except as provided in par. (b) or sub. (3m) ~~or (3s)~~, the department  
23 or a county may not enforce”.

1           **848.** Page 1039, line 10: after that line insert:

2           “**SECTION 1998az.** 101.651 (3) (b) of the statutes is created to read:

3           101.651 (3) (b) The department shall provide inspection services and shall  
4           enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout  
5           any municipality that does not exercise jurisdiction under sub. (2m) and that has not  
6           adopted a resolution under sub. (2m) (a) or (b).”.

7           **849.** Page 1079, line 11: after that line insert:

8           “**SECTION 2002c.** 102.27 (2) (a) of the statutes, as affected by 1999 Wisconsin  
9           Act .... (this act), is amended to read:

10           102.27 (2) (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),  
11           301.12 (14) (e), 767.23 (1) (L), 767.25 (4m) (c), or 767.265 (1) or (2m), ~~767.51 (3m) (e)~~  
12           ~~or 767.62 (4) (b) 3.~~”.

13           **850.** Page 1080, line 2: after that line insert:

14           “**SECTION 2005d.** 103.49 (3) (ar) of the statutes is amended to read:

15           103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am) ~~for~~  
16           ~~building, residential or agricultural projects,~~ the department may not use data from  
17           ~~projects that are subject to this section, s. 66.293 or 103.50 or 40 USC 276a.~~ ~~In~~  
18           ~~determining prevailing wage rates for projects involving the use of heavy equipment,~~  
19           unless the department determines that there is insufficient wage data in the area  
20           to determine those prevailing wage rates, in which case the department may use data  
21           from projects that are subject to this section, s. 66.293 or 103.50 or 40 USC 276a. The  
22           department may also use data from a project that is subject to this section, s. 66.293  
23           or 103.50 or 40 USC 276a in determining prevailing wage rates under par. (a) or (am)

1 if the department determines that the wage rate paid on that project is higher than  
2 the prevailing wage rate determined for that project.”

3 **851.** Page 1082, line 3: delete lines 3 to 24.

4 **852.** Page 1083, line 1: delete lines 1 to 17 and substitute:

5 “**SECTION 2013d.** 106.12 of the statutes is amended to read:

6 **106.12 Division of connecting education and work.** ~~Based on the~~  
7 ~~recommendations of the governor’s council on workforce excellence, the~~ The division  
8 of connecting education and work shall plan, coordinate, administer and implement  
9 the department’s workforce excellence initiatives, programs, policies and funding,  
10 the youth apprenticeship and school-to-work programs under s. 106.13 and such  
11 other employment and education programs as the governor may by executive order  
12 assign to the division. Notwithstanding any limitations placed on the use of state  
13 employment and education funds under this section or s. 106.13, 106.14, 106.15,  
14 106.20 or 106.21 or under an executive order assigning an employment and  
15 education program to the division, the secretary may issue a general or special order  
16 waiving any of those limitations on finding that the waiver will promote the  
17 coordination of employment and education services.”.

18 **853.** Page 1083, line 21: delete lines 21 to 23 and substitute “the department  
19 of public instruction shall assist the department of workforce development in  
20 providing the youth apprenticeship program and school-to-work program under  
21 sub. (1).”.

22 **854.** Page 1084, line 2: delete “~~department~~ The board” and substitute “The  
23 department”.

24 **855.** Page 1084, line 5: delete “(1) (ev) (7) (a)” and substitute “(1) (ev)”.

1           **856.** Page 1084, line 6: delete “department board” and substitute  
2           “department”.

3           **857.** Page 1084, line 8: delete lines 8 to 25.

4           **858.** Page 1085, line 1: delete lines 1 to 25.

5           **859.** Page 1086, line 1: delete lines 1 to 22.

6           **860.** Page 1092, line 2: after that line insert:

7           “**SECTION 2030t.** 109.09 (2) (c) of the statutes is amended to read:

8           109.09 (2) (c) A lien under par. (a) takes precedence over all other debts,  
9           judgments, decrees, liens or mortgages against the employer that originate after the  
10          ~~lien takes effect as provided in par. (b) 1. or 2.,~~ except a lien of a financial institution,  
11          as defined in s. 69.30 (1) (b), that originates before the lien under par. (a) takes effect  
12          or a lien under s. 292.31 (8) (i) or 292.81, and. A lien under par. (a) may be enforced  
13          in the manner provided in ss. 779.09 to 779.12, 779.20 and 779.21, insofar as those  
14          provisions are applicable. The lien ceases to exist if the department of workforce  
15          development or the employe does not bring an action to enforce the lien within the  
16          period prescribed in s. 893.44 for the underlying wage claim.”.

17          **861.** Page 1092, line 5: delete lines 5 to 16 and substitute “399 traffic officers.  
18          Such traffic officers, in addition to the person designated to head them whose  
19          position shall be in the classified service, shall constitute the state traffic patrol, and  
20          shall:”.

21          **862.** Page 1092, line 20: after that line insert:

22          “**SECTION 2033r.** 111.70 (1) (dm) of the statutes is repealed.

23          **SECTION 2033t.** 111.70 (1) (fm) of the statutes is repealed.”.

1           **863.** Page 1093, line 2: after that line insert:

2           “**SECTION 2035g.** 111.815 (3) of the statutes is amended to read:

3           111.815 (3) With regard to collective bargaining activities involving employes  
4 who are assistant district attorneys, the secretary of the department shall maintain  
5 close liaison with the department of ~~administration~~ justice.”

6           **864.** Page 1093, line 2: after that line insert:

7           “**SECTION 2035b.** 111.70 (1) (nc) 1. (intro.) of the statutes is renumbered 111.70  
8 (1) (nc) (intro.) and amended to read:

9           111.70 (1) (nc) (intro.) “Qualified economic offer” means an offer made to a labor  
10 organization by a municipal employer that includes all of the following, ~~except as~~  
11 ~~provided in subd. 2.:~~

12           **SECTION 2035d.** 111.70 (1) (nc) 1. a. of the statutes is renumbered 111.70 (1) (nc)  
13 1.

14           **SECTION 2035f.** 111.70 (1) (nc) 1. b. of the statutes is repealed.

15           **SECTION 2035h.** 111.70 (1) (nc) 1. c. of the statutes is repealed.

16           **SECTION 2035j.** 111.70 (1) (nc) 2. of the statutes is repealed.

17           **SECTION 2035L.** 111.70 (1) (nc) 2m. of the statutes is created to read:

18           111.70 (1) (nc) 2m. a. In any collective bargaining unit in which the municipal  
19 employe positions are assigned to salary ranges with steps that determine the levels  
20 of progression within each salary range during a 12-month period, a proposal to  
21 provide for an increase in the minimum and maximum amounts of the steps within  
22 the salary range in an amount equivalent to 2.1% for each 12-month period covered  
23 by the proposed collective bargaining agreement, beginning with the expiration date  
24 of any previous collective bargaining agreement.

1           b. In any collective bargaining unit not subject to subd. 2m. a., a proposal to  
2 provide for a salary increase for each 12-month period covered by the proposed  
3 collective bargaining agreement, beginning with the expiration date of any previous  
4 collective bargaining agreement, for each municipal employe in the collective  
5 bargaining unit for each 12-month period covered by the proposed collective  
6 bargaining agreement in an amount equivalent to 2.1%.

7           c. A proposal for the municipal employer to pay any increase in the total fringe  
8 benefits costs for municipal employes in the collective bargaining unit for each  
9 12-month period covered by the proposed collective bargaining agreement up to at  
10 least 1.7% of the total compensation and fringe benefit costs for those municipal  
11 employes in the preceding 12-month period.

12           d. A proposal to maintain all conditions of employment as such conditions  
13 existed on the 90th day prior to the expiration of the previous collective bargaining  
14 agreement between the parties, or the 90th day prior to commencement of  
15 negotiations if there is no previous collective bargaining agreement between the  
16 parties.

17           e. A proposal to maintain any provision relating to a subject of collective  
18 bargaining on which the municipal employer was not required to bargain that  
19 existed in the previous collective bargaining agreement between the parties or that  
20 existed on the 90th day prior to the expiration of the previous collective bargaining  
21 agreement between the parties.

22           **SECTION 2035n.** 111.70 (1) (nd) of the statutes is created to read:

23           111.70 (1) (nd) “Qualified economic offer issues” means salaries, extra-duty  
24 pay, health insurance, major medical insurance, dental insurance, life insurance,  
25 disability insurance, vision insurance, long-term care insurance, worker’s

1 compensation and unemployment insurance, federal old-age, survivors, disability  
2 and health insurance under Titles II and XVIII of the federal Social Security Act,  
3 retirement contributions and supplemental retirement benefits.

4 **SECTION 2035p.** 111.70 (4) (cm) 5s. of the statutes is renumbered 111.70 (4) (cm)  
5 5s. a. and amended to read:

6 111.70 (4) (cm) 5s. a. In a collective bargaining unit consisting of school district  
7 professional employees, the municipal employer or the labor organization may  
8 petition the commission to determine whether the municipal employer has  
9 submitted a qualified economic offer. The commission shall appoint an investigator  
10 for that purpose. If the investigator, using the methodology prescribed under subd.  
11 8t., finds that the municipal employer has submitted a qualified economic offer, the  
12 investigator shall determine whether a deadlock exists between the parties with  
13 ~~respect to all economic issues.~~ If the municipal employer submits a qualified  
14 economic offer applicable to any period beginning on or after July 1, 1993 1999, no  
15 qualified economic offer issues are subject to interest arbitration under subd. 6. for  
16 that period. ~~In such a collective bargaining unit, economic issues concerning the~~  
17 ~~wages, hours or conditions of employment of the school district professional employees~~  
18 ~~in the unit for any period prior to July 1, 1993, are subject to interest arbitration~~  
19 ~~under subd. 6. for that period.~~ In such a collective bargaining unit, noneconomic  
20 issues other than qualified economic offer issues applicable to any period on or after  
21 July 1, 1993 1999, are subject to interest arbitration after the parties have reached  
22 agreement and stipulate to agreement on all qualified economic offer issues  
23 ~~concerning the wages, hours or conditions of employment of~~ affecting the school  
24 district professional employees in the unit for that period. In such a collective  
25 bargaining unit, if the commission's investigator finds that the municipal employer



1 has submitted a qualified economic offer and that a deadlock exists between the  
2 parties ~~with respect to all economic issues~~, the municipal employer may implement  
3 the qualified economic offer. On the 90th day prior to expiration of the period  
4 included within the qualified economic offer, if no agreement exists on that day, the  
5 parties are deemed to have stipulated to the inclusion in a new or revised collective  
6 bargaining agreement of all provisions of any predecessor collective bargaining  
7 agreement concerning qualified economic offer issues, or of all provisions of any  
8 existing collective bargaining agreement concerning qualified economic offer issues  
9 if the parties have reopened negotiations under an existing agreement, as modified  
10 by the terms of the qualified economic offer and as otherwise modified by the parties.  
11 In such a collective bargaining unit, on and after that 90th day, a municipal employer  
12 that refuses to bargain collectively with respect to the terms of that stipulation,  
13 applicable to the 90-day period prior to expiration of the period included within the  
14 qualified economic offer, does not violate sub. (3) (a) 4. Any such unilateral  
15 implementation after ~~August 11, 1993~~ June 30, 1999, or the effective date of this  
16 subd. 5s. a., whichever is later, during the 90-day period prior to expiration of the  
17 period included within a qualified economic offer, operates as a full, final and  
18 complete settlement of all qualified economic offer issues between the parties for the  
19 period included within the qualified economic offer. The failure of a labor  
20 organization to recognize the validity of such a lawful qualified economic offer does  
21 not affect the obligation of the municipal employer to submit qualified economic offer  
22 issues to arbitration under subd. 6. If the investigator determines that the municipal  
23 employer has not submitted a qualified economic offer, either the municipal  
24 employer or the labor organization may petition for arbitration under subd. 6. to  
25 resolve any dispute relating to qualified economic offer issues.

1           **SECTION 2035r.** 111.70 (4) (cm) 5s. b. of the statutes is created to read:

2           111.70 (4) (cm) 5s. b. In a collective bargaining unit consisting of school district  
3 professional employees, the impact of any change in any provision that existed in the  
4 previous collective bargaining agreement between the parties on which the  
5 municipal employer was not required to bargain is a mandatory subject of bargaining  
6 for purposes of subd. 6. d.

7           **SECTION 2035t.** 111.70 (4) (cm) 8t. of the statutes is created to read:

8           111.70 (4) (cm) 8t. ‘Methodology for determining qualified economic offers.’ The  
9 commission shall prescribe by rule a methodology to be used in determining whether  
10 a collective bargaining proposal submitted by a municipal employer to a labor  
11 organization constitutes a qualified economic offer.”.

12           **865.** Page 1093, line 2: after that line insert:

13           “**SECTION 2037c.** 111.91 (2) (r) of the statutes is created to read:

14           111.91 (2) (r) The requirements related to offering point-of-service coverage  
15 under s. 609.23.”.

16           **866.** Page 1094, line 15: after that line insert:

17           “**SECTION 2041r.** 115.28 (27) of the statutes is repealed.”.

18           **867.** Page 1094, line 22: after that line insert:

19           “**SECTION 2042m.** 115.28 (42) of the statutes is created to read:

20           115.28 (42) FOREIGN LANGUAGE INSTRUCTION GRANTS. Beginning in the 2000-01  
21 fiscal year, award at least one grant in each fiscal year, on a competitive basis, to a  
22 school board or board of control of a cooperative educational service agency for the  
23 development and implementation of a foreign language instruction program in a  
24 public school in grades kindergarten to 6. The department shall award the grants

1 from the appropriation under s. 20.255 (2) (fL). The department shall promulgate  
2 rules to implement and administer this subsection.”.

3 **868.** Page 1094, line 22: after that line insert:

4 “**SECTION 2042m.** 115.28 (42) of the statutes is created to read:

5 115.28 (42) CLEARINGHOUSE FOR INFORMATION ABOUT SCHOOL SAFETY. Act as a  
6 clearinghouse for information about school safety, including information about  
7 school safety plans; reducing disruptive and violent behavior in schools; integrating  
8 school-based programs to reduce violence with other programs to reduce violence;  
9 alternative education programs; behavioral issues related to children with  
10 disabilities; and training staff in classroom management.”.

11 **869.** Page 1094, line 22: after that line insert:

12 “**SECTION 2042m.** 115.341 of the statutes is repealed and recreated to read:

13 **115.341 School breakfast program. (1)** From the appropriation under s.  
14 20.255 (2) (cm), the state superintendent shall reimburse each school board 10 cents  
15 for each breakfast served at a school that meets the requirements of 7 CFR 220.8 or  
16 220.8a, whichever is applicable, and shall reimburse each governing body of a  
17 private school 10 cents for each breakfast served at the private school that meets the  
18 requirements of 7 CFR 220.8 or 220.8a, whichever is applicable.

19 **(2)** If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient  
20 to pay the full amount of aid under this section, the state superintendent shall  
21 prorate state aid payments among the school boards and governing bodies of private  
22 schools entitled to the aid.”.

23 **870.** Page 1094, line 22: after that line insert:

24 “**SECTION 2042g.** 115.31 (1) (b) of the statutes is amended to read:

1           115.31 (1) (b) “Educational agency” means a school district, cooperative  
2 educational service agency, state correctional institution under s. 302.01, secured  
3 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,  
4 as defined in s. 938.02 (15g), the ~~Wisconsin school for the visually handicapped~~  
5 Wisconsin Center for the Blind and Visually Impaired, the ~~Wisconsin school~~ School  
6 ~~for the deaf~~ Deaf, the Mendota mental health institute, the Winnebago mental health  
7 institute, a state center for the developmentally disabled, a private school or a  
8 private, nonprofit, nonsectarian agency under contract with a school board under s.  
9 118.153 (3) (c).”.

10           **871.** Page 1094, line 22: after that line insert:

11           “**SECTION 2042t.** 115.28 (44) of the statutes is created to read:

12           115.28 (44) WISCONSIN GEOGRAPHICAL EDUCATION FUND. Enter into an  
13 agreement with the National Geographic Society Education Foundation to establish  
14 the Wisconsin geographical education fund. The agreement shall require all of the  
15 following:

16           (a) That the National Geographic Society Education Foundation manage the  
17 Wisconsin geographical education fund.

18           (b) That the department award an initial grant of \$500,000 from the  
19 appropriation under s. 20.255 (3) (eh) to the Wisconsin geographical education fund,  
20 to be matched by a grant from the National Geographic Society.

21           (c) That income and appreciation from the Wisconsin geographical education  
22 fund be used to award grants and support programs to improve geographical  
23 education in this state.

1 (d) That the National Geographic Society Education Foundation annually  
2 submit to the department an audited financial statement of the Wisconsin  
3 geographical education fund prepared by an independent auditor and a report listing  
4 the names of grant recipients and the amounts and purposes of awards and other  
5 expenditures made from the Wisconsin geographical education fund.

6 (e) That, if the Wisconsin geographical education fund is dissolved, the  
7 National Geographic Society Education Foundation shall return to the department  
8 the department's original grant under this subsection and any accumulated and  
9 unexpended income thereon.”.

10 **872.** Page 1095, line 25: after “families” insert “if such families have incomes  
11 that are no more than 165% of the federal poverty line, as defined in 42 USC 9902  
12 (2)”.

13 **873.** Page 1096, line 8: after that line insert:

14 “SECTION 2048m. 115.366 of the statutes is created to read:

15 **115.366 Alternative education grants. (1)** From the appropriation under  
16 s. 20.255 (2) (cf), the department shall award grants to school districts and consortia  
17 of school districts for alternative education programs, as defined by the department  
18 by rule. The department shall encourage rural school districts and consortia of  
19 school districts to apply for grants under this section.

20 (2) The department shall promulgate rules to implement and administer this  
21 section.”.

22 **874.** Page 1096, line 8: after that line insert:

23 “SECTION 2047g. 115.37 of the statutes is repealed and recreated to read:

1           **115.37 Blind and visual impairment education council.** (1) In this  
2 section:

3           (a) “Council” means the blind and visual impairment education council.

4           (b) “Visually impaired” has the meaning given in s. 115.51 (4).

5           **(2)** The state superintendent shall seek the advice of and consult with the  
6 council on issues related to persons who are visually impaired. The state  
7 superintendent and the director of the Wisconsin Center for the Blind and Visually  
8 Impaired, or their designees, shall attend meetings of the council.

9           **(3)** The council shall do all of the following:

10          (a) Meet at least twice each year.

11          (b) Advise the state superintendent on such statewide services, activities,  
12 programs, investigations and research as in its judgment will benefit pupils who are  
13 visually impaired.

14          (c) Make recommendations for the improvement of services provided by the  
15 Wisconsin Center for the Blind and Visually Impaired.

16          (d) Review the level and quality of services available to pupils in the state who  
17 are visually impaired and make recommendations about those services.

18          (e) Propose to the state superintendent ways to improve the preparation of  
19 teachers and other staff who provide services to pupils who are visually impaired.

20          (f) Propose to the state superintendent ways to improve coordination between  
21 the department and other agencies in providing services to persons who are visually  
22 impaired.

23          **(4)** The council may initiate consultations with the department.

1           **(5)** The council shall have access to public files, public records and statistics  
2 kept in the department that relate to matters concerning children who are visually  
3 impaired.”.

4           **875.** Page 1097, line 2: after that line insert:

5           “**SECTION 2053m.** 115.435 of the statutes is created to read:

6           **115.435 Supplemental aid. (1)** A school district that satisfies all of the  
7 following criteria may apply to the department by October 15 of each school year for  
8 a grant to supplement aid under s. 121.08.

9           (a) The school district had an enrollment in the previous school year of fewer  
10 than 500 pupils.

11           (b) The school district is at least 200 square miles in area.

12           (c) At least 65% of the real property in the school district is exempt from  
13 taxation under s. 70.11, owned by or held in trust for a federally recognized American  
14 Indian tribe or owned by the federal government.

15           **(2)** No later than June 30 of the current school year, the department shall, from  
16 the appropriation under s. 20.255 (2) (ad), pay each school district that satisfies the  
17 criteria under sub. (1) \$350 for each pupil enrolled in the school district in the  
18 previous school year. If the appropriation under s. 20.255 (2) (ad) is insufficient to  
19 pay the full amount under this subsection, the funds shall be prorated among the  
20 entitled school districts.

21           **(3)** The department shall promulgate rules to implement and administer this  
22 section.”.

23           **876.** Page 1097, line 2: after that line insert:

1           “**SECTION 2053b.** Subchapter III (title) of chapter 115 [precedes 115.51] of the  
2 statutes is amended to read:

3   **CHAPTER 115**

4   SUBCHAPTER III

5   STATE SCHOOLS SCHOOL FOR THE

6   DEAF AND STATE CENTER FOR THE

7   BLIND AND VISUALLY IMPAIRED

8           **SECTION 2053c.** 115.51 (1) of the statutes is repealed.

9           **SECTION 2053d.** 115.51 (3) and (4) of the statutes are created to read:

10          115.51 (3) “Local educational agency” has the meaning given in s. 115.76 (10).

11          (4) “Visually impaired” means loss of vision or blindness as described in the  
12 rule promulgated by the state superintendent to define “visual impairments” for the  
13 purposes of s. 115.76 (5) (a) 4.

14          **SECTION 2053f.** 115.52 of the statutes is amended to read:

15          **115.52 Wisconsin schools School for the visually handicapped and the**  
16 **~~deaf Deaf.~~** (1) The object of the Wisconsin ~~school for the visually handicapped and~~  
17 ~~the Wisconsin school~~ School for the deaf Deaf is to afford persons with visual  
18 impairments and persons with hearing impairments a practical education and  
19 physical rehabilitation which may aid them to make a living, discharge their duties  
20 as citizens and secure to them all possible happiness.

21          (2) The state superintendent shall maintain and govern the ~~school for the~~  
22 ~~visually handicapped and the school~~ School for the deaf Deaf. The state  
23 superintendent may fix the period of the school year at the ~~schools~~ school at not less  
24 than 38 weeks, prescribe the school terms and confer diplomas upon meritorious  
25 pupils who have completed the prescribed curricula.



1           **(3)** All the ~~blind and the~~ deaf residents of this state 6 to 20 years old, and for  
2 the duration of a school term all the ~~blind or~~ deaf residents of this state who become  
3 21 years old during that school term, who are capable of receiving instruction shall  
4 be received and taught in the ~~schools~~ School for the Deaf free of charge. Like  
5 nonresident pupils also may be received upon payment in advance of the fees fixed  
6 by the state superintendent at an amount not less than \$75 per month, but no  
7 nonresident shall be received to the exclusion of a resident pupil. The state  
8 superintendent also may admit pupils who are 21 years of age or older prior to the  
9 beginning of a school term upon the payment of fees fixed by the superintendent and  
10 upon the recommendation of the secretary of health and family services, the director  
11 of the technical college system or the superintendent of the ~~school to which the pupil~~  
12 ~~will be assigned~~ School for the Deaf. All pupils shall equally and freely enjoy the  
13 benefits and privileges of the ~~schools~~ school and have the use of the library and books  
14 of instruction and receive board, lodging and laundry, without discrimination. The  
15 ~~schools~~ school may provide transportation for resident pupils.

16           **(5)** The state superintendent may grant approval for the maintenance of a  
17 summer school at the ~~school~~ School for the deaf Deaf whenever it will be to the  
18 advantage of persons with hearing impairments and ~~may grant approval for the~~  
19 ~~maintenance of a summer school at the school for the visually handicapped whenever~~  
20 ~~it will be to the advantage of children with visual impairments. There shall be a~~  
21 ~~summer school each year at the school for the visually handicapped for adults with~~  
22 ~~visual impairments.~~

23           **(6)** The state superintendent may make charges for meals, living quarters,  
24 laundry and other services furnished to employes of the ~~schools~~ School for the Deaf  
25 and their families. The state superintendent also may make charges for services

1 furnished to visitors at the ~~schools~~ school and participants in training programs and  
2 institutes.

3 (7) The Wisconsin ~~school~~ School for the deaf Deaf may provide instruction for  
4 preschool children with hearing impairments and their parents. ~~The Wisconsin~~  
5 ~~school for the visually handicapped may provide instruction for preschool children~~  
6 ~~with visual impairments and their parents.~~ Such instruction or treatment shall be  
7 subject to the approval of, and shall comply with requirements established by, the  
8 department.

9 **SECTION 2053h.** 115.525 of the statutes is created to read:

10 **115.525 Wisconsin Center for the Blind and Visually Impaired. (1)**  
11 DEFINITION. In this section, “center” means the Wisconsin Center for the Blind and  
12 Visually Impaired.

13 (1m) PURPOSE. The purpose of the center is to serve as a statewide educational  
14 resource relating to visual impairments to benefit all Wisconsin children who are  
15 visually impaired.

16 (2) GOVERNANCE. The state superintendent shall maintain and govern the  
17 center. The state superintendent shall appoint an individual who has training and  
18 experience in educating pupils who are visually impaired to serve as the director of  
19 the center.

20 (3) SERVICES. The center shall provide services that benefit children  
21 throughout the state who are visually impaired.

22 (a) *School.* 1. ‘Residents 3 to 20 years old.’ The center shall operate a school  
23 at which any resident of this state 3 to 20 years old who is visually impaired, and for  
24 the duration of a school term any resident of this state who is visually impaired and  
25 becomes 21 years old during that school term, shall be received and taught free of

1 charge if the individualized education program for the resident under s. 115.787 and  
2 the educational placement under s. 115.79 specify the school operated by the center  
3 as the appropriate placement.

4 2. 'Residents 21 years old or older.' The state superintendent may admit to the  
5 school operated by the center a resident of the state who is visually impaired and is  
6 21 years of age or older prior to the beginning of a school term upon the payment of  
7 fees fixed by the state superintendent and upon the recommendation of the secretary  
8 of health and family services, the director of the technical college system or the  
9 director of the center.

10 3. 'Nonresidents.' A nonresident of this state, who is visually impaired, who  
11 either is 3 to 20 years old or becomes 21 years old during a school term, whose  
12 individualized education program under 20 USC 1414 (d) and educational placement  
13 specify the school operated by the center as the appropriate placement and who is  
14 capable of receiving instruction may be received at the school upon payment in  
15 advance of the fees fixed by the state superintendent, but no nonresident may be  
16 received to the exclusion of a resident pupil.

17 4. 'Pupil use of residential facilities.' Except as provided in sub. (4), the director  
18 of the center shall make the residential facilities at the center available to all pupils  
19 received at the school operated by the center.

20 5. 'School term.' The state superintendent shall fix the period of the school term  
21 at the school operated by the center at not less than 38 weeks, prescribe the school  
22 sessions and confer diplomas upon meritorious pupils who have completed the  
23 prescribed curriculum. Pursuant to a pupil's individualized education program  
24 under s. 115.787, a pupil may be placed at the school for less than a school term.

1           6. ‘Transportation.’ The center may provide transportation for resident pupils  
2 at the school operated by the center.

3           (b) *Other statewide services.* The center may do any of the following:

4           1. Provide testing, evaluation and assessment services to assist local  
5 educational agencies, cooperative educational service agencies and county children  
6 with disabilities education boards.

7           2. Provide technical assistance and consultation services to entities such as  
8 local educational agencies, cooperative educational service agencies, county children  
9 with disabilities education boards and private schools.

10          3. Develop and disseminate curriculum and instructional materials.

11          4. Provide inservice and other training to teachers and other staff serving  
12 pupils who are visually impaired.

13          5. Provide training, technical assistance and consultation services for parents  
14 of children who are visually impaired and for professionals who work with children  
15 who are visually impaired.

16          6. Provide materials in braille, large print and other appropriate formats to  
17 children who are visually impaired.

18          7. Train teachers and braillists about braille codes and formats used by  
19 individuals who are visually impaired.

20          8. Loan books and other materials from the library described in par. (c) 2.

21          9. Serve as a clearinghouse for information about children who are visually  
22 impaired, including information related to library resources, adapted materials and  
23 current research.

24          10. Assist in providing assistive technology services, as defined in s. 115.76 (2),  
25 for pupils who are visually impaired.

1           11. Lend, rent or lease technological materials and assistive technology  
2 devices, as defined in s. 115.76 (1), to local educational agencies, cooperative  
3 educational service agencies and county children with disabilities education boards.

4           12. Facilitate the preparation of teachers of pupils who are visually impaired  
5 by providing assistance to teacher preparation programs.

6           13. Coordinate and collaborate with public and private agencies and  
7 organizations that provide services to individuals who are visually impaired,  
8 including the development of employment skills and opportunities.

9           14. Provide other statewide services that relate to the education of children who  
10 are visually impaired.

11           (c) *Additional services.* 1. 'Birth to 2 services.' The center may provide  
12 instruction or services, or both, for children who are under the age of 2 and are  
13 visually impaired and their parents. The instruction or services are subject to the  
14 approval of, and shall comply with requirements established by, the department.

15           2. 'Library.' Embossed, clear type or large type books acquired by the center  
16 constitute a circulating collection for persons who are visually impaired. The  
17 collection shall be kept at the center and be under the supervision of its director. All  
18 school age children of the state who are visually impaired may use such books upon  
19 compliance with criteria established by the director of the center and approved by  
20 the state superintendent.

21           3. 'Summer programs.' The center shall provide summer programs each year  
22 for children who are visually impaired.

23           4. 'Adult summer program.' The center shall provide a summer program each  
24 year for adults who are visually impaired. The state superintendent may contract  
25 with other entities to provide this program.

1           5. ‘Independent living skills.’ With the approval of the state superintendent,  
2 the center may use state-owned housing on the grounds of the center in Janesville  
3 as a facility in which individuals receive instruction in and practice independent  
4 living skills.

5           (d) *Provision of services.* In addition to providing services at the center’s facility  
6 in Janesville, the center may provide services at any location in the state and may  
7 operate regional satellite facilities throughout the state to provide services.

8           (4) NONDISCRIMINATION. All pupils at the center may equally and freely enjoy  
9 the benefits and privileges of the center, have the use of the library and books of  
10 instruction and receive board, lodging and laundry, without discrimination, except  
11 that the director of the center may determine that board, lodging and laundry may  
12 not be provided to an individual because appropriate services are not available for  
13 that individual at the center’s residential facilities.

14           (5) CHARGES. The state superintendent may charge for meals, living quarters,  
15 laundry and other services furnished to employes of the center and their families.  
16 The state superintendent may charge for services furnished to visitors at the center  
17 and participants in training programs and institutes.

18           (6) LEASING OF SPACE. The state superintendent may lease space at the center  
19 in Janesville that is not required by the center to any person if the state  
20 superintendent determines that the use will not be inconsistent with the operation  
21 of the center.

22           (7) AUDIT. In the 2002–03 fiscal year, the legislative audit bureau shall perform  
23 a performance evaluation audit of the center. The bureau shall submit copies of the  
24 audit report to the chief clerk of each house of the legislature for distribution to the  
25 appropriate standing committees under s. 13.172 (3) by June 30, 2003.

1           **SECTION 2053j.** 115.53 (2) of the statutes is amended to read:

2           **115.53 (2)** Arrange for vocational, trade or academic training for any pupil in  
3 either ~~state school~~ the school operated by the Wisconsin Center for the Blind and  
4 Visually Impaired or the Wisconsin School for the Deaf qualified to take such  
5 training advantageously, in either a public school or technical college or a private  
6 business establishment in Janesville or Delavan. The public school and the technical  
7 college shall be paid the regular tuition for full-time attendance and proportionally  
8 for part-time attendance by the school district responsible for the provision of a free  
9 appropriate public education under subch. V.

10           **SECTION 2053k.** 115.53 (3) of the statutes is renumbered 115.53 (3) (a) and  
11 amended to read:

12           115.53 **(3)** (a) Arrange for otological or ophthalmic examination of any pupil or  
13 prospective pupil of the ~~schools~~ Wisconsin School for the Deaf. The examination shall  
14 be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

15           **SECTION 2053L.** 115.53 (3) (b) of the statutes is created to read:

16           115.53 **(3)** (b) Arrange for ophthalmic or otological examination of any pupil or  
17 prospective pupil of the school operated by the Wisconsin Center for the Blind and  
18 Visually Impaired. The examination shall be paid from the appropriation in s. 20.255  
19 (1) (b), (gh), (gL) or (gs).

20           **SECTION 2053m.** 115.53 (4) and (5) of the statutes are amended to read:

21           115.53 **(4)** Apply to the board of directors of the University of Wisconsin  
22 Hospitals and Clinics Authority for admission to the University of Wisconsin  
23 Hospitals and Clinics of any pupil in at the state schools Wisconsin School for the  
24 Deaf or the school operated by the Wisconsin Center for the Blind and Visually  
25 Impaired.

1 (a) The application shall be accompanied by the report of a physician appointed  
2 by the ~~appropriate school superintendent of the Wisconsin School for the Deaf or the~~  
3 director of the Wisconsin Center for the Blind and Visually Impaired and shall be in  
4 the same form as reports of other physicians for admission of patients to such  
5 hospital.

6 (b) The net cost of hospital treatment shall be at the rate established under s.  
7 233.40 (1) and shall be ~~chargeable to~~ paid from the appropriation ~~for operating the~~  
8 ~~patient's school~~ under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the  
9 Wisconsin School for the Deaf or from the appropriation under s. 20.255 (1) (b), (gh),  
10 (gL) or (gs) if the patient is a pupil at the school operated by the Wisconsin Center  
11 for the Blind and Visually Impaired. The state superintendent likewise may  
12 authorize payment for the expense of transporting patients to and from the hospital.  
13 The state superintendent shall make payments for the treatment to the University  
14 of Wisconsin Hospitals and Clinics Authority. Funds collected by the state  
15 superintendent on account of the hospitalization shall be ~~deposited in~~ credited to the  
16 appropriation under s. 20.255 (1) ~~(b) (gh)~~ for the school or center concerned.

17 (5) Arrange for visits by members of the staff of either school the Wisconsin  
18 School for the Deaf or the Wisconsin Center for the Blind and Visually Impaired to  
19 other public schools or to families of ~~blind or deaf children~~ or children who are  
20 visually impaired, whenever it appears to the state superintendent that such visits  
21 will be of advantage to ~~blind or deaf~~ such children.

22 **SECTION 2053p.** 115.54 of the statutes is amended to read:

23 **115.54 Compulsory education.** If it appears, by affidavit, to any circuit  
24 judge that any ~~blind or deaf child~~ or child who is visually impaired between the ages  
25 of 6 and 21 is deprived of a suitable education by the failure of the person having the



1 care and custody of the child to provide a suitable education, the judge shall order  
2 the person to bring the child before the judge. If the material allegations of the  
3 affidavit are denied, the judge shall subpoena witnesses and hear testimony. If the  
4 allegations are admitted or established, the judge may order the child sent to the  
5 school Wisconsin School for the ~~visually handicapped or for the deaf~~ Deaf, the school  
6 operated by the Wisconsin Center for the Blind and Visually Impaired or to some  
7 class or other school for instruction, but the order shall may not make a direct charge  
8 for the class or school against any county.

9 **SECTION 2053q.** 115.55 of the statutes is repealed.

10 **SECTION 2053r.** 115.58 of the statutes is amended to read:

11 **115.58 Park grounds.** The state superintendent may permit the city of  
12 Janesville to use portions of the grounds of the ~~state school for the visually~~  
13 ~~handicapped~~ Wisconsin Center for the Blind and Visually Impaired at Janesville,  
14 which abut on the Rock river, for purposes of operating a city park. Any construction  
15 on such grounds is subject to prior approval by the state superintendent. Any  
16 agreement pursuant hereto shall be cancelable at the option of either party without  
17 liability. Any such grounds so used by the city of Janesville shall be supervised by  
18 the city and shall be subject to the ordinances of the city of Janesville applicable to  
19 city parks.”.

20 **877.** Page 1097, line 17: delete the material beginning with that line and  
21 ending with page 1098, line 4.

22 **878.** Page 1098, line 10: after “equal to” insert “63% of”.

23 **879.** Page 1098, line 15: after “personnel,” insert “except as provided under  
24 par. (b),”.

1           **880.** Page 1098, line 16: delete that line and substitute “superintendent. The  
2 department of administration shall pay such amounts to the charter school”.

3           **881.** Page 1098, line 20: delete the material beginning with that line and  
4 ending with page 1099, line 11.

5           **882.** Page 1099, line 17: after “equal to” insert “63% of”.

6           **883.** Page 1099, line 19: delete lines 19 and 20 and substitute “year for  
7 transportation under this subsection. The department of administration shall pay  
8 such amounts to the charter school”.

9           **884.** Page 1099, line 23: delete the material beginning with that line and  
10 ending with page 1101, line 4.

11           **885.** Page 1101, line 11: delete the material beginning with that line and  
12 ending with page 1102, line 4 and substitute:

13           “**SECTION 2063m.** 115.882 of the statutes is amended to read:

14           **115.882 Proration of state aid.** If the sum of the appropriations under s.  
15 20.255 (2) (b) and (br) in any one year is insufficient to pay the full amount of aid  
16 under ss. 115.88 and 118.255, funds in the appropriations shall be used first for the  
17 purpose of s. 115.88 (4) and any remaining funds shall be prorated among the  
18 counties, school districts, operators of charter schools established under s. 118.40 (2r)  
19 and cooperative educational service agencies entitled thereto.”.

20           **886.** Page 1103, line 1: delete lines 1 to 16 and substitute:

21           “**SECTION 2068d.** 118.153 (3m) (a) of the statutes is amended to read:

22           118.153 (**3m**) (a) ~~After reviewing the recommendations of the governor’s~~  
23 ~~council on workforce excellence under s. 106.115 (2) (em), the~~ The state  
24 superintendent may approve an innovative school-to-work program provided by a

1 nonprofit organization for children at risk in a county having a population of 500,000  
2 or more to assist those children at risk in acquiring employability skills and  
3 occupational-specific competencies before leaving high school. If the state  
4 superintendent approves a program under this paragraph, the state superintendent  
5 may award a grant, from the appropriation under s. 20.255 (3) (ef), to the nonprofit  
6 organization providing the program and the nonprofit organization shall use the  
7 funds received under the grant to provide the program.”.

8 **887.** Page 1103, line 17: delete the material beginning with that line and  
9 ending with page 1104, line 5.

10 **888.** Page 1109, line 24: delete that line.

11 **889.** Page 1110, line 1: delete lines 1 to 17.

12 **890.** Page 1110, line 18: delete the material beginning with that line and  
13 ending with page 1111, line 7.

14 **891.** Page 1111, line 15: after “paid” insert “per pupil”.

15 **892.** Page 1111, line 23: delete the material beginning with that line and  
16 ending with page 1112, line 7.

17 **893.** Page 1112, line 12: delete the material beginning with “this” and ending  
18 with “low-income” on line 15 and substitute “~~this section~~ pars. (b) and (bg)”.

19 **894.** Page 1113, line 6: delete the material beginning with that line and  
20 ending with page 1114, line 3, and substitute:

21 “118.43 (2) (br) In the 2000-01 school year, a school board may enter into a  
22 5-year achievement guarantee contract with the department on behalf of one or  
23 more schools in the school district if the school board is not receiving a grant under

1 the preschool to grade 5 program on behalf of any of the schools under s. 115.45 and  
2 if none of the schools is a beneficiary of a contract under this section.”.

3 **895.** Page 1116, line 12: after that line insert:

4 “**SECTION 2107a.** 118.55 (3) (b) of the statutes is amended to read:

5 118.55 (3) (b) If the pupil specifies in the notice under par. (a) that he or she  
6 intends to take a course at an institution of higher education for high school credit,  
7 the school board shall determine whether the course is comparable to a course offered  
8 in the school district, and whether the course satisfies any of the high school  
9 graduation requirements under s. 118.33 and the number of high school credits to  
10 award the pupil for the course, if any. In cooperation with institutions of higher  
11 education, the state superintendent shall develop guidelines to assist school districts  
12 in making the determinations. The school board shall notify the pupil of its  
13 determinations determination, in writing, before the beginning of the semester in  
14 which the pupil will be enrolled. If the pupil disagrees with the school board’s  
15 decision regarding comparability of courses, satisfaction of high school graduation  
16 requirements or the number of high school credits to be awarded, the pupil may  
17 appeal the school board’s decision to the state superintendent within 30 days after  
18 the decision. The state superintendent’s school board’s decision shall be final and is  
19 not subject to review under subch. III of ch. 227.

20 **SECTION 2107b.** 118.55 (5) (intro.) of the statutes is amended to read:

21 118.55 (5) PAYMENT. (intro.) Within 30 days after the end of the semester, the  
22 school board of the school district in which a pupil attending an institution of higher  
23 education under this section is enrolled shall pay the institution of higher education,

1 on behalf of the pupil, the following amount for any course that is taken for high  
2 school credit and that is not comparable to a course offered in the school district:

3 **SECTION 2107c.** 118.55 (6) (a) of the statutes is amended to read:

4 118.55 (6) (a) A pupil taking a course at an institution of higher education for  
5 high school credit under this section is not responsible for any portion of the tuition  
6 and fees for the course ~~if the school board, or the state superintendent on appeal~~  
7 ~~under sub. (3) (b), has determined that the course is not comparable to a course~~  
8 ~~offered in the school district.~~

9 **SECTION 2107d.** 118.55 (6) (b) of the statutes is repealed.

10 **SECTION 2107e.** 118.55 (7r) (c) of the statutes is amended to read:

11 118.55 (7r) (c) If a child attends a technical college under this subsection, the  
12 technical college shall ensure that the child's educational program meets the high  
13 school graduation requirements under s. 118.33. At least 30 days before the  
14 beginning of the technical college semester in which the pupil will be enrolled, the  
15 school board of the school district in which the pupil resides shall notify the pupil,  
16 in writing, if a course in which the pupil will be enrolled does not meet the high school  
17 graduation requirements ~~and whether the course is comparable to a course offered~~  
18 ~~in the school district. If the pupil disagrees with the school board's decision regarding~~  
19 ~~comparability of courses or satisfaction of high school graduation requirements, the~~  
20 ~~pupil may appeal the school board's decision to the state superintendent within 30~~  
21 ~~days after the decision and the number of high school credits to be awarded, if any,~~  
22 ~~for each course in which the pupil will be enrolled. The state superintendent's school~~  
23 ~~board's decision is final and is not subject to review under subch. III of ch. 227. The~~  
24 ~~. For courses for which the school board has determined to award high school credit~~  
25 ~~and which are successfully completed at the technical college, the pupil is eligible to~~

1 receive both high school and technical college credit for courses successfully  
2 completed at the technical college.”.

3 **896.** Page 1116, line 12: after that line insert:

4 “**SECTION 2107d.** 118.435 of the statutes is created to read:

5 **118.435 Classroom facilities. (1)** A school board that is eligible for state aid  
6 under s. 118.43 (6) may apply to the department for a grant under this section to  
7 assist in building additional classrooms. A school board shall submit its application  
8 before January 1 for a grant in that school year.

9 (2) The department shall review each application to determine whether the  
10 proposed addition is required and by April 1 notify each applicant whether the  
11 application is approved, rejected or modified and the amount of the grant, if any, to  
12 be awarded.

13 (3) The department shall determine the amount of the grant to be awarded as  
14 follows:

15 (a) Determine the amount needed by the school district.

16 (b) Determine the percentage of the school district’s shared cost that the school  
17 district’s state aid under s. 121.08 constitutes.

18 (c) Multiply the amount under par. (a) by the percentage determined under par.  
19 (b).

20 (4) Grants under this section shall be awarded from the appropriation under  
21 s. 20.866 (2) (zhm). If the total amount of grants to be awarded in any school year  
22 exceeds the amount of bonding authority under s. 20.866 (2) (zhm), the department  
23 shall prorate the grants awarded in that school year.

1           **(5)** The department shall promulgate rules to implement and administer this  
2 section.”.

3           **897.** Page 1116, line 14: delete “1.”.

4           **898.** Page 1116, line 15: delete “1.”.

5           **899.** Page 1116, line 22: after that line insert:

6           “**SECTION 2107k.** 118.55 (7r) (d) 2. of the statutes is repealed.”.

7           **900.** Page 1117, line 12: after that line insert:

8           “**SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

9           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
10 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
11 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,  
12 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,  
13 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to ~~118.43~~  
14 118.435, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b)  
15 to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class  
16 city school district and board.”.

17           **901.** Page 1117, line 12: after that line insert:

18           “**SECTION 2107u.** 119.04 (1) of the statutes is amended to read:

19           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
20 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
21 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,  
22 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,  
23 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,  
24 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1), (2) (b) to

1 (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class  
2 city school district and board.”.

3 **902.** Page 1117, line 12: after that line insert:

4 “**SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

5 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
6 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
7 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,  
8 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,  
9 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,  
10 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g),  
11 (3), (14), (17) to (19), (26), (34) ~~and~~, (35) and (37) and 120.14 are applicable to a 1st  
12 class city school district and board.”.

13 **903.** Page 1117, line 12: after that line insert:

14 “**SECTION 4108m.** 119.18 (24) of the statutes is created to read:

15 119.18 (24) DESIGN-BUILD CONSTRUCTION. The board may let a public works  
16 contract, the estimated cost of which exceeds \$3,000,000, using the design-build  
17 construction process, as defined in s. 59.52 (29) (c) 1. Section 59.52 (29) (d), (e) and  
18 (f), as it applies to counties with a population of at least 500,000, applies to the school  
19 district operating under this chapter.”.

20 **904.** Page 1117, line 13: delete lines 13 to 19.

21 **905.** Page 1117, line 19: after that line insert:

22 “**SECTION 2109n.** 119.23 (2) (a) 3. of the statutes is amended to read:

23 119.23 (2) (a) 3. The private school notified the state superintendent of its  
24 intent to participate in the program under this section by ~~May~~ February 1 of the



1 previous school year. The notice shall specify the number of pupils participating in  
2 the program under this section for which the school has space.”.

3 **906.** Page 1118, line 14: after “paid” insert “per pupil”.

4 **907.** Page 1121, line 18: after that line insert:

5 “**SECTION 2124m.** 120.12 (26) of the statutes is created to read:

6 120.12 **(26)** SCHOOL SAFETY PLAN. By July 1, 2000, implement a school safety  
7 plan in each school.”.

8 **908.** Page 1121, line 18: after that line insert:

9 “**SECTION 2124r.** 120.13 (2) (g) of the statutes is amended to read:

10 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.  
11 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
12 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13), 632.896, and 767.25  
13 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b) 4.~~”.

14 **909.** Page 1122, line 11: after that line insert:

15 “**SECTION 2126m.** 120.13 (37) of the statutes is created to read:

16 120.13 **(37)** CAPITAL IMPROVEMENT FUND. (a) A school board of a school district  
17 that has the largest membership, as defined in s. 121.004 (5), of any school district  
18 located in a county that was created in 1850 and borders one of the Great Lakes may  
19 adopt a resolution creating a capital improvement fund for the purpose of financing  
20 current and future capital improvements.

21 (b) If a tax incremental district that was created in 1989 and that is located in  
22 whole or in part in the school district described under par. (a) has a value increment  
23 greater than \$300,000,000 and is terminated before the maximum number of years  
24 that the tax incremental district would have existed under s. 66.46 (7) (am) or (ar),

1 in each year until the year after the year in which the tax incremental district would  
2 have been required to terminate under s. 66.46 (7) (am) or (ar), the school district  
3 treasurer shall deposit in the capital improvement fund an amount equal to the  
4 school district's portion of the positive tax increment of the tax incremental district  
5 in the final year of the tax incremental district's existence, as determined by the  
6 department of revenue under s. 66.46.

7 (c) Money in the capital improvement fund may not be used for any other  
8 purpose or be transferred to any other fund without the approval of a majority of the  
9 electors of the school district voting on the question at a referendum.

10 (d) If par. (b) applies, the school board of the school district described under par.  
11 (a) shall submit a report by January 1 of each odd-numbered year to the governor  
12 and the joint committee on finance describing the use of the moneys deposited in the  
13 fund under par. (a) and the effects of that use.”.

14 **910.** Page 1122, line 17: after that line insert:

15 “**SECTION 2127c.** 121.004 (7) (c) 1. a. and b. of the statutes are amended to read:

16 121.004 (7) (c) 1. a. A pupil enrolled in a ~~5-year-old~~ kindergarten program  
17 requiring full-day attendance for 5 days a week for an entire school year shall be  
18 counted as one pupil.

19 b. A pupil enrolled in a ~~5-year-old~~ kindergarten program requiring full-day  
20 attendance for less than 5 days a week for an entire school year shall be counted as  
21 the result obtained by multiplying the number of hours in each day in which the pupil  
22 is enrolled by the total number of days for which the pupil is enrolled, and dividing  
23 the result by the product of the number of hours of attendance per day required of  
24 first grade pupils in the school district multiplied by 180.

1           **SECTION 2127d.** 121.004 (7) (c) 2. of the statutes is amended to read:

2           121.004 (7) (c) 2. In subd. 1. a. and b., “full-day” means the length of the school  
3 day for pupils in the first grade of the school district operating the ~~5-year-old~~  
4 kindergarten program.

5           **SECTION 2127g.** 121.004 (7) (cm) of the statutes is repealed.”.

6           **911.** Page 1122, line 21: substitute “0.75” for “0.5”.

7           **912.** Page 1122, line 22: substitute “0.75” for “0.5”.

8           **913.** Page 1123, line 7: after that line insert:

9           “**SECTION 2131d.** 121.05 (1) (a) 8. of the statutes is amended to read:

10           121.05 (1) (a) 8. Pupils enrolled in ~~a residential school operated by the state~~ the  
11 Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the  
12 Blind and Visually Impaired under subch. III of ch. 115 for whom the school district  
13 is paying tuition under s. 115.53 (2) determined by multiplying the total number of  
14 periods in each day in which the pupils are enrolled in the local public school by the  
15 total number of days for which the pupils are enrolled in the local public school and  
16 dividing the product by 1,080.”.

17           **914.** Page 1124, line 5: after “commenced” insert “, excludes any expenditures  
18 from a capital improvement fund created under s. 120.13 (37)”.

19           **915.** Page 1124, line 7: after “(am)” insert “and the amount described under  
20 s. 121.91 (4) (h)”.

21           **916.** Page 1124, line 21: delete “ss. 118.40 (2r) (e) and 119.23 (4)” and  
22 substitute “s. 118.40 (2r)”.

1           **917.** Page 1124, line 24: after “(ac)” insert “, calculated as if the reduction  
2 under par. (c) had not occurred”.

3           **918.** Page 1125, line 2: after “(ac)” insert “, calculated as if the reduction under  
4 par. (c) had not occurred,”.

5           **919.** Page 1125, line 2: after that line insert:

6           “(b) The amount of state aid that the school district operating under ch. 119 is  
7 eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced  
8 by 50% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

9           (c) The amount of state aid that each school district other than the school  
10 district operating under ch. 119 is eligible to be paid from the appropriation under  
11 s. 20.255 (2) (ac) shall also be reduced by an amount calculated as follows:

12           1. Add the amounts paid under s. 119.23 (4) and (4m) in the current school year  
13 and divide the sum by 2.

14           2. Divide the result obtained under subd. 1. by the total amount of state aid that  
15 all school districts other than the school district operating under ch. 119 are eligible  
16 to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the  
17 reduction under par. (a) had not occurred.

18           3. Multiply the amount of state aid that the school district is eligible to be paid  
19 from the appropriation under s. 20.225 (2) (ac), calculated as if the reduction under  
20 par. (a) had not occurred, by the quotient under subd. 2.”.

21           **920.** Page 1125, line 3: substitute “(d)” for “(b)”.

22           **921.** Page 1125, line 4: delete “par. (a)” and substitute “pars. (a) to (c)”.

23           **922.** Page 1126, line 5: after “(a) 3.” insert “, less the amount of any revenue  
24 limit increase under s. 121.91 (4) (h)”.

1           **923.** Page 1126, line 5: delete the material beginning with “and” and ending  
2 with “decimal.” on line 22.

3           **924.** Page 1127, line 17: after that line insert:

4           “**SECTION 2142m.** 121.54 (3) of the statutes is amended to read:

5           121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board  
6 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),  
7 to any public or private elementary or high school, to the ~~Wisconsin school for the~~  
8 ~~visually handicapped school operated by the Wisconsin Center for the Blind and~~  
9 Visually Impaired or the Wisconsin school School for the deaf Deaf or to any special  
10 education program for children with disabilities sponsored by a state tax-supported  
11 institution of higher education, including a technical college, regardless of distance,  
12 if the request for such transportation is approved by the state superintendent.  
13 Approval shall be based on whether or not the child can walk to school with safety  
14 and comfort. Section 121.53 shall apply to transportation provided under this  
15 subsection.”.

16           **925.** Page 1132, line 3: delete lines 3 to 7 and substitute:

17           “**SECTION 2146x.** 121.90 (1) (intro.) of the statutes is renumbered 121.90 (1) and  
18 amended to read:

19           121.90 (1) “Number of pupils enrolled” means the number of pupils enrolled  
20 on the 3rd Friday of September, including pupils identified in s. 121.05 (1) (a) 1. to  
21 11., except that “number of pupils enrolled” excludes the number of pupils attending  
22 public school under s. 118.145 (4) ~~and except as follows:~~ Beginning in the 2001-02  
23 school year “number of pupils” includes the summer enrollment. In determining a  
24 school district’s revenue limit for the 2000-01 school year or for any school year

1 thereafter, the department shall calculate the number of pupils enrolled in each  
2 school year prior to the 2000–01 school year as the number was calculated in that  
3 school year under s. 121.85 (6) (b) 1. and (f), 1997 stats.

4 **SECTION 2146y.** 121.90 (1) (a) to (d) of the statutes are repealed.”.

5 **926.** Page 1135, line 24: delete the material beginning with that line and  
6 ending with page 1136, line 9.

7 **927.** Page 1136, line 9: after that line insert:

8 “**SECTION 2158s.** 121.91 (4) (h) of the statutes is created to read:

9 121.91 (4) (h) The limit otherwise applicable under sub. (2m) is increased by  
10 the amount necessary to comply with an order of a court, a federal agency or a city,  
11 village, town or county to remedy any violation of a federal law or regulation, state  
12 statute or rule or municipal or county ordinance relating to health or safety.”.

13 **928.** Page 1136, line 9: after that line insert:

14 “**SECTION 2158w.** 121.91 (4) (i) of the statutes is created to read:

15 121.91 (4) (i) The limit otherwise applicable to a school district’s revenue under  
16 sub. (2m) in any school year is increased by an amount equal to the amount spent by  
17 the school district in that school year to establish and maintain, in cooperation with  
18 the school boards of other school districts in the area or with the county boards of the  
19 counties in which the school district is located, or both, a toll-free telephone number  
20 for pupils and school district employes to report security or safety concerns or  
21 suspected criminal or dangerous activities.”.

22 **929.** Page 1136, line 9: after that line insert:

23 “**SECTION 2158wt.** 121.91 (4) (j) of the statutes is created to read:

1           121.91 (4) (j) The limit otherwise applicable to a school district’s revenue under  
2 sub. (2m) in any school year is increased by an amount equal to the amount spent by  
3 the school district in that school year for security measures designed to prevent  
4 criminal activity in schools, as determined by the state superintendent.”.

5           **930.** Page 1136, line 9: after that line insert:

6           “**SECTION 2158m.** 121.91 (4) (h) of the statutes is created to read:

7           121.91 (4) (h) The limit otherwise applicable to a school district under sub. (2m)  
8 in any school year is increased by an amount equal to the amount deposited in the  
9 capital improvement fund under s. 120.13 (37) in that school year.”.

10          **931.** Page 1137, line 5: after that line insert:

11          “**SECTION 2164r.** 125.12 (1) (a) of the statutes is amended to read:

12          125.12 (1) (a) Except as provided in ~~par. (b)~~ this subsection, any municipality  
13 or the department may revoke, suspend or refuse to renew any license or permit  
14 under this chapter, as provided in this section.

15          **SECTION 2164s.** 125.12 (1) (c) of the statutes is created to read:

16          125.12 (1) (c) Neither a municipality nor the department may consider an  
17 arrest or conviction for a violation punishable under s. 945.03 (2m), 945.04 (2m) or  
18 945.05 (1m) in any action to revoke, suspend or refuse to renew a Class “B” or “Class  
19 B” license or permit.”.

20          **932.** Page 1139, line 11: after that line insert:

21          “**SECTION 2167x.** 134.73 of the statutes is created to read:

22          **134.73 Identification of prisoner making telephone solicitation. (1)**

23          DEFINITIONS. In this section:

24          (a) “Contribution” has the meaning given in s. 440.41 (5).

1 (b) “Prisoner” means a prisoner of any public or private correctional or  
2 detention facility that is located within or outside this state.

3 (c) “Solicit” has the meaning given in s. 440.41 (8).

4 (d) “Telephone solicitation” means the unsolicited initiation of a telephone  
5 conversation for any of the following purposes:

6 1. To encourage a person to purchase property, goods or services.

7 2. To solicit a contribution from a person.

8 3. To conduct an opinion poll or survey.

9 **(2) REQUIREMENTS.** A prisoner who makes a telephone solicitation shall do all  
10 of the following immediately after the person called answers the telephone:

11 (a) Identify himself or herself by name.

12 (b) State that he or she is a prisoner.

13 (c) Inform the person called of the name of the correctional or detention facility  
14 in which he or she is a prisoner and the city and state in which the facility is located.

15 **(3) TERRITORIAL APPLICATION.** (a) *Intrastate.* This section applies to any  
16 intrastate telephone solicitation.

17 (b) *Interstate.* This section applies to any interstate telephone solicitation  
18 received by a person in this state.

19 **(4) PENALTIES.** (a) A prisoner who violates this section may be required to forfeit  
20 not more than \$500.

21 (b) If a person who employes a prisoner to engage in telephone solicitation is  
22 concerned in the commission of a violation of this section as provided under s. 134.99,  
23 the person may be required to forfeit not more than \$10,000.

24 **SECTION 2167z.** 134.95 (2) of the statutes is amended to read:



1           134.95 (2) SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a  
2 person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71,  
3 134.72, 134.73 or 134.87 or ch. 136 or a rule promulgated under these sections or that  
4 chapter, the person shall be subject to a supplemental forfeiture not to exceed  
5 \$10,000 for that violation if the conduct by the defendant, for which the fine or  
6 forfeiture was imposed, was perpetrated against an elderly person or disabled person  
7 and if any of the factors under s. 100.264 (2) (a), (b) or (c) is present.”.

8           **933.** Page 1139, line 11: after that line insert:

9           “**SECTION 2167m.** 134.48 of the statutes is created to read:

10           **134.48 Contracts for the display of free newspapers. (1) DEFINITIONS.**

11           In this section:

12           (a) “Newspaper” means a publication that is printed on newsprint and that is  
13 published, printed and distributed periodically at daily, weekly or other short  
14 intervals for the dissemination of current news and information of a general  
15 character and of a general interest to the public.

16           (b) “Place of public accommodation” means a business, accommodation,  
17 refreshment, entertainment, recreation or transportation facility where goods,  
18 services, facilities, privileges, advantages or accommodations are offered, sold or  
19 otherwise made available to the public.

20           (2) A contract for the display of a newspaper that is distributed free of charge  
21 to the public in a place of public accommodation may not prohibit the person  
22 displaying the newspaper for distribution from displaying any other newspaper that  
23 is distributed free of charge to the public. A provision in a contract that violates this

1 subsection is unenforceable, but does not affect the enforceability of the remaining  
2 provisions of the contract.”.

3 **934.** Page 1139, line 11: after that line insert:

4 “**SECTION 2165v.** 125.54 (3) of the statutes is created to read:

5 125.54 (3) HEARING FEES. The department may, by rule, establish and collect  
6 from persons holding a permit issued under this section annual fees in amounts  
7 necessary to reimburse the department for expenses incurred under s. 227.43 (3) (f)  
8 and (4) (f).

9 **SECTION 2165x.** 125.72 of the statutes is created to read:

10 **125.72 Relationships between wholesalers and suppliers of**  
11 **intoxicating liquor. (1e) LEGISLATIVE FINDINGS.** The legislature finds that the  
12 3-tier system for distributing intoxicating liquor to the public has existed in  
13 Wisconsin for over 60 years and continues to be necessary to promote the public  
14 health, safety and welfare; that the 3-tier system was established, among other  
15 reasons, to prevent suppliers from controlling pricing and distribution in a manner  
16 that harms the interests of the citizens of this state; that a stable and healthy middle  
17 tier of the 3-tier system, the wholesaler, is integral to the 3-tier system because the  
18 middle tier prevents supplier control of pricing and distribution and provides an  
19 efficient and effective means of tax collection; that significant consolidation of  
20 market power has occurred at the supplier level; that the number of wholesalers in  
21 this state has declined significantly between 1979 and 1999, increasing the risk of  
22 supplier control of pricing and distribution of intoxicating liquor; and that this  
23 section is necessary to maintain a stable and healthy middle tier. The legislature  
24 further finds that relationships between intoxicating liquor wholesalers and

1 suppliers have been subject to state regulation since the enactment of the 21st  
2 Amendment to the U.S. Constitution and that the parties to those relationships  
3 expect changes in state legislation regarding those relationships.

4 **(1m)** APPLICABILITY. (a) The effect of this section may not be varied by contract  
5 or agreement. Any contract or agreement purporting to do so is void and  
6 unenforceable to that extent only. Provisions of a relationship that prevent a  
7 wholesaler, through choice of law or forum provisions, from bringing an action or  
8 filing a notice of contest in this state under this section are void and unenforceable  
9 to that extent only.

10 (b) This section applies to all relationships, regardless of when the  
11 relationships were entered into, except that this section does not apply to a  
12 relationship in which the volume of the business done by a wholesaler with a supplier  
13 and the supplier's affiliates does not exceed 5% of the wholesaler's total business  
14 volume.

15 **(1s)** DEFINITIONS. In this section:

16 (a) "Altered product" means an existing product that is all of the following:

17 1. Altered by age, by alcohol content, by blend mixture, by flavor or in some  
18 other way.

19 2. Principally identified by a trademark, trade name, logotype or other  
20 commercial symbol used to identify an existing product.

21 (am) "Existing product" means intoxicating liquor that is distributed in the  
22 United States before or on the effective date of this paragraph ... [revisor inserts  
23 date].

24 (ar) "Geographic area" means the area in which a wholesaler is both authorized  
25 to sell intoxicating liquor under a relationship and has sold intoxicating liquor.

1 (b) “Good cause” means any of the following:

2 1. Failure by a wholesaler to comply substantially with essential and  
3 reasonable requirements imposed upon the wholesaler by the supplier, or sought to  
4 be imposed by the supplier, which requirements are not discriminatory as compared  
5 with requirements imposed on other similarly situated wholesalers either by their  
6 terms or in the manner of their enforcement.

7 2. Bad faith by the wholesaler in carrying out the terms of the relationship.

8 (c) “Goodwill” includes use of a trademark, trade name, logotype or other  
9 commercial symbol, and use of a variation of a trademark, trade name, logotype,  
10 advertisement or other commercial symbol.

11 (cm) “Intoxicating liquor” has the meaning given in s. 125.02 (8), but does not  
12 include wine.

13 (d) “New product” means intoxicating liquor that is all of the following:

14 1. First distributed in the United States after the effective date of this  
15 subdivision .... [revisor inserts date].

16 2. Not an altered product.

17 (e) “Relationship” means a written or oral contract or agreement, express or  
18 implied, between a supplier and a wholesaler that grants the wholesaler the right  
19 to purchase intoxicating liquor from the supplier for resale in this state.

20 (f) “Supplier” means any person, other than a wholesaler, who sells intoxicating  
21 liquor to a wholesaler.

22 (g) “Transferee” means a person who acquires any asset or activity of a  
23 supplier’s business and who uses the goodwill associated with the supplier’s goods.

24 **(2) CHANGE OF RELATIONSHIP.** (a) A supplier may not do any of the following:

1           1. Terminate, cancel, fail to renew or substantially change a relationship  
2 without good cause. The supplier bears the burden of proving good cause and that  
3 the change is not substantial.

4           2. Substantially change the competitive circumstances of a wholesaler's  
5 business without good cause. The supplier bears the burden of proving good cause  
6 and that the change is not substantial.

7           3. Appoint more than one wholesaler to resell an existing product in a  
8 geographic area in which there was only one wholesaler reselling that existing  
9 product in that geographic area in the 12 months preceding the effective date of this  
10 subdivision .... [revisor inserts date].

11           4. Except as provided in par. (b), refuse to sell an altered product or new product  
12 to a wholesaler who has entered into a relationship with the supplier.

13           (b) A supplier who has relationships with more than one wholesaler in the same  
14 geographic area shall offer an altered product only to a wholesaler who previously  
15 resold the existing product principally identified by the same trademark, trade  
16 name, logotype or other commercial symbol used to identify the altered product.

17           (c) A change in the ownership or management of a wholesaler or of a  
18 wholesaler's business is not good cause if the changed ownership or management  
19 meets the supplier's reasonable and material qualifications for wholesaler  
20 applicants in effect at the time of the change.

21           **(3) NOTICE OF TERMINATION OR CHANGE IN RELATIONSHIP.** (a) 1. Except as provided  
22 in subds. 2. and 3., a supplier shall provide a wholesaler at least 90 days' prior written  
23 notice of termination, cancellation, nonrenewal or substantial change in the  
24 relationship or a substantial change in the competitive circumstances of the  
25 wholesaler's business. The notice shall be given by certified mail or personal service

1 to the wholesaler and to the secretary of the department. The notice shall state all  
2 of the supplier's reasons for terminating, canceling, not renewing or substantially  
3 changing the relationship or substantially changing in the competitive  
4 circumstances of the wholesaler's business. The wholesaler shall have 60 days after  
5 receiving the notice in which to correct any claimed deficiency. If the wholesaler  
6 corrects the deficiency within 60 days after receiving the notice, the notice is void.

7 2. If the reason is nonpayment of sums owed, the wholesaler shall have only  
8 10 days to correct the deficiency.

9 3. No notice is required under this subsection for the termination, cancellation,  
10 nonrenewal or substantial change of a relationship caused by an assignment for the  
11 benefit of creditors or bankruptcy.

12 (b) 1. Within the time period for remedying any claimed deficiency, the  
13 wholesaler may file a written request with the division of hearings and appeals in  
14 the department of administration for a hearing and serve the supplier and the  
15 secretary of revenue by certified mail or in person, with a notice of the contested  
16 action. Service of notice stays any action proposed by the supplier in the notice  
17 provided under par. (a) 1. If the supplier files a motion with the division of hearings  
18 and appeals to allow the action to proceed, the division of hearings and appeals shall,  
19 within 20 days after receiving that notice, hold a hearing to determine whether the  
20 action should proceed.

21 2. The division of hearings and appeals shall conduct a contested case hearing  
22 on the matter, as provided in ch. 227, within 180 days after the filing of a notice of  
23 contest and shall determine whether the supplier has met the requirements of this  
24 subsection and sub. (2).

1           3. If the division of hearings and appeals, after a hearing, determines the  
2           supplier has failed to comply with this subsection or sub. (2), the relationship  
3           between the supplier and the wholesaler is still in effect. The department may  
4           revoke or refuse to renew the out-of-state shippers' permit of a supplier that fails  
5           to comply with the terms of the relationship or may refuse to grant an out-of-state  
6           shippers' permit to such a supplier. If the division of hearings and appeals, after a  
7           hearing, determines that a transferee has failed to comply with this subsection or  
8           sub. (2), the transferee shall comply with the terms of the relationship between the  
9           supplier and the wholesaler. The department may revoke or refuse to renew the  
10          out-of-state shippers' permit of a transferee that fails to comply with the terms of  
11          the relationship, or may refuse to grant an out-of-state shippers' permit to such a  
12          transferee.

13          3m. If the wholesaler prevails at the hearing, the wholesaler shall be awarded  
14          its actual costs incurred in the hearing, including reasonable attorney fees. The  
15          losing party shall pay to the division of hearings and appeals the costs of the hearing,  
16          as determined under s. 227.43 (3) (f).

17          4. Any person aggrieved by a decision of the division of hearings and appeals  
18          may seek judicial review under ss. 227.53 to 227.58 in the circuit court in the county  
19          in which the wholesaler's premises is located.

20          **(4) LIABILITY OF TRANSFEREE.** A transferee of a supplier's business shall comply  
21          with the requirements under subs. (2) and (3).

22          **(5) ACTION FOR DAMAGES AND INJUNCTIVE RELIEF.** A wholesaler may bring an  
23          action to enjoin any violation of sub. (2), (3) or (4) to compel compliance with those  
24          subsections, and in the same action may recover the damages, together with costs  
25          including reasonable, actual attorney fees, notwithstanding s. 814.04 (1).

1           **(6) OTHER RIGHTS, REMEDIES.** This section does not limit any other right or  
2 remedy provided by law.”.

3           **935.** Page 1140, line 6: after that line insert:

4           **“SECTION 2171p.** 139.32 (5) of the statutes is amended to read:

5           139.32 **(5)** Manufacturers and distributors having a permit from the secretary  
6 shall receive a discount of ~~1.6%~~ 2% of the tax.”.

7           **936.** Page 1140, line 7: delete lines 7 to 24.

8           **937.** Page 1143, line 13: delete “a portion” and substitute “70%”.

9           **938.** Page 1144, line 1: delete lines 1 and 2.

10          **939.** Page 1144, line 6: delete lines 6 to 9 and substitute “tax imposed under  
11 s. 139.76 (1)”.

12          **940.** Page 1144, line 24: delete the material beginning with that line and  
13 ending with page 1145, line 15.

14          **941.** Page 1146, line 1: delete lines 1 to 9.

15          **942.** Page 1146, line 19: delete the material beginning with that line and  
16 ending with page 1147, line 9.

17          **943.** Page 1148, line 13: delete lines 13 to 19.

18          **944.** Page 1149, line 9: delete the material beginning with that line and  
19 ending with page 1150, line 5.

20          **945.** Page 1155, line 13: after that line insert:

21          **“SECTION 2246m.** 146.37 (1g) of the statutes is amended to read:

22          146.37 **(1g)** Except as provided in s. 153.85, no person acting in good faith who  
23 participates in the review or evaluation of the services of health care providers or



1 facilities or the charges for such services conducted in connection with any program  
2 organized and operated to help improve the quality of health care, to avoid improper  
3 utilization of the services of health care providers or facilities or to determine the  
4 reasonable charges for such services, or who participates in the obtaining of health  
5 care information under ch. 153, or who participates in hospital rate price cap  
6 activities under subch. II of ch. 196, is liable for any civil damages as a result of any  
7 act or omission by such person in the course of such review or evaluation. Acts and  
8 omissions to which this subsection applies include, but are not limited to, acts or  
9 omissions by peer review committees or hospital governing bodies in censuring,  
10 reprimanding, limiting or revoking hospital staff privileges or notifying the medical  
11 examining board or podiatrists affiliated credentialing board under s. 50.36 or taking  
12 any other disciplinary action against a health care provider or facility and acts or  
13 omissions by a medical director, as defined in s. 146.50 (1) (j), in reviewing the  
14 performance of emergency medical technicians or ambulance service providers.”.

15 **946.** Page 1158, line 11: after that line insert:

16 “**SECTION 2251gm.** 146.82 (1) of the statutes is amended to read:

17 146.82 (1) CONFIDENTIALITY. All patient health care records shall remain  
18 confidential. Patient health care records may be released only to the persons  
19 designated in this section or to other persons with the informed consent of the patient  
20 or of a person authorized by the patient. This subsection does not prohibit reports  
21 made in compliance with s. 146.995, 253.12 (2) or 979.01 or testimony authorized  
22 under s. 905.04 (4) (h).”.

23 **947.** Page 1158, line 11: after that line insert:

24 “**SECTION 2251r.** 146.84 (3) of the statutes is amended to read:

1           146.84 (3) DISCIPLINE OF EMPLOYEES. Any person employed by the state, or any  
2 political subdivision of the state who violates s. 146.82 or 146.83, except a health care  
3 provider that negligently violates s. 153.50 (6) (c), may be discharged or suspended  
4 without pay.”.

5           **948.** Page 1158, line 11: after that line insert:

6           “**SECTION 2252g.** 146.83 (1) (b) of the statutes is amended to read:

7           146.83 (1) (b) Receive a copy of the patient’s health care records, whether  
8 certified or not, upon payment of reasonable an approximation of actual costs. In this  
9 paragraph, “approximation of actual costs” means, at a maximum, the fees that are  
10 prescribed by the department by rule under s. 908.03 (6m) (d).

11           **SECTION 2252h.** 146.83 (3m) of the statutes is created to read:

12           146.83 (3m) If a health care provider provides a copy of a patient health care  
13 record after 30 days after receipt of a statement of informed consent for the release  
14 of the copy, the health care provider, notwithstanding sub. (1) (b) and s. 908.03 (6m)  
15 (d), may collect as payment no more than 25% of the approximation of actual costs,  
16 as specified under sub. (1) (b).”.

17           **949.** Page 1163, line 15: delete the material beginning with that line and  
18 ending with page 1165, line 8 and substitute:

19           “**SECTION 2262e.** 149.143 (1) (b) (intro.) of the statutes is repealed.

20           **SECTION 2262m.** 149.143 (1) (b) 1. (intro.) of the statutes is repealed.

21           **SECTION 2262r.** 149.143 (1) (b) 1. a. of the statutes is renumbered 149.143 (1)  
22 (b) and amended to read:

23           149.143 (1) (b) ~~First,~~ Next from premiums from eligible persons with coverage  
24 under s. 149.14 set, except as reduced under sub. (2m), at 150% of the rate that a

1 standard risk would be charged under an individual policy providing substantially  
2 the same coverage and deductibles as are provided under the plan, including  
3 amounts received for premium and deductible subsidies under s. 149.144 and under  
4 the transfer to the fund from the appropriation account under ss. s. 20.435 (5) (4) (ah)  
5 and 149.144, and from premiums collected from eligible persons with coverage under  
6 s. 149.146 set in accordance with s. 149.146 (2) (b).

7 **SECTION 2263b.** 149.143 (1) (b) 1. b. of the statutes is repealed.

8 **SECTION 2263e.** 149.143 (1) (b) 1. c. of the statutes is repealed.

9 **SECTION 2263m.** 149.143 (1) (b) 1. d. of the statutes is repealed.

10 **SECTION 2263r.** 149.143 (1) (b) 2. of the statutes is renumbered 149.143 (1) (c)  
11 and 149.143 (1) (c) (intro.) and 2., as renumbered, are amended to read:

12 149.143 (1) (c) (intro.) ~~A total of 40%~~ The remainder as follows:

13 2. Fifty percent from adjustments to provider payment rates, excluding  
14 adjustments to those rates under ~~ss. s. 149.144 and 149.15 (3) (e)~~.

15 **SECTION 2264b.** 149.143 (2) (a) 1. of the statutes is repealed.

16 **SECTION 2264e.** 149.143 (2) (a) 2. of the statutes is amended to read:

17 149.143 (2) (a) 2. ~~After making the determinations under subd. 1., by~~ By rule  
18 set premium rates for the new plan year, including the rates under s. 149.146 (2) (b),  
19 in the manner specified in sub. (1) (b) 1. ~~a. and c. and such that a rate for coverage~~  
20 ~~under s. 149.14 is not less than 150% nor more than 200% of the rate that a standard~~  
21 ~~risk would be charged under an individual policy providing substantially the same~~  
22 ~~coverage and deductibles as are provided under the plan.~~

23 **SECTION 2264m.** 149.143 (2) (a) 3. of the statutes is amended to read:

24 149.143 (2) (a) 3. By rule set the total insurer assessments under s. 149.13 for  
25 the new plan year by estimating and setting the assessments at the amount

1 necessary to equal the amounts specified in sub. (1) ~~(b) 1. d. and 2. a.~~ (c) 1. and notify  
2 the commissioner of the amount.

3 **SECTION 2264r.** 149.143 (2) (a) 4. of the statutes is amended to read:

4 149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider  
5 payment rate for the new plan year by estimating and setting the rate at the level  
6 necessary to equal the amounts specified in sub. (1) ~~(b) 1. d. and 2. b.~~ (c) 2. and as  
7 provided in s. 149.145.

8 **SECTION 2265b.** 149.143 (2) (b) of the statutes is amended to read:

9 149.143 (2) (b) In setting the ~~premium rates under par. (a) 2.,~~ the insurer  
10 assessment amount under par. (a) 3. and the provider payment rate under par. (a)  
11 4. for the new plan year, the department shall include any increase or decrease  
12 necessary to reflect the amount, if any, by which the ~~rates and amount~~ and rate set  
13 under par. (a) for the current plan year differed from the ~~rates and amount~~ and rate  
14 which would have equaled the amounts specified in sub. (1) ~~(b)~~ (c) in the current plan  
15 year.”.

16 **950.** Page 1165, line 15: delete “60% of”.

17 **951.** Page 1165, line 20: delete “(1) (b) 1.” and substitute “(1) (b).”.

18 **952.** Page 1165, line 21: delete lines 21 to 24.

19 **953.** Page 1166, line 1: delete lines 1 to 8 and substitute:

20 “**SECTION 2267c.** 149.143 (3) (a) of the statutes is renumbered 149.143 (3) and  
21 amended to read:

22 149.143 (3) If, during a plan year, the department determines that the amounts  
23 estimated to be received as a result of the rates and amount set under sub. (2) (a) 2.  
24 to 4. and any adjustments in insurer assessments and the provider payment rate

1 under s. 149.144 will not be sufficient to cover plan costs, the department may by rule  
2 increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year,  
3 subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., by rule  
4 increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year,  
5 subject to sub. (1) (b) 2. a. (c) 1., and by the same rule under which assessments are  
6 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder  
7 of the plan year, subject to sub. (1) ~~(b) 2. b~~ (c) 2.

8 **SECTION 2267g.** 149.143 (3) (b) of the statutes is repealed.”.

9 **954.** Page 1166, line 15: delete “sub.” and substitute “subs.”.

10 **955.** Page 1166, line 16: after “(b)” insert “and (2m) (b) 1”.

11 **956.** Page 1167, line 19: delete “(a) and (b)” and substitute “~~(a) and (b)~~”.

12 **957.** Page 1170, line 11: after that line insert:

13 “**SECTION 2279m.** 153.05 (4n) of the statutes is created to read:

14 153.05 (4n) The office shall provide the public service commission with  
15 information necessary for performance of duties of the public service commission  
16 under subch. II of ch. 196 and as requested of the office by the public service  
17 commission.”.

18 **958.** Page 1170, line 18: after that line insert:

19 “**SECTION 2280b.** 153.45 (1) (b) of the statutes is renumbered 153.45 (1) (b) 1.

20 and amended to read:

21 153.45 (1) (b) 1. ~~Public~~ For information that is submitted by hospitals or  
22 ambulatory surgery centers, public use data files which that do not permit the  
23 identification of specific patients, employers or health care providers, as defined by  
24 rules promulgated by the department. The identification of ~~these groups~~ patients,

1 employers or health care providers shall be protected by all necessary means,  
2 including the deletion of patient identifiers and the use of calculated variables and  
3 aggregated variables.

4 **SECTION 2280c.** 153.45 (1) (b) 2. of the statutes is created to read:

5 153.45 (1) (b) 2. For information that is submitted by health care providers  
6 other than hospitals or ambulatory surgery centers, public use data files that do not  
7 permit the identification of specific patients, employers or health care providers, as  
8 defined by rules promulgated by the department. The identification of patients,  
9 employers or health care providers shall be protected by all necessary means,  
10 including the deletion of patient identifiers; the use of calculated variables and  
11 aggregated variables; the specification of counties as to residence, rather than zip  
12 codes; the use of 5–year categories for age, rather than exact age; not releasing  
13 information concerning a patient’s race or ethnicity or dates of admission, discharge,  
14 procedures or visits; and masking sensitive diagnoses and procedures by use of  
15 larger diagnostic and procedure categories. Public use data files under this  
16 subdivision may include only the following:

- 17 a. The patient’s county of residence.
- 18 b. The payment source, by type.
- 19 c. The patient’s age category, by 5–year intervals up to age 80 and a category  
20 of 80 years or older.
- 21 d. The patient’s procedure code.
- 22 e. The patient’s diagnosis code.
- 23 f. Charges assessed with respect to the procedure code.
- 24 g. The name and address of the facility in which the patient’s services were  
25 rendered.

1 h. The patient's sex.

2 i. Information that contains the name of a health care provider that is not a  
3 hospital or ambulatory surgery center, if the independent review board first reviews  
4 and approves the release or if the department promulgates rules that specify  
5 circumstances under which the independent review board need not review and  
6 approve the release.

7 j. Calendar quarters of service, except if the department specifies by rule that  
8 the number of data elements included in the public use data file is too small to enable  
9 protection of patient confidentiality.

10 k. Information other than patient-identifiable data, as defined in s. 153.50 (1)  
11 (b), as approved by the independent review board.

12 **SECTION 2280e.** 153.45 (1) (c) of the statutes is renumbered 153.45 (1) (c)  
13 (intro.) and amended to read:

14 153.45 (1) (c) (intro.) Custom-designed reports containing portions of the data  
15 under par. (b). Of information submitted by health care providers that are not  
16 hospitals or ambulatory surgery centers, requests under this paragraph for data  
17 elements other than those available for public use data files under par. (b) 2.,  
18 including the patient's month and year of birth, require review and approval by the  
19 independent review board before the data elements may be released. Information  
20 that contains the name of a health care provider that is not a hospital or ambulatory  
21 surgery center may be released only if the independent review board first reviews  
22 and approves the release or if the department promulgates rules that specify  
23 circumstances under which the independent review board need not review and  
24 approve the release. Reports under this paragraph may include the patient's zip code  
25 only if at least one of the following applies:

1           **SECTION 2280f.** 153.45 (1) (c) 1. to 4. of the statutes are created to read:

2           153.45 (1) (c) 1. Other potentially identifying data elements are not released.

3           2. Population density is sufficient to mask patient identity.

4           3. Other potentially identifying data elements are grouped to provide  
5 population density sufficient to protect identity.

6           4. Multiple years of data elements are added to protect identity.

7           **SECTION 2280g.** 153.45 (6) of the statutes is created to read:

8           153.45 (6) The department may not sell or distribute data bases of information,  
9 from health care providers who are not hospitals or ambulatory surgery centers, that  
10 are able to be linked with public use data files, unless first approved by the  
11 independent review board.

12           **SECTION 2280ge.** 153.50 (1) (a) of the statutes is renumbered 153.01 (2m).

13           **SECTION 2280gg.** 153.50 (1) (b) of the statutes is renumbered 153.50 (1) (b) 1.,  
14 and 153.50 (1) (b) 1. (intro.), as renumbered, is amended to read:

15           153.50 (1) (b) 1. (intro.) “Patient-identifiable data”, for information submitted  
16 by hospitals and ambulatory surgery centers, means all of the following data  
17 elements:

18           **SECTION 2280gm.** 153.50 (1) (b) 2. of the statutes is created to read:

19           153.50 (1) (b) 2. “Patient-identifiable data”, for information submitted by  
20 health care providers who are not hospitals or ambulatory surgery centers, means  
21 all of the following data elements:

22           a. Data elements specified in subd. 1. a. to g., L. and m.

23           b. Whether the patient’s condition is related to employment, and occurrence  
24 and place of an auto accident or other accident.



1 c. Date of first symptom of current illness, of current injury or of current  
2 pregnancy.

3 d. First date of patient's same or similar illness, if any.

4 e. Dates that the patient has been unable to work in his or her current  
5 occupation.

6 f. Dates of receipt by patient of medical service.

7 g. The patient's city, town or village.

8 **SECTION 2280h.** 153.50 (2) of the statutes is repealed.

9 **SECTION 2280i.** 153.50 (3) (b) 7. of the statutes is created to read:

10 153.50 (3) (b) 7. The patient's account number, after use only as verification of  
11 data by the department.

12 **SECTION 2280j.** 153.50 (3) (c) of the statutes is created to read:

13 153.50 (3) (c) Develop, for use by purchasers of data under this chapter, a data  
14 use agreement that specifies data use restrictions, appropriate uses of data and  
15 penalties for misuse of data, and notify prospective and current purchasers of data  
16 of the appropriate uses.

17 **SECTION 2280k.** 153.50 (3) (d) of the statutes is created to read:

18 153.50 (3) (d) Require that a purchaser of data under this chapter sign and have  
19 notarized the data use agreement of the department specified in par. (c).

20 **SECTION 2280km.** 153.50 (3m) of the statutes is created to read:

21 153.50 (3m) HEALTHCARE PROVIDER MEASURES TO ENSURE PATIENT IDENTITY  
22 PROTECTION. A health care provider that is not a hospital or ambulatory surgery  
23 center shall, before submitting information required by the department under this  
24 chapter, convert to a payer category code as specified by the department any names  
25 of an insured's payer or other insured's payer.

1           **SECTION 2280kp.** 153.50 (4) (intro.) of the statutes is renumbered 153.50 (4)  
2 (a) (intro.) and amended to read:

3           153.50 (4) (a) (intro.) Under ~~Except as specified in par. (b), under the~~  
4 procedures specified in sub. (5), release of patient-identifiable data may be made  
5 only to any of the following:

6           **SECTION 2280kq.** 153.50 (4) (a) of the statutes is repealed.

7           **SECTION 2280kr.** 153.50 (4) (b) to (e) of the statutes are renumbered 153.50 (4)  
8 (a) 1. to 4.

9           **SECTION 2280ks.** 153.50 (4) (b) of the statutes is created to read:

10           153.50 (4) (b) Of information submitted by health care providers that are not  
11 hospitals or ambulatory surgery centers, patient-identifiable data that contains a  
12 patient's date of birth may be released under par. (a) only under circumstances as  
13 specified by rule by the department.

14           **SECTION 2280ku.** 153.50 (5) (a) (intro.) of the statutes is amended to read:

15           153.50 (5) (a) (intro.) The department may not release or provide access to  
16 patient-identifiable data to a person authorized under sub. (4) (a), ~~(e), (d) or (e)~~  
17 unless the authorized person requests the department, in writing, to release the  
18 patient-identifiable data. The request shall include all of the following:

19           **SECTION 2280kv.** 153.50 (5) (a) 3. of the statutes is amended to read:

20           153.50 (5) (a) 3. For a person who is authorized under sub. (4) (a), ~~(e) or (d)~~ to  
21 receive or have access to patient-identifiable data, evidence, in writing, that  
22 indicates that authorization.

23           **SECTION 2280kw.** 153.50 (5) (a) 4. (intro.) of the statutes is amended to read:

1           153.50 (5) (a) 4. (intro.) For an entity that is authorized under sub. (4) (e) (a)  
2           4. to receive or have access to patient-identifiable data, evidence, in writing, of all  
3           of the following:

4           **SECTION 2280kx.** 153.50 (5) (b) 3. of the statutes is amended to read:

5           153.50 (5) (b) 3. For a person who believes that he or she is authorized under  
6           sub. (4) (a), the action provided under s. 19.37.”.

7           **959.** Page 1170, line 22: after that line insert:

8           **“SECTION 2280p.** 153.50 (6) of the statutes is renumbered 153.50 (6) (a).

9           **SECTION 2280q.** 153.50 (6) (b), (c), (d) and (e) of the statutes are created to read:

10           153.50 (6) (b) The department may not require under this chapter a health care  
11           provider that is a hospital or ambulatory surgery center to submit uniform patient  
12           billing forms.

13           (c) A health care provider that is not a hospital or ambulatory surgery center  
14           may not submit any of the following to the department under the requirements of  
15           this chapter:

16           1. The data elements specified under sub. (3) (b).

17           2. The patient’s telephone number.

18           3. The insured’s employer’s name or school name.

19           4. Data regarding insureds other than the patient, other than the payer  
20           category code under sub. (3m).

21           5. The patient’s employer’s name or school name.

22           6. The patient’s relationship to the insured.

23           7. The insured’s identification number.

24           8. The insured’s policy or group number.

1           9. The insured's date of birth or sex.

2           10. The patient's marital, employment or student status.

3           (d) If a health care provider that is not a hospital or ambulatory surgery center  
4 submits a data element that is specified in par. (c) 1. to 10., the department shall  
5 immediately return this information to the health care provider or, if discovered  
6 later, shall remove and destroy the information.

7           (e) A health care provider may not submit information that uses any of the  
8 following as a patient account number:

9           1. The patient's social security number or any substantial portion of the  
10 patient's social security number.

11           2. A number that is related to another patient identifying number.

12           **SECTION 2280r.** 153.55 of the statutes is amended to read:

13           **153.55 Protection of health care provider confidentiality.** ~~Health care~~  
14 ~~provider-identifiable data~~ Data obtained under this chapter is not subject to  
15 inspection, copying or receipt under s. 19.35 (1).”.

16           **960.** Page 1172, line 14: after that line insert:

17           “**SECTION 2283g.** 153.67 of the statutes is created to read:

18           **153.67 Independent review board.** The independent review board shall  
19 review any request under s. 153.45 (1) (c) for data elements other than those  
20 available for public use data files under s. 153.45 (1) (b). Unless the independent  
21 review board approves such a request or unless independent review board approval  
22 is not required under rules of the department promulgated under s. 153.45 (1) (c)  
23 (intro.), the data elements requested may not be released.

24           **SECTION 2283h.** 153.76 of the statutes is created to read:

1           **153.76 Rule-making by the independent review board.**

2           Notwithstanding s. 15.01 (1r), the independent review board may promulgate only  
3           those rules that are first reviewed and approved by the board on health care  
4           information.

5           **SECTION 2283i.** 153.85 of the statutes is amended to read:

6           **153.85 Civil liability.** Any Except as provided in s. 153.86, any person  
7           violating s. 153.50 or rules promulgated under s. 153.75 (1) (a) is liable to the patient  
8           for actual damages and costs, plus exemplary damages of up to \$1,000 for a negligent  
9           violation and up to \$5,000 for an intentional violation.

10          **SECTION 2283j.** 153.86 of the statutes is created to read:

11          **153.86 Immunity from liability.** A health care provider that submits  
12          information to the department under this chapter is immune from civil liability for  
13          any act or omission of an employe, official or agent of the health care provider that  
14          results in the release of a prohibited data element while submitting data to the  
15          department of health and family services. The immunity provided under this section  
16          does not apply to intentional, wilful or reckless acts or omissions.

17          **SECTION 2283k.** 153.90 (1) of the statutes is amended to read:

18          153.90 (1) Whoever intentionally violates s. 153.45 (5) or 153.50 or rules  
19          promulgated under s. 153.75 (1) (a) may be fined not more than ~~\$10,000~~ \$15,000 or  
20          imprisoned for not more than ~~9 months~~ one year or both.”.

21          **961.** Page 1174, line 2: after that line insert:

22          “**SECTION 2286e.** 165.25 (2m) of the statutes is created to read:

23          165.25 (2m) PROSECUTION SERVICES. Provide general program operations  
24          related to ch. 978.

1           **SECTION 2286f.** 165.25 (3g) of the statutes is created to read:

2           165.25 (3g)   UNFUNDED PRIOR SERVICE FOR ASSISTANT DISTRICT ATTORNEYS.  
3   Beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, pay  
4   \$80,000 in each fiscal year from the appropriation account under s. 20.475 (1) (d)  
5   toward the unfunded prior service liability under the Wisconsin retirement system  
6   that results from granting the creditable service under s. 40.02 (17) (gm).”.

7           **962.** Page 1174, line 2: after that line insert:

8           “**SECTION 2287g.** 165.06 of the statutes is created to read:

9           **165.06 Assistant attorney general — consumer privacy advocate. (1)**

10   The attorney general shall designate an assistant attorney general on the attorney  
11   general’s staff as the consumer privacy advocate. The consumer privacy advocate  
12   shall represent the consumers’ interests in issues concerning consumer privacy,  
13   including the purchase of products on the Internet and the prevention of theft of the  
14   consumer’s personal identifying information. The secretary of administration shall  
15   give the consumer privacy advocate written notices of all proceedings under subch.  
16   VII of ch. 16. The prosecutor of any action under s. 943.201, 943.392, 943.41 or 943.70  
17   shall give the consumer privacy advocate written notices of all proceedings under  
18   those sections. The consumer privacy advocate shall be provided the minutes,  
19   reports, recommendations and any documents provided by or to the joint committee  
20   on information policy and the standing committees of the assembly and senate  
21   dealing with privacy matters. Annually, the consumer privacy advocate shall report  
22   to the appropriate standing committees of the assembly and senate on the status of  
23   consumer privacy in this state.

1           (2) The consumer privacy advocate may, on his or her own initiative or upon  
2 request of any committee of the legislature, formally intervene in all civil  
3 proceedings described in sub. (1) whenever such intervention is needed for the  
4 protection of consumers' rights to privacy, including the restriction of access to the  
5 consumer's personal identifying information and the prevention of fraudulent use of  
6 the consumer's personal identifying information on the Internet.

7           (3) Personnel of the department of administration shall, upon the request of  
8 the consumer privacy advocate, make such investigations, studies and reports as the  
9 advocate may request in connection with proceedings described in sub. (1), either  
10 before or after formal intervention. Personnel of state agencies shall, at the  
11 consumer privacy advocate's request, provide information, serve as witnesses in civil  
12 proceedings described in sub. (1) and otherwise cooperate in the carrying out of the  
13 consumer privacy advocate's functions. Formal intervention shall be by filing a  
14 statement to that effect with the examiner or other person immediately in charge of  
15 the proceeding. Upon filing the statement, the consumer privacy advocate shall be  
16 considered a party in interest with full power to present evidence, subpoena and  
17 cross-examine witnesses, submit proof, file briefs or do any other acts appropriate  
18 for a party to the proceedings.

19           (4) The consumer privacy advocate may appeal from administrative rulings to  
20 the courts. In all administrative proceedings and judicial review proceedings the  
21 consumer privacy advocate shall be identified as "consumer privacy advocate". This  
22 section does not preclude or prevent any division of any department or independent  
23 agency from appearing by its staff as a party in those proceedings.

24           **SECTION 2287j.** 165.061 of the statutes is created to read:

1           **165.061 Assistant attorney general; consumer privacy advocate;**  
2 **authority.** In carrying out his or her duty to protect the consumers’ right to privacy,  
3 the consumer privacy advocate has the authority to initiate actions and proceedings  
4 before any agency or court related to consumer privacy, including issues concerning  
5 constitutionality, to present evidence and testimony and to make arguments.

6           **SECTION 2287m.** 165.062 of the statutes is created to read:

7           **165.062 Assistant attorney general; consumer privacy advocate;**  
8 **advisory committee.** The attorney general shall appoint a consumer privacy  
9 advisory committee under s. 15.04 (1) (c). The consumer privacy advisory committee  
10 shall consist of not less than 7 nor more than 9 members. The members shall have  
11 backgrounds in or demonstrated experience or records relating to privacy protection,  
12 record security or information technology. The consumer privacy advisory  
13 committee shall advise the consumer privacy advocate consistent with his or her  
14 duty to protect the consumers’ right to privacy. The consumer privacy advisory  
15 committee shall conduct meetings consistent with subch. V of ch. 19 and shall permit  
16 public participation and public comment on consumer privacy advocate activities.”.

17           **963.** Page 1174, line 2: after that line insert:

18           **“SECTION 2286k.** 165.07 of the statutes is created to read:

19           **165.07 Assistant attorney general — public intervenor.** (1) The attorney  
20 general shall designate an assistant attorney general on the attorney general’s staff  
21 as public intervenor. Written notices of all proceedings under chs. 30, 31, 281 to 285  
22 and 289 to 299, except s. 281.48, shall be given to the public intervenor and to the  
23 administrators of divisions primarily assigned the departmental functions under  
24 chs. 29, 281, 285 and 289 to 299, except s. 281.48, by the agency head responsible for



1 such proceedings. A copy of such notice shall also be given to the natural areas  
2 preservation council.

3 (2) The public intervenor shall formally intervene in proceedings described in  
4 sub. (1) when requested to do so by an administrator of a division primarily assigned  
5 the departmental functions under chs. 29, 281, 285 or 289 to 299, except s. 281.48.  
6 The public intervenor may, on the public intervenor's own initiative or upon request  
7 of any committee of the legislature, formally intervene in all proceedings described  
8 in sub. (1) whenever such intervention is needed for the protection of "public rights"  
9 in water and other natural resources, as provided in chs. 30 and 31 and defined by  
10 the supreme court.

11 (3) Personnel of the department of natural resources shall, upon the request  
12 of the public intervenor, make such investigations, studies and reports as the public  
13 intervenor may request in connection with proceedings described in sub. (1), either  
14 before or after formal intervention. Personnel of state agencies shall at the public  
15 intervenor's request provide information, serve as witnesses in proceedings  
16 described in sub. (1) and otherwise cooperate in the carrying out of the public  
17 intervenor's intervention functions. Formal intervention shall be by filing a  
18 statement to that effect with the examiner or other person immediately in charge of  
19 the proceeding. Thereupon the public intervenor shall be considered a party in  
20 interest with full power to present evidence, subpoena and cross-examine witnesses,  
21 submit proof, file briefs or do any other acts appropriate for a party to the  
22 proceedings.

23 (4) The public intervenor may appeal from administrative rulings to the courts.  
24 In all administrative proceedings and judicial review proceedings the public  
25 intervenor shall be identified as "public intervenor". This section does not preclude

1 or prevent any division of the department of natural resources, or any other  
2 department or independent agency, from appearing by its staff as a party in such  
3 proceedings.

4 **SECTION 2286n.** 165.075 of the statutes is created to read:

5 **165.075 Assistant attorney general; public intervenor; authority.** In  
6 carrying out his or her duty to protect public rights in water and other natural  
7 resources, the public intervenor has the authority to initiate actions and proceedings  
8 before any agency or court in order to raise issues, including issues concerning  
9 constitutionality, present evidence and testimony and make arguments.

10 **SECTION 2286q.** 165.076 of the statutes is created to read:

11 **165.076 Assistant attorney general; public intervenor; advisory**  
12 **committee.** The attorney general shall appoint a public intervenor advisory  
13 committee under s. 15.04 (1) (c). The public intervenor advisory committee shall  
14 consist of not less than 7 nor more than 9 members. The members shall have  
15 backgrounds in or demonstrated experience or records relating to environmental  
16 protection or natural resource conservation. At least one of the members shall have  
17 working knowledge in business. At least one of the members shall have working  
18 knowledge in agriculture. The public intervenor advisory committee shall advise the  
19 public intervenor consistent with his or her duty to protect public rights in water and  
20 other natural resources. The public intervenor advisory committee shall conduct  
21 meetings consistent with subch. V of ch. 19 and shall permit public participation and  
22 public comment on public intervenor activities.”.

23 **964.** Page 1175, line 9: after that line insert:

24 **“SECTION 2289t.** 165.842 of the statutes is created to read:

1           **165.842 Motor vehicle stops; collection of information; annual report.**

2           **(1) DEFINITIONS.** In this section:

3           (a) “Department” means the department of justice.

4           (b) “Law enforcement agency” has the meaning given in s. 165.77 (1) (b).

5           (c) “Law enforcement officer” means a person who is employed by a law  
6 enforcement agency for the purpose of detecting and preventing crime and enforcing  
7 laws or ordinances and who is authorized to make arrests for violations of the laws  
8 or ordinances the person is employed to enforce, whether that enforcement authority  
9 extends to all laws or ordinances or is limited to specific laws or ordinances.

10          (d) “Motor vehicle stop” means the stop of a motor vehicle that is traveling in  
11 any public or private place, or the detention of an occupied motor vehicle that is  
12 already stopped in any public or private place, for the purpose of investigating any  
13 alleged or suspected violation of a state or federal law or city, village, town or county  
14 ordinance.

15          **(2) INFORMATION COLLECTION REQUIRED.** All persons in charge of law  
16 enforcement agencies shall obtain, or cause to be obtained, all of the following  
17 information with respect to each motor vehicle stop made on or after January 1, 2001,  
18 by a law enforcement officer employed by the law enforcement agency:

19           (a) The reason the law enforcement officer stopped the motor vehicle.

20           (b) The age, gender and race or ethnicity of the driver of the motor vehicle.

21           (c) The number of persons in the motor vehicle.

22           (d) Whether a search was conducted of the motor vehicle, the driver of the motor  
23 vehicle or any passenger in the motor vehicle, and for each search conducted all of  
24 the following information:

1           1. Whether the search was based on probable cause or reasonable suspicion,  
2 on the consent of the person searched or, for a motor vehicle search, on the consent  
3 of the driver or other authorized person.

4           2. If the search was of a passenger in the motor vehicle, the age, gender and race  
5 or ethnicity of the passenger.

6           3. What, if anything, was seized as a result of the search.

7           (e) Whether a person was asked to give consent to a search of the motor vehicle  
8 or of his or her person but refused to give consent.

9           (f) Whether the motor vehicle stop or a search conducted during the stop  
10 resulted in the driver or any passenger being given a written warning of or a citation  
11 for a violation of any law or ordinance and, if so, a listing of each warning or citation  
12 given and the alleged violation for which the warning or citation was given.

13           (g) Whether the motor vehicle stop or a search conducted during the stop  
14 resulted in the arrest of the driver or any passenger and, if so, a listing of each arrest  
15 made and the reason for the arrest.

16           (h) Any other information required to be collected under the rules promulgated  
17 by the department under sub. (5).

18           **(3) SUBMISSION OF INFORMATION COLLECTED.** The information obtained by a law  
19 enforcement agency under sub. (2) shall be forwarded to the department using the  
20 form prescribed by the rules promulgated under sub. (5) and in accordance with the  
21 reporting schedule established under the rules promulgated under sub. (5).

22           **(4) ANALYSIS AND REPORT BY DEPARTMENT.** (a) The department shall compile the  
23 information submitted to it by law enforcement agencies under sub. (3) and shall  
24 analyze the information, along with any other relevant information, to determine  
25 whether law enforcement officers target racial minorities when making motor

1 vehicle stops to investigate alleged or suspected violations of federal, state or local  
2 laws or ordinances.

3 (b) For each calendar year, the department shall prepare an annual report that  
4 summarizes the information submitted to it by law enforcement agencies concerning  
5 motor vehicle stops made during the calendar year and that describes the methods  
6 and conclusions of its analysis of the information. On or before March 31, 2002, and  
7 on or before each March 31 thereafter, the department shall submit the annual  
8 report required under this paragraph to the legislature under s. 13.172 (2), to the  
9 governor and to the director of state courts.

10 (5) RULES. (a) The department shall promulgate rules to implement the  
11 requirements of this section, including rules prescribing a form for use in obtaining  
12 information under sub. (2) and establishing a schedule for forwarding the  
13 information obtained to the department. The department shall make the form  
14 prescribed by its rules available to law enforcement agencies.

15 (b) The department may by rule require the collection of information in  
16 addition to that specified in sub. (2) (a) to (g) if the department determines that the  
17 information will help to determine whether law enforcement officers target racial  
18 minorities when making motor vehicle stops to investigate alleged or suspected  
19 violations of federal, state or local laws or ordinances.”.

20 **965.** Page 1176, line 24: after that line insert:

21 “**SECTION 2301d.** 165.90 (4s) of the statutes is created to read:

22 165.90 (4s) Notwithstanding subs. (1), (3m) and (4), the department shall  
23 approve a joint program plan submitted under this section by Polk County and the  
24 St. Croix Chippewa Indian tribe and shall approve a joint program plan submitted

1 under this section by Burnett County and the St. Croix Chippewa Indian tribe. Prior  
2 to January 15 of the year for which funding is sought, the department shall distribute  
3 \$100,000 from the appropriations under s. 20.455 (2) (kt) to each joint program plan  
4 approved under this subsection, subject to the following limitations:

5 (a) A program may use funds received under s. 20.455 (2) (kt) only for law  
6 enforcement operations.

7 (b) A program shall, prior to the receipt of funds under s. 20.455 (2) (kt) for the  
8 2nd and any subsequent year, submit a report to the department regarding the  
9 performance of law enforcement activities on the reservation in the previous fiscal  
10 year.”.

11 **966.** Page 1179, line 19: after that line insert:

12 “**SECTION 2309d.** Chapter 196 (title) of the statutes is amended to read:

13 **CHAPTER 196**

14 **REGULATION OF PUBLIC UTILITIES**

15 **SERVICE COMMISSION**

16 **SECTION 2309f.** Subchapter I (title) of chapter 196 [precedes 196.01] of the  
17 statutes is created to read:

18 **CHAPTER 196**

19 **SUBCHAPTER I**

20 **REGULATION OF PUBLIC UTILITIES**

21 **SECTION 2309h.** 196.01 (intro.) of the statutes is amended to read:

22 **196.01 Definitions.** (intro.) As used in this ~~chapter~~ subchapter and ch. 197,  
23 unless the context requires otherwise.”.

24 **967.** Page 1179, line 19: after that line insert:

1           **“SECTION 2308pq.** 186.113 (15) (a) of the statutes is amended to read:

2           186.113 (15) (a) Directly or indirectly, acquire, place and operate, or participate  
3 in the acquisition, placement and operation of, at locations other than its offices,  
4 remote terminals, in accordance with rules established by the office of credit unions.

5           The rules shall provide that any remote terminal shall be available for use, on a  
6 nondiscriminatory basis, by any state or federal credit union which has its principal  
7 place of business in this state, by any other credit union obtaining the consent of a  
8 state or federal credit union which has its principal place of business in this state and  
9 is using the terminal and by all members designated by a credit union using the  
10 terminal. This subsection does not authorize a credit union which has its principal  
11 place of business outside the state to conduct business as a credit union in this state.

12           The remote terminals also shall be available for use, on a nondiscriminatory basis,  
13 by any state or national bank, state or federal savings bank or state or federal savings  
14 and loan association, whose home office is located in this state, if the bank, savings  
15 bank or savings and loan association requests to share its use, subject to the joint  
16 rules established under s. 221.0303 (2). The joint rules under s. 221.0303 (2) shall  
17 prohibit a state or federal credit union that owns or operates a remote terminal from  
18 charging a person a fee for a transaction using that remote terminal, unless the  
19 transaction relates to or affects an account held by that person with that credit union.

20           The office of credit unions by order may authorize the installation and operation of  
21 a remote terminal in a mobile facility, after notice and hearing upon the proposed  
22 service stops of the mobile facility.”.

23           **968.** Page 1179, line 19: after that line insert:

24           **“SECTION 2308mc.** 186.01 (2) of the statutes is amended to read:

1           186.01 (2) “Credit union” means a cooperative, nonprofit corporation,  
2 incorporated under this chapter ~~to encourage thrift among its members, create a~~  
3 ~~source of credit at a fair and reasonable cost and provide an opportunity for its~~  
4 ~~members to improve their economic and social conditions, except as specifically~~  
5 provided under ss. 186.41 (1) and 186.45 (1).

6           **SECTION 2308mf.** 186.01 (8) of the statutes is repealed.

7           **SECTION 2308mh.** 186.02 (2) (a) 1. of the statutes is amended to read:

8           186.02 (2) (a) 1. The conditions ~~of residence or occupation~~ which qualify persons  
9 determine eligibility for membership.

10          **SECTION 2308mj.** 186.02 (2) (a) 3. and 4. of the statutes are repealed.

11          **SECTION 2308mL.** 186.02 (2) (b) 2. of the statutes is amended to read:

12          186.02 (2) (b) 2. Residents ~~within a well-defined neighborhood, community or~~  
13 Individuals that reside or are employed in neighborhoods, communities, rural  
14 district districts or multicounty regions, unless the office of credit unions determines  
15 that it is impractical for a particular credit union to serve the area in which the  
16 individuals reside or are employed.

17          **SECTION 2308mn.** 186.02 (2) (b) 3. of the statutes is amended to read:

18          186.02 (2) (b) 3. Employes of related ~~or vicinal industries~~ or employes of  
19 industries that operate at least one facility within a neighborhood or urban,  
20 suburban or rural community the limits of which are not determined by any  
21 arbitrary physical standard.

22          **SECTION 2308mp.** 186.02 (2) (c) of the statutes is amended to read:

23          186.02 (2) (c) Members of the immediate family of all qualified persons are  
24 eligible for membership. ~~In this paragraph, “members of the immediate family”~~  
25 ~~include the wife, husband, parents, stepchildren and children of a member whether~~



1 living together in the same household or not and any other relatives of the member  
2 or spouse of a member living together in the same household as the member.

3 **SECTION 2308mr.** 186.02 (2) (d) of the statutes is renumbered 186.02 (2) (d) 1.  
4 and amended to read:

5 186.02 (2) (d) 1. ~~Organizations and associations~~ An organization or association  
6 of individuals, the majority of whom the directors, owners or members of which are  
7 eligible for membership, may be admitted to membership in the same manner and  
8 under the same conditions as individuals.

9 **SECTION 2308mt.** 186.02 (2) (d) 2. of the statutes is created to read:

10 186.02 (2) (d) 2. An organization or association that has a business location  
11 within any geographic limits of the credit union's field of membership or an  
12 organization or association that, in the ordinary course of business, provides goods  
13 and services to credit unions, credit union organizations or persons who are eligible  
14 for membership in the credit union may be admitted to membership.

15 **SECTION 2308mv.** 186.08 (1m) (h) of the statutes is created to read:

16 186.08 (1m) (h) Establishing a policy determining which individuals qualify  
17 as members of the immediate family of a qualified person for the purpose of  
18 determining eligibility for membership in the credit union under s. 186.02 (2) (c).

19 **SECTION 2308mx.** 186.11 (4) (title) and (a) of the statutes are amended to read:

20 186.11 (4) (title) INVESTMENT IN CREDIT UNION SERVICE CORPORATIONS  
21 ORGANIZATIONS. (a) ~~A~~ Unless the office of credit unions approves a higher percentage,  
22 a credit union may invest not more than 1.5% of its total assets in the capital shares  
23 or obligations of a credit union service corporation organizations that are  
24 corporations, limited partnerships, limited liability companies or other entities  
25 approved by the office of credit unions, and that are organized primarily to provide

1 goods and services, in the ordinary course of business, to credit unions, credit union  
2 organizations and credit union members.

3 **SECTION 2308pc.** 186.11 (4) (b) (intro.) and 1. of the statutes are amended to  
4 read:

5 186.11 (4) (b) (intro.) A credit union service corporation organization under par.  
6 (a) may provide goods and services including any of the following:

7 1. Credit union operations services, including service centers, credit and debit  
8 card services, automated teller and remote terminal services, electronic transaction  
9 services, accounting systems, data processing, management training and support,  
10 payment item processing, record retention and storage, locator services, research,  
11 debt collection, credit analysis and loan servicing, coin and currency services and  
12 marketing and advertising services.

13 **SECTION 2308pf.** 186.11 (4) (b) 6. and 7. of the statutes are renumbered 186.11  
14 (4) (b) 9. and 10.

15 **SECTION 2308ph.** 186.11 (4) (b) 6m., 7m. and 8. of the statutes are created to  
16 read:

17 186.11 (4) (b) 6m. Management, development, sale or lease of fixed assets and  
18 sale, lease or servicing of computer hardware or software.

19 7m. Securities brokerage services.

20 8. Travel agency services.

21 **SECTION 2308pj.** 186.11 (4) (c) of the statutes is amended to read:

22 186.11 (4) (c) A credit union service corporation organization may be subject  
23 to audit examination by the office of credit unions.

24 **SECTION 2308pL.** 186.113 (1) of the statutes is amended to read:

1           186.113 (1) BRANCH OFFICES. ~~If the need and necessity exist and with~~ With the  
2 approval of the office of credit unions, establish branch offices inside ~~this state or no~~  
3 ~~more than 25 miles or~~ outside of this state. Permanent records may be maintained  
4 at branch offices established under this subsection. In this subsection, the term  
5 “branch office” does not include a remote terminal, a limited services office or a  
6 service center.

7           **SECTION 2308pn.** 186.113 (1m) (a) (intro.) of the statutes is amended to read:

8           186.113 (1m) (a) (intro.) ~~Establish~~ Before the effective date of this paragraph  
9 .... [revisor inserts date], establish limited services offices outside this state to serve  
10 any member of the credit union if all of the following requirements are met:

11           **SECTION 2308pp.** 186.113 (6) (b) and (c) of the statutes are amended to read:

12           186.113 (6) (b) Act as trustees or custodians of member tax deferred retirement  
13 funds, individual retirement accounts, medical savings accounts or other employe  
14 benefit accounts or funds permitted by federal law to be deposited in a credit union.

15           (c) Act as a depository for ~~member-deferred~~ member qualified and  
16 nonqualified deferred compensation funds as permitted by federal law.

17           **SECTION 2308pr.** 186.113 (24) of the statutes is created to read:

18           186.113 (24) FUNERAL TRUSTS. Accept deposits made by members for the  
19 purpose of funding burial agreements by trusts created pursuant to s. 445.125.

20           **SECTION 2308pt.** 186.113 (25) of the statutes is created to read:

21           186.113 (25) SELL OR PURCHASE ASSETS. Discount or sell any of its assets and,  
22 with the prior approval of the office of credit unions, purchase assets of another  
23 lender or seller.

24           **SECTION 2308pv.** 186.114 of the statutes is created to read:

1           **186.114. Federal and other powers. (1) EXERCISE OF FEDERAL CREDIT UNION**  
2 POWERS BY WISCONSIN CREDIT UNION. (a) *In general.* Subject to the limitations in this  
3 subsection, a credit union may exercise all powers that may be exercised, directly or  
4 indirectly through a credit union service organization, by a federally chartered credit  
5 union or by an affiliate of such an institution.

6           (b) *Required notification for exercise of a federal power.* A credit union shall give  
7 60 days' prior written notice to the office of credit unions of the credit union's  
8 intention to exercise a power under this subsection.

9           (c) *Exercise of federal powers through a credit union service organization.* The  
10 office of credit unions may require that certain powers exercisable by credit unions  
11 under this subsection be exercised through a credit union service organization with  
12 appropriate safeguards to limit the risk exposure of the credit union.

13           **(2) EXERCISE OF OTHER SERVICE AND INCIDENTAL ACTIVITY POWERS.** (a) *Necessary*  
14 *or convenient powers.* Unless otherwise prohibited or limited by this chapter, a credit  
15 union may exercise all powers necessary or convenient to effect the purposes for  
16 which the credit union is organized or to further the businesses in which the credit  
17 union is lawfully engaged.

18           (b) *Reasonably related powers.* Subject to any applicable state or federal  
19 regulatory or licensing requirements, a credit union may engage, directly or  
20 indirectly through a credit union service organization, in activities reasonably  
21 related or incident to the purposes of the credit union. Activities reasonably related  
22 or incident to the purposes of the credit union are those activities that are part of the  
23 business of credit unions, or closely related to the business of credit unions, or  
24 convenient and useful to the business of credit unions, or reasonably related or  
25 incident to the operation of credit unions or are financial in nature.

1           (c) *Notice requirement.* A credit union shall give 60 days' prior written notice  
2 to the office of credit unions of the credit union's intention to engage in an activity  
3 under this subsection.

4           (d) *Standards for denial.* The office of credit unions may deny the authority  
5 of a credit union to engage in an activity under this subsection if the office of credit  
6 unions determines that the activity is not an activity reasonably related or incident  
7 to the purposes of the credit union, that the credit union is not well-capitalized or  
8 adequately capitalized, that the credit union is the subject of an enforcement action  
9 or that the credit union does not have satisfactory management expertise for the  
10 proposed activity.

11           (e) *Other activities approved by the office of credit unions.* A credit union may  
12 engage in any other activity that is approved by rule of the office of credit unions.

13           (f) *Activities provided through a subsidiary.* A credit union may engage in  
14 activities under this subsection, directly or indirectly through a credit union service  
15 organization, unless the office of credit unions determines that an activity must be  
16 conducted through a credit union service organization with appropriate safeguards  
17 to limit the risk exposure of the credit union.

18           **(3) RULE-MAKING AUTHORITY.** The office of credit unions may promulgate rules  
19 to administer this section. The rules may impose limitations or conditions on the  
20 exercise of powers under this section if the office of credit unions determines that the  
21 limits or conditions are necessary for the protection of depositors, members,  
22 investors or the public.

23           **SECTION 2308px.** 186.115 (1) of the statutes is amended to read:

24           186.115 (1) **SCOPE OF AUTHORITY.** Subject to any regulatory approval required  
25 by law and subject to sub. (2), a credit union, directly or through a subsidiary, may

1 undertake any activity, exercise any power or offer any financially related product  
2 or service in this state that any other provider of financial products or services may  
3 undertake, exercise or provide or that the office of credit unions finds to be financially  
4 related. The authority granted under this subsection is in addition to any power or  
5 authority granted to a credit union under s. 186.114 (1) and (2) (a) and (b).

6 **SECTION 2308sc.** 186.235 (7) (a) (intro.) of the statutes is amended to read:

7 186.235 (7) (a) (intro.) Employees of the office of credit unions and members of  
8 the review board shall keep secret all the facts and information obtained in the  
9 course of examinations, or contained in any report provided by a credit union other  
10 than a call report, except in any of the following situations:

11 **SECTION 2308sf.** 186.235 (7) (c) of the statutes is created to read:

12 186.235 (7) (c) If any person mentioned in par. (a) discloses any information  
13 about the private account or transactions of a credit union or any information  
14 obtained in the course of an examination of a credit union, except as provided in pars.  
15 (a) and (b), that person may be required to forfeit his or her office or position and may  
16 be fined not less than \$100 nor more than \$1,000 or imprisoned for not less than 6  
17 months nor more than 3 years or both.

18 **SECTION 2308sh.** 186.235 (7m) of the statutes is created to read:

19 186.235 (7m) RETURN OF EXAMINATION REPORTS. Examination reports possessed  
20 by a credit union are confidential, remain the property of the office of credit unions  
21 and shall be returned to the office of credit unions immediately upon request.

22 **SECTION 2308sj.** 186.235 (16) (a) of the statutes is renumbered 186.235 (16).

23 **SECTION 2308sL.** 186.235 (16) (b) of the statutes is repealed.

24 **SECTION 2308sn.** 186.36 of the statutes is amended to read:

1           **186.36 Sale of insurance in credit unions.** Any officer or employe of a credit  
2 union, when acting as an agent for the sale of insurance on behalf of the credit union,  
3 shall pay all commissions received from the sale of ~~credit life insurance or credit~~  
4 ~~accident and sickness insurance~~ to the credit union.

5           **SECTION 2308sp.** 186.41 (title) of the statutes is amended to read:

6           **186.41 (title) Interstate ~~acquisition~~ acquisitions and merger mergers**  
7 **of credit unions.**

8           **SECTION 2308sr.** 186.41 (1) (a) of the statutes is renumbered 186.41 (1) (bm)  
9 and amended to read:

10           186.41 (1) (bm) “~~In-state~~ Wisconsin credit union” means a credit union having  
11 its principal office located in this state.

12           **SECTION 2308st.** 186.41 (1) (c) of the statutes is renumbered 186.41 (1) (am)  
13 and amended to read:

14           186.41 (1) (am) “~~Regional~~ Out-of-state credit union” means a state or federal  
15 credit union that has its, the principal office of which is located in one of the regional  
16 states a state other than this state.

17           **SECTION 2308sv.** 186.41 (1) (d) of the statutes is repealed.

18           **SECTION 2308sx.** 186.41 (2) and (3) of the statutes are amended to read:

19           186.41 (2) ~~IN-STATE~~ WISCONSIN CREDIT UNION. (a) ~~An in-state~~ A Wisconsin credit  
20 union may do any of the following:

21           1. Acquire an interest in, or some or all of the assets and liabilities of, one or  
22 more regional out-of-state credit unions.

23           2. Merge with one or more regional out-of-state credit unions.

24           (b) ~~An in-state~~ A Wisconsin credit union proposing any action under par. (a)  
25 shall provide the office of credit unions a copy of any original application seeking

1 approval by a federal agency or by an agency of ~~the regional~~ another state and of any  
2 supplemental material or amendments filed in connection with any application.

3 **(3) REGIONAL Out-of-state CREDIT UNIONS.** Except as provided in sub. (4), a  
4 ~~regional~~ an out-of-state credit union may do any of the following:

5 (a) Acquire an interest in, or some or all of the assets of, one or more ~~in-state~~  
6 Wisconsin credit unions.

7 (b) Merge with one or more ~~in-state~~ Wisconsin credit unions.

8 **SECTION 2308vc.** 186.41 (4) (intro.), (a) to (d) and (f) of the statutes are  
9 amended to read:

10 186.41 **(4) LIMITATIONS.** (intro.) ~~A regional~~ An out-of-state credit union may  
11 not take any action under sub. (3) until all of the following conditions have been met:

12 (a) The office of credit unions finds that the statutes of the ~~regional~~ state in  
13 which the ~~regional~~ out-of-state credit union has its principal office permit ~~in-state~~  
14 Wisconsin credit unions to both acquire ~~regional~~ out-of-state credit union assets and  
15 merge with one or more ~~regional~~ out-of-state credit unions in the ~~regional~~ that state.

16 (b) The office of credit unions has not disapproved the acquisition of ~~in-state~~  
17 Wisconsin credit union assets or the merger with the ~~in-state~~ Wisconsin credit union  
18 under sub. (5).

19 (c) The office of credit unions gives a class 3 notice, under ch. 985, in the official  
20 state newspaper, of the application to take an action under sub. (3) and of the  
21 opportunity for a hearing and, if at least 25 residents of this state petition for a  
22 hearing within 30 days of the final notice or if the office of credit unions on its own  
23 motion calls for a hearing within 30 days of the final notice, the office of credit unions  
24 holds a public hearing on the application, except that a hearing is not required if the  
25 office of credit unions finds that an emergency exists and that the proposed action



1 under sub. (3) is necessary and appropriate to prevent the probable failure of an  
2 ~~in-state~~ a Wisconsin credit union that is closed or in danger of closing.

3 (d) The office of credit unions is provided a copy of any original application  
4 seeking approval by a federal agency of the acquisition of ~~in-state~~ Wisconsin credit  
5 union assets or of the merger with an ~~in-state~~ a Wisconsin credit union and of any  
6 supplemental material or amendments filed with the application.

7 (f) With regard to an acquisition of assets of an ~~in-state~~ a Wisconsin credit  
8 union that is chartered on or after May 9, 1986, the ~~in-state~~ Wisconsin credit union  
9 has been in existence for at least 5 years before the date of acquisition.

10 **SECTION 2308vf.** 186.41 (5) (a), (b), (c) and (cr) of the statutes are amended to  
11 read:

12 186.41 (5) (a) Considering the financial and managerial resources and future  
13 prospects of the applicant and of the ~~in-state~~ Wisconsin credit union concerned, the  
14 action would be contrary to the best interests of the members of the ~~in-state~~  
15 Wisconsin credit union.

16 (b) The action would be detrimental to the safety and soundness of the  
17 applicant or of the ~~in-state~~ Wisconsin credit union concerned, or to a subsidiary or  
18 affiliate of the applicant or of the ~~in-state~~ Wisconsin credit union.

19 (c) Because the applicant, its executive officers or directors have not  
20 established a record of sound performance, efficient management, financial  
21 responsibility and integrity, the action would be contrary to the best interests of the  
22 creditors, members or other customers of the applicant or of the ~~in-state~~ Wisconsin  
23 credit union or contrary to the best interests of the public.

24 (cr) The applicant has failed to propose to provide adequate and appropriate  
25 services of the type contemplated by the community reinvestment act of 1977 in the

1 community in which the ~~in-state~~ Wisconsin credit union which the applicant  
2 proposes to acquire or merge with is located.

3 **SECTION 2308vh.** 186.41 (6) (a) of the statutes is renumbered 186.41 (6).

4 **SECTION 2308vj.** 186.41 (6) (b) of the statutes is repealed.

5 **SECTION 2308vL.** 186.41 (8) of the statutes is repealed.

6 **SECTION 2308vn.** 186.45 of the statutes is created to read:

7 **186.45 Non-Wisconsin credit union, Wisconsin offices. (1) DEFINITIONS.**

8 In this section:

9 (a) “Non-Wisconsin credit union” means a credit union organized under the  
10 laws of and with its principal office located in a state other than this state.

11 (b) “Wisconsin credit union” has the meaning given in s. 186.41 (1) (bm).

12 **(2) APPROVAL.** A non-Wisconsin credit union may open an office and conduct  
13 business as a credit union in this state if the office of credit unions finds that  
14 Wisconsin credit unions are allowed to do business in the other state under  
15 conditions similar to those contained in this section and that all of the following apply  
16 to the non-Wisconsin credit union:

17 (a) It is a credit union organized under laws similar to the credit union laws of  
18 this state.

19 (b) It is financially solvent based upon national board ratings.

20 (c) It has member savings insured with federal share insurance.

21 (d) It is effectively examined and supervised by the credit union authorities of  
22 the state in which it is organized.

23 (e) It has received approval from the credit union authorities of the state in  
24 which it is organized.

1 (f) It has a need to place an office in this state to adequately serve its members  
2 in this state.

3 (g) It meets all other relevant standards or qualifications established by the  
4 office of credit unions.

5 **(3) REQUIREMENTS.** A non-Wisconsin credit union shall agree to do all of the  
6 following:

7 (a) Grant loans at rates not in excess of the rates permitted for Wisconsin credit  
8 unions.

9 (b) Comply with this state's laws.

10 (c) Designate and maintain an agent for the service of process in this state.

11 **(4) RECORDS.** As a condition of a non-Wisconsin credit union doing business in  
12 this state under this section, the office of credit unions may require copies of  
13 examination reports and related correspondence regarding the non-Wisconsin  
14 credit union.

15 **SECTION 2308vp.** 186.80 of the statutes is created to read:

16 **186.80 False statements.** A person who knowingly publishes false reports or  
17 makes false statements about a credit union may be fined not less than \$1,000 nor  
18 more than \$5,000 or imprisoned for not less than one year nor more than 15 years  
19 or both.”.

20 **969.** Page 1179, line 21: after that line insert:

21 **“SECTION 2313m.** 196.208 (5p) of the statutes is created to read:

22 196.208 (5p) TOLL-FREE CALLS ANSWERED BY PRISONERS. (a) In this subsection:

23 1. “Charitable organization” has the meaning given in s. 440.41 (1).

24 2. “Prisoner” has the meaning given in s. 134.73 (1) (b).

1 (b) If a prisoner is employed directly or indirectly by a charitable organization  
2 or toll-free service vendor to answer calls made to the charitable organization or  
3 toll-free service vendor, the prisoner shall do all of the following immediately upon  
4 answering a call:

5 1. Identify himself or herself by name.

6 2. State that he or she is a prisoner.

7 3. Inform the calling party of the name of the correctional or detention facility  
8 in which he or she is a prisoner and the city and state in which the facility is located.

9 (c) A charitable organization or toll-free service vendor that directly or  
10 indirectly employs a prisoner shall provide reasonable supervision of the prisoner to  
11 assure the prisoner's compliance with par. (b).

12 **SECTION 2313r.** 196.208 (10) (a) of the statutes is amended to read:

13 196.208 (10) (a) Subsections (2) to (5) apply to any pay-per-call service that  
14 a caller may access by a call originating in this state and ~~sub. (5p) and (5t)~~  
15 ~~applies~~ apply to any charitable organization, toll-free service vendor or employe of  
16 a charitable organization or toll-free service vendor that a caller may access by a call  
17 originating in this state.

18 **SECTION 2313u.** 196.208 (11) (d) of the statutes is renumbered 196.208 (11) (d)

19 1. and amended to read:

20 196.208 (11) (d) 1. ~~Any~~ Except as provided in subd. 2., any person who violates  
21 subs. (2) to (9) shall be required to forfeit not less than \$25 nor more than \$5,000 for  
22 each offense.

23 3. Forfeitures under ~~this paragraph~~ subds. 1. and 2. shall be enforced by action  
24 on behalf of the state by the department of justice or, upon informing the department  
25 of justice, by the district attorney of the county where the violation occurs.

1           **SECTION 2313y.** 196.208 (11) (d) 2. of the statutes is created to read:

2           196.208 (11) (d) 2. a. A prisoner who violates sub. (5p) (b) may be required to  
3           forfeit not more than \$500.

4           b. A person who employs a prisoner to answer calls made to a toll-free  
5           telephone number may be required to forfeit not more than \$10,000 if the person  
6           violates sub. (5p) (c), aids and abets a prisoner's violation of sub. (5p) (b), is a party  
7           to a conspiracy with a prisoner to commit a violation of sub. (5p) (b) or advises, hires  
8           or counsels or otherwise procures a prisoner to commit a violation of sub. (5p) (b).”.

9           **970.** Page 1179, line 21: after that line insert:

10           “**SECTION 2309q.** 196.04 (4) of the statutes is renumbered 196.04 (4) (b) and  
11           amended to read:

12           196.04 (4) (b) If the parties cannot agree and the commission finds that public  
13           convenience and necessity or the rendition of reasonably adequate service to the  
14           public requires that a public utility, telecommunications provider, sewerage system  
15           operator or cable operator, as defined in s. 66.082 (2) (b), be permitted to extend its  
16           lines on, over or under the right-of-way of any railroad, or requires that the tracks  
17           of any railroad be extended on, over or under the right-of-way of any public utility,  
18           telecommunications provider, sewerage system operator or cable operator, the  
19           commission may order the extension by the public utility, telecommunications  
20           provider, sewerage system operator, cable operator or railroad on, over or under the  
21           right-of-way of the other if it will not materially impair the ability of the railroad,  
22           telecommunications provider, sewerage system operator, cable operator or public  
23           utility, on, over or under whose right-of-way the extension would be made, to serve  
24           the public. The commission shall prescribe lawful conditions and compensation

1 which the commission deems equitable and reasonable in light of all the  
2 circumstances.

3 **SECTION 2309s.** 196.04 (4) (a) of the statutes is created to read:

4 196.04 (4) (a) In this subsection:

5 1. “Cable operator” has the meaning given in s. 66.082 (2) (b).

6 2. “Sewerage system operator” means any of the following:

7 a. A municipality that operates a sewerage system under s. 66.076.

8 b. A town sanitary district commission that operates a sewerage system under  
9 60.77 (4).

10 c. A city or village that obtains a sewerage system under s. 60.79.

11 d. A metropolitan sewerage district commission that operates a sewerage  
12 system under s. 66.24 (2) or 66.89 (1).

13 e. A public inland lake protection and rehabilitation district that exercises the  
14 powers of a town sanitary district under s. 33.22 (3) and that operates a sewerage  
15 system under s. 60.77 (4).”.

16 **971.** Page 1179, line 21: after that line insert:

17 “**SECTION 2315c.** 196.025 of the statutes is renumbered 196.025 (1).

18 **SECTION 2315g.** 196.025 (2) of the statutes is created to read:

19 196.025 (2) The commission shall promulgate rules establishing requirements  
20 and procedures for the commission to carry out the duties under s. 1.11. Rules  
21 promulgated under this subsection shall include requirements and procedures for  
22 each of the following:

23 (a) Standards for determining the necessity of preparing an environmental  
24 impact statement.

1 (b) Adequate opportunities for interested persons to be heard on environmental  
2 impact statements, including adequate time for the preparation and submission of  
3 comments.

4 (c) Deadlines that allow thorough review of environmental issues without  
5 imposing unnecessary delays in addressing the need for additional electric  
6 transmission capacity in this state.

7 **SECTION 2315L.** 196.025 (3) of the statutes is created to read:

8 196.025 (3) The commission shall promulgate rules establishing requirements  
9 and procedures for electric utilities, as defined under s. 196.491 (1) (d), to file reports  
10 with the commission, on a frequency that the commission determines is reasonably  
11 necessary, on their current reliability status, including the status of operating and  
12 planning reserves, available transmission capacity and outages of major operational  
13 units and transmission lines. A report filed under the rules promulgated under this  
14 subsection is subject to inspection and copying under s. 19.35 (1), except that the  
15 commission may withhold the report from inspection and copying for a period of time  
16 that the commission determines is reasonably necessary to prevent an adverse  
17 impact on the supply or price of energy in this state.

18 **SECTION 2315p.** 196.025 (4) of the statutes is created to read:

19 196.025 (4) (a) In consultation with the department of administration and the  
20 department of revenue, the commission shall study the establishment of a program  
21 for providing incentives for the development of high-efficiency, small-scale electric  
22 generating facilities in this state that do either of the following:

23 1. Provide benefits in the form of support for electric distribution or  
24 transmission systems, power quality or environmental performance.

1           2. Employ technologies such as combined heat and power systems, fuel cells,  
2           microturbines or photovoltaic systems that may be situated in, on or next to  
3           buildings or other electric load centers.

4           (b) No later than January 1, 2001, the commission shall submit a report of its  
5           findings and recommendations under par. (a) to the chief clerk of each house of the  
6           legislature for distribution to the appropriate standing committees under s. 13.172  
7           (3).

8           **SECTION 2315t.** 196.025 (5) of the statutes is created to read:

9           196.025 (5) (a) The commission shall contract with an expert consultant in  
10          economics to conduct a study on the potential for horizontal market power, including  
11          the horizontal market power of electric generators, to frustrate the creation of an  
12          effectively competitive retail electricity market in this state and to make  
13          recommendations on measures to eliminate such market power on a sustainable  
14          basis. The study shall include each of the following:

15          1. An assessment of the effect of each recommendation on public utility workers  
16          and shareholders and on rates for each class of public utility customers.

17          2. An evaluation of the impact of transmission constraints on the market power  
18          of electric generators in local areas.

19          (b) No later than January 1, 2001, the commission shall submit a report of the  
20          results of the study under par. (a) to the chief clerk of each house of the legislature  
21          for distribution to the appropriate standing committees under s. 13.172 (3).

22          **SECTION 2315x.** 196.192 of the statutes is created to read:

23          **196.192 Market-based compensation, rates and contracts.** (1) In this  
24          section, “electric public utility” means a public utility whose purpose is the  
25          generation, distribution and sale of electric energy.



1           (2) No later than March 1, 2000, each investor-owned electric public utility  
2 shall do each of the following:

3           (a) File with the commission rates that result in customers receiving  
4 market-based compensation for voluntary interruptions of firm load during peak  
5 periods of electric use.

6           (b) File with the commission market-based pricing options and options for  
7 individual contracts that allow a retail customer, through service from its existing  
8 public utility, to receive market benefits and subject itself to market risks for the  
9 customer's purchases of capacity or energy.

10          (3) (a) The commission shall approve market-based rates that are consistent  
11 with the options specified in sub. (2), except that the commission may not approve  
12 a market-based rate unless the commission determines that the rate will not harm  
13 shareholders of the investor-owned electric public utility or customers who are not  
14 subject to the rate.

15          (b) Nothing in s. 196.20, 196.21, 196.22, 196.37, 196.60 or 196.604 prohibits the  
16 commission from approving a filing under sub. (2) or approving market-based rates  
17 under par. (a).

18          (4) Subject to any approval of the commission that is necessary, an electric  
19 public utility that is not an investor-owned electric public utility may implement  
20 market-based rates approved under sub. (3) (a) or implement the options in filings  
21 under sub. (2) that are approved by the commission.”.

22           **972.** Page 1185, line 19: after that line insert:

23           “**SECTION 2334d.** 196.31 (1) (intro.) of the statutes is amended to read:

1           196.31 (1) (intro.) In any proceeding before the commission, the commission  
2    may shall compensate any participant in the proceeding who is not a public utility,  
3    for some or all of the reasonable costs of participation in the proceeding if the  
4    commission finds that:

5           **SECTION 2334h.** 196.31 (1) (a) of the statutes is amended to read:

6           196.31 (1) (a) The participation is necessary to provide for the record an  
7    adequate presentation of a significant position in which the participant has a  
8    substantial interest, and that an adequate presentation would not be possible occur  
9    without a grant of compensation; or

10          **SECTION 2334p.** 196.374 of the statutes is repealed and recreated to read:

11          **196.374 Low-income assistance, energy efficiency and other**  
12    **programs. (1)** In this section:

13           (a) “Department” means the department of administration.

14           (b) “Fund” means the utility public benefits fund.

15           (c) “Utility” means a Class A gas or electric utility, as defined by the  
16    commission, but does not include a municipal utility, as defined in s. 16.957 (1) (q),  
17    a municipal electric company, as defined in s. 66.073 (3) (d), or a cooperative  
18    association organized under ch. 185.

19          **(2)** The commission shall determine the amount that each utility spent in 1998  
20    on programs for low-income assistance, including writing off uncollectibles and  
21    arrearages, low-income weatherization, energy conservation and efficiency,  
22    environmental research and development, and renewable resources.

23          **(3)** In 1999, 2000 and 2001, the commission shall require each utility to spend  
24    a decreasing portion of the amount determined under sub. (2) on programs specified  
25    in sub. (2) and contribute the remaining portion of the amount to the commission for

1 deposit in the fund. In each year after 2001, each utility shall contribute the entire  
2 amount determined under sub. (2) to the commission for deposit in the fund. The  
3 commission shall ensure in rate-making orders that a utility recovers from its  
4 ratepayers the amounts spent on programs or contributed to the fund under this  
5 subsection. The commission shall allow each utility the option of continuing to use,  
6 until January 1, 2001, the moneys that it has recovered under s. 196.374 (3), 1997  
7 stats., to administer the programs that it has funded under s. 196.374 (1), 1997 stats.  
8 The commission may allow each utility to spend additional moneys on the programs  
9 specified in sub. (2) if the utility otherwise complies with the requirements of this  
10 section and s. 16.957 (4).

11 (4) If the department notifies the commission under s. 16.957 (2) (b) 2. that the  
12 department has reduced funding for energy conservation and efficiency and  
13 renewable resource programs, the commission shall reduce the amount that a utility  
14 is required to spend on programs or contribute to the fund under sub. (3) by the  
15 percentage by which the department has reduced the funding.

16 **SECTION 2334t.** 196.378 of the statutes is created to read:

17 **196.378 Renewable resources. (1) DEFINITIONS.** In this section:

18 (a) "Biomass" means a resource that derives energy from wood or plant  
19 material or residue, biological waste, crops grown for use as a resource or landfill  
20 gases. "Biomass" does not include garbage, as defined in s. 289.01 (9), or  
21 nonvegetation-based industrial, commercial or household waste, except that  
22 "biomass" includes refuse-derived fuel used for a renewable facility that was in  
23 service in this state before January 1, 1998.

24 (b) "Conventional resource" means a resource that derives energy from coal, oil,  
25 nuclear power or natural gas, except for natural gas used in a fuel cell.

1 (bm) “Department” means the department of administration.

2 (c) “Electric provider” means an electric utility or retail electric cooperative.

3 (d) “Electric utility” means a public utility that sells electricity at retail. For  
4 purposes of this paragraph, a public utility is not considered to sell electricity at  
5 retail solely on the basis of its ownership or operation of a retail electric distribution  
6 system.

7 (e) “Excludable renewable capacity” means the portion of an electric provider’s  
8 total renewable capacity that is supplied from renewable facilities that were placed  
9 in service before January 1, 1998, and that, before January 1, 1998, derived  
10 electricity from hydroelectric power, even if the output of the renewable facilities is  
11 used to satisfy requirements under federal law.

12 (f) “Nonsystem renewable energy” means the amount of electricity that an  
13 electric provider sells to its retail customers or members and that is supplied or  
14 allocated under executed wholesale purchase contracts from renewable facilities  
15 that are not owned or operated by the electric provider. “Nonsystem renewable  
16 energy” does not include any electricity that is not used to satisfy the electric  
17 provider’s retail load obligations.

18 (g) “Renewable facility” means an installed and operational electric generating  
19 facility in which energy is derived from a renewable resource. “Renewable facility”  
20 includes a facility the installation or operation of which is required under federal law,  
21 but does not include a facility the installation or operation of which is required under  
22 the laws of another state even if the installation or operation of the facility is also  
23 required under federal law.

24 (h) “Renewable resource” means any of the following:

25 1. A resource that derives electricity from any of the following:

- 1           a. A fuel cell that uses, as determined by the commission, a renewable fuel.
- 2           b. Tidal or wave action.
- 3           c. Solar thermal electric or photovoltaic energy.
- 4           d. Wind power.
- 5           e. Geothermal technology.
- 6           g. Biomass.
- 7           1m. A resource with a capacity of less than 60 megawatts that derives
- 8           electricity from hydroelectric power.
- 9           2. Any other resource, except a conventional resource, that the commission
- 10          designates as a renewable resource in rules promulgated under sub. (4).
- 11          (i) “Renewable resource credit” means a credit calculated in accordance with
- 12          rules promulgated under sub. (3) (a).
- 13          (j) “Resource” means a source of electric power generation.
- 14          (k) “Retail electric cooperative” means a cooperative association organized
- 15          under ch. 185 that sells electricity at retail to its members only. For purposes of this
- 16          paragraph, a cooperative association is not considered to sell electricity at retail
- 17          solely on the basis of its ownership or operation of a retail electric distribution
- 18          system.
- 19          (n) “System renewable energy” means the amount of electricity that an electric
- 20          provider sells to its retail customers or members and that is supplied by renewable
- 21          facilities owned or operated by the electric provider.
- 22          (o) “Total renewable energy” means the sum of an electric provider’s system and
- 23          nonsystem renewable energy.
- 24          **(2) RENEWABLE RESOURCE ENERGY.** (a) Each electric provider shall provide to its
- 25          retail electric customers or members total renewable energy in at least the following

1 percentages of its total retail energy sales, either directly or through renewable  
2 resource credits from another electric provider:

- 3 1. By December 31, 2000, 0.5%.
- 4 2. By December 31, 2002, 0.85%.
- 5 3. By December 31, 2004, 1.2%.
- 6 4. By December 31, 2006, 1.55%.
- 7 5. By December 31, 2008, 1.9%.
- 8 6. By December 31, 2010, 2.2%.

9 (b) For purposes of determining compliance with par. (a):

10 1. Total retail energy sales shall be calculated on the basis of an average of an  
11 electric provider's retail energy sales in this state during the prior 3 years.

12 2. The amount of electricity supplied by a renewable facility in which biomass  
13 and conventional fuels are fired together shall be equal to the product of the  
14 maximum amount of electricity that the facility is capable of generating and the ratio  
15 of the British thermal unit content of the biomass fuels to the British thermal unit  
16 content of both the biomass and conventional resource fuels.

17 3. Any excludable renewable energy that exceeds 0.6% of an electric provider's  
18 total retail energy sales shall be excluded from the electric provider's total renewable  
19 energy.

20 (c) No later than April 15 annually, an electric provider shall submit a report  
21 to the department that describes the electric provider's compliance with par. (a).  
22 Reports under this paragraph may include certifications from wholesale suppliers  
23 regarding the sources and amounts of energy supplied to an electric provider. The  
24 department may specify the documentation that is required to be included with  
25 reports submitted under this paragraph.

1 (d) The commission shall allow an electric utility to recover from ratepayers the  
2 cost of providing total renewable energy to its retail customers or members in  
3 amounts that equal or exceed the percentages specified in par. (a). Subject to any  
4 approval of the commission that is necessary, an electric utility may recover costs  
5 under this paragraph by any of the following methods:

6 1. Allocating the costs equally to all customers or members on a kilowatt-hour  
7 basis.

8 2. Establishing alternative price structures, including price structures under  
9 which customers or members pay a premium for renewable energy.

10 3. Any combination of the methods specified in subds. 1. and 2.

11 (e) 1. This subsection does not apply to any of the following:

12 a. An electric provider that provides more than 10% of its summer peak demand  
13 in this state from renewable facilities.

14 b. An electric provider that provides more than 10% of its summer peak demand  
15 from renewable resources.

16 2. For purposes of calculating the percentages under subd. 1., an electric  
17 provider may include renewable facilities located in this or another state and  
18 renewable facilities located on its or another electric provider's system.

19 3. Notwithstanding subd. 1., this subsection applies to an electric provider  
20 unless the electric provider provides documentation to the commission that  
21 establishes, to the satisfaction of the commission, that the electric provider satisfies  
22 the requirements under subd. 1. a. or b.

23 **(3) RENEWABLE RESOURCE CREDITS.** (a) An electric provider that provides total  
24 renewable energy to its retail electric customers or members in excess of the  
25 percentages specified in sub. (2) (a) 1. to 6. may, in the applicable year, sell to any

1 other electric provider a renewable resource credit or a portion of a renewable  
2 resource credit at any negotiated price. Alternatively, an electric provider may use  
3 a renewable resource credit or portion of a renewable resource credit in a subsequent  
4 year to establish compliance with sub. (2) (a). The commission shall promulgate  
5 rules that establish requirements for calculating the amount of a renewable resource  
6 credit.

7 (b) The commission may promulgate rules that establish requirements and  
8 procedures for a sale under par. (a).

9 (4) RULES. The commission may promulgate rules that designate a resource,  
10 except for a conventional resource, as a renewable resource in addition to the  
11 resources specified in sub. (1) (g) 1. and 1m.

12 (5) PENALTY. Any person who violates sub. (2) or any wholesale supplier who  
13 provides an electric provider with a false or misleading certification regarding the  
14 sources or amounts of energy supplied to the electric provider shall forfeit not less  
15 than \$5,000 nor more than \$500,000. Forfeitures under this subsection shall be  
16 enforced by action on behalf of the state by the attorney general. A court imposing  
17 a forfeiture under this subsection shall consider all of the following in determining  
18 the amount of the forfeiture:

19 (a) The appropriateness of the forfeiture to the person's or wholesale supplier's  
20 volume of business.

21 (b) The gravity of the violation.

22 (c) Whether a violation of sub. (2) is due to circumstances beyond the violator's  
23 control.”.

24 **973.** Page 1186, line 2: after that line insert:



1           “**SECTION 2335ta.** 196.485 (title) of the statutes is repealed and recreated to  
2 read:

3           **196.485 (title) Transmission system requirements.**

4           **SECTION 2335tb.** 196.485 (1) (am) of the statutes is created to read:

5           196.485 (1) (am) “Contribute a transmission facility” means to divest a person’s  
6 interest in the transmission facility and to transfer ownership of the transmission  
7 facility and associated deferred tax reserves to another person.

8           **SECTION 2335tc.** 196.485 (1) (be) of the statutes is created to read:

9           196.485 (1) (be) “Director” means, with respect to a transmission company  
10 organized as a corporation under ch. 180, a member of the board of directors of the  
11 transmission company.

12           **SECTION 2335td.** 196.485 (1) (bs) of the statutes is created to read:

13           196.485 (1) (bs) “Electric utility” has the meaning given in s. 196.491 (1) (d).

14           **SECTION 2335te.** 196.485 (1) (dm) (intro.) of the statutes is amended to read:

15           196.485 (1) (dm) (intro.) “Independent transmission owner” means:

16           1m. Means a person that satisfies each of the following:

17           **SECTION 2335tf.** 196.485 (1) (dm) 1. of the statutes is renumbered 196.485 (1)  
18 (dm) 1m. a.

19           **SECTION 2335tg.** 196.485 (1) (dm) 2. of the statutes is created to read:

20           196.485 (1) (dm) 2. Does not include the transmission company.

21           **SECTION 2335th.** 196.485 (1) (dm) 3. of the statutes is renumbered 196.485 (1)  
22 (dm) 1m. b. and amended to read:

23           196.485 (1) (dm) 1m. b. The person is not an affiliated interest of a person  
24 specified in subd. 1. 1m. a.

25           **SECTION 2335ti.** 196.485 (1) (do) of the statutes is created to read:

1           196.485 (1) (do) “Land right” means any right in real property, including fee  
2 simple ownership or a right-of-way or easement, that has been acquired for a  
3 transmission facility that is located or intended to be located on the real property.

4           **SECTION 2335tk.** 196.485 (1) (dq) of the statutes is created to read:

5           196.485 (1) (dq) “Manager” means, with respect to a transmission company  
6 organized as a limited liability company under ch. 183, a manager, as defined in s.  
7 183.0102 (13), of the transmission company.

8           **SECTION 2335tL.** 196.485 (1) (dr) of the statutes is created to read:

9           196.485 (1) (dr) “Merger enforcement policy” means the enforcement policy of  
10 the federal department of justice and the federal trade commission regarding  
11 horizontal acquisitions and mergers that are subject to 15 USC 1, 18 or 45.

12           **SECTION 2335tm.** 196.485 (1) (ds) of the statutes is created to read:

13           196.485 (1) (ds) “Midwest independent system operator” means the  
14 independent system operator the establishment of which the federal energy  
15 regulatory commission has conditionally authorized in an order issued on September  
16 16, 1998, or the successor to such independent system operator.

17           **SECTION 2335tn.** 196.485 (1) (dt) of the statutes is created to read:

18           196.485 (1) (dt) “Nontransmission utility security holder” means a security  
19 holder that is not a transmission utility security holder.

20           **SECTION 2335to.** 196.485 (1) (dv) of the statutes is created to read:

21           196.485 (1) (dv) “Organizational start-up date” means, with respect to a  
22 transmission company that is organized as a limited liability company under ch. 183,  
23 the date on which the articles of organization become effective under s. 183.0111 or,  
24 with respect to a transmission company that is organized as a corporation under ch.

1 180, the date on which the articles of incorporation become effective under s.  
2 180.0123.

3 **SECTION 2335tp.** 196.485 (1) (em) of the statutes is created to read:

4 196.485 (1) (em) "Retail electric cooperative" means a cooperative that provides  
5 retail electric service to its members.

6 **SECTION 2335tq.** 196.485 (1) (fe) of the statutes is created to read:

7 196.485 (1) (fe) "Security" means, with respect to a transmission company  
8 organized as a corporation under ch. 180, a share, as defined in s. 180.0103 (15), and,  
9 with respect to a transmission company organized as a limited liability company  
10 under ch. 183, a limited liability company interest, as defined in s. 183.0102 (11).

11 **SECTION 2335tr.** 196.485 (1) (ge) of the statutes is created to read:

12 196.485 (1) (ge) "Transmission company" means a corporation organized under  
13 ch. 180 or a limited liability company organized under ch. 183 that has as its sole  
14 purpose the planning, constructing, operating, maintaining and expanding of  
15 transmission facilities that it owns to provide for an adequate and reliable  
16 transmission system that meets the needs of all users that are dependent on the  
17 transmission system and that supports effective competition in energy markets  
18 without favoring any market participant.

19 **SECTION 2335ts.** 196.485 (1) (gm) of the statutes is created to read:

20 196.485 (1) (gm) "Transmission dependent utility" means an electric utility  
21 that is not a transmission utility and that is dependent on the transmission system  
22 of another person for delivering electricity to the public utility's customers.

23 **SECTION 2335tt.** 196.485 (1) (j) of the statutes is created to read:

24 196.485 (1) (j) "Transmission utility security holder" means a person that is a  
25 security holder of a transmission company, is an investor-owned transmission utility

1 in the transmission area and has contributed its transmission facilities to the  
2 transmission company.

3 **SECTION 2335tu.** 196.485 (1m) of the statutes is created to read:

4 196.485 **(1m)** DUTY TO PROVIDE TRANSMISSION SERVICE. (a) The duty of any  
5 electric utility that has contributed its transmission facilities to the transmission  
6 company to finance, construct, maintain or operate a transmission facility shall  
7 terminate on the date, as determined by the commission under sub. (2) (d), that the  
8 transmission company begins operations.

9 (b) After beginning operations, the transmission company shall have the  
10 exclusive duty to provide transmission service in those areas in which transmission  
11 facilities have been contributed. The duty under this paragraph shall terminate on  
12 the date, as determined by the commission under sub. (2) (d), that the Midwest  
13 independent system operator begins operations.

14 (c) After beginning operations, the Midwest independent system operator shall  
15 have the exclusive duty to provide transmission service in the transmission area and  
16 shall ensure that each transmission facility in the transmission area that is under  
17 its operational control is planned, constructed, operated, maintained and controlled  
18 as part of a single transmission system.

19 **SECTION 2335tv.** 196.485 (2) (a) (intro.) of the statutes is amended to read:

20 196.485 **(2)** (a) (intro.) By June 30, 2000, if a transmission utility has not  
21 transferred control over its transmission facilities to an independent system  
22 operator that is approved by the applicable federal agency or divested, with approval  
23 of the applicable federal agency and, for a public utility, the commission, its interest  
24 in its transmission facilities to an independent transmission owner, the commission

1 shall, subject to ~~par. pars.~~ (am) and (ar), order the transmission utility to apply to the  
2 applicable federal agency to do one of the following:

3 **SECTION 2335tw.** 196.485 (2) (ar) of the statutes is created to read:

4 196.485 (2) (ar) The commission shall waive the requirement to issue an order  
5 against a transmission utility under par. (a) if the transmission utility shows, to the  
6 satisfaction of the commission, that a transfer of its transmission facilities to the  
7 Midwest independent system operator may have the effect of jeopardizing the  
8 tax-exempt status of the transmission utility or its securities under the Internal  
9 Revenue Code. A waiver under this paragraph shall be in effect until the commission  
10 determines that the proposed transfer does not have the effect described in this  
11 paragraph.

12 **SECTION 2335tx.** 196.485 (2) (bx) of the statutes is created to read:

13 196.485 (2) (bx) If the Midwest system operator fails to commence operations  
14 or ceases operations, the requirements of this section that apply to the Midwest  
15 independent system operator shall apply to any other independent system operator  
16 or regional transmission organization that is authorized under federal law to operate  
17 in this state. The commission shall require that any transfer of transmission  
18 facilities to such independent system operator or regional transmission organization  
19 satisfies the requirements of this section.

20 **SECTION 2335ty.** 196.485 (2) (d) of the statutes is created to read:

21 196.485 (2) (d) The commission shall determine each of the following:

- 22 1. The date on which the transmission company begins operations.  
23 2. Whether the Midwest independent system operator has begun operations  
24 and the date on which such operations have begun.

25 **SECTION 2335tz.** 196.485 (3) (bm) of the statutes is repealed.

1           **SECTION 2335ub.** 196.485 (3m) of the statutes is created to read:

2           196.485 **(3m)** TRANSMISSION COMPANY. (a) *Duties.* 1. The transmission company  
3 shall do each of the following:

4           a. Apply for any approval under state or federal law that is necessary for the  
5 transmission company to begin operations no later than November 1, 2000.

6           b. Subject to any approval required under state or federal law, contract with  
7 each transmission utility that has transferred transmission facilities to the  
8 transmission company for the transmission utility to provide reasonable and  
9 cost-effective operation and maintenance services to the transmission company  
10 during the 3-year period after the transmission company first begins operations.  
11 The transmission company and a transmission utility may, subject to any approval  
12 required under federal or state law, agree to an extension of such 3-year period.

13           c. Assume the obligations of a transmission utility that has transferred  
14 ownership of its transmission facilities to the transmission company under any  
15 agreement by the transmission utility to provide transmission service over its  
16 transmission facilities or credits for the use of transmission facilities, except that the  
17 transmission company may modify such an agreement to the extent allowed under  
18 the agreement and to the extent allowed under state or federal law.

19           d. Apply for membership in the Midwest independent system operator as a  
20 single zone for pricing purposes that includes the transmission area and, upon a  
21 determination by the commission under sub. (2) (d) that the Midwest independent  
22 system operator has begun operations, transfer operational control of the  
23 transmission company's transmission facilities to the Midwest independent system  
24 operator.

1 e. Remain a member of the Midwest independent system operator, or any  
2 independent system operator or regional transmission organization that has been  
3 approved under federal law to succeed the Midwest independent system operator, for  
4 at least the 6-year transition period that is specified in the agreement conditionally  
5 approved by the federal energy regulatory commission that establishes the Midwest  
6 independent system operator.

7 f. Except as provided in subd. 4., elect to be included in a single zone for the  
8 purpose of any tariff administered by the Midwest independent system operator.

9 2. The transmission company may not do any of the following:

10 a. Sell or transfer its assets to, or merge its assets with, another person, unless  
11 the assets are sold, transferred or merged on an integrated basis and in a manner  
12 that ensures that the transmission facilities in the transmission area are planned,  
13 constructed, operated, maintained and controlled as a single transmission system.

14 b. Bypass the distribution facilities of an electric utility or provide electric  
15 service directly to a retail customer.

16 c. Own electric generation facilities or sell, market or broker electric capacity  
17 or energy in a relevant wholesale or retail market as determined by the commission,  
18 except that, if authorized or required by the federal energy regulatory commission,  
19 the transmission company may procure or resell ancillary services obtained from 3rd  
20 parties, engage in redispatch activities that are necessary to relieve transmission  
21 constraints or operate a control area.

22 3. Notwithstanding subd. 1. a., the transmission company may not begin  
23 operations until it provides an opinion to the commission from a nationally  
24 recognized investment banking firm that the transmission company is able to

1 finance, at a reasonable cost, its start-up costs, working capital and operating  
2 expenses and the cost of any new facilities that are planned.

3 4. If the transmission charges or rates of any transmission utility in the  
4 transmission area are 10% or more below the average transmission charges or rates  
5 of the transmission utilities in the transmission area on the date, as determined by  
6 the commission, that the last public utility affiliate files a commitment with the  
7 commission under sub. (5) (a) 2., the transmission company shall, after consulting  
8 with each public utility affiliate that has filed a commitment under sub. (5) (a) 2.,  
9 prepare a plan for phasing in a combined single zone rate for the purpose of pricing  
10 network use by users of the transmission system operated by the Midwest  
11 independent system operator and shall seek plan approval by the federal energy  
12 regulatory commission and the Midwest independent system operator. A plan under  
13 this subdivision shall phase in an average-cost price for the combined single zone in  
14 equal increments over a 5-year period, except that, under the plan, transmission  
15 service shall be provided to all users of the transmission system on a single-zone  
16 basis during the phase-in period.

17 (b) *Powers.* The transmission company may do any of the following:

18 1. Subject to the approval of the commission under s. 196.491 (3), construct and  
19 own transmission facilities, including high-voltage transmission lines, as defined in  
20 s. 196.491 (1) (f), in the transmission area or in any other area of the state in which  
21 transmission facilities that have been contributed to the transmission company are  
22 located. This subdivision does not affect the right or duty of an electric utility that  
23 is not located in the transmission area or that has not contributed its transmission  
24 facilities to the transmission company to construct or own transmission facilities.



1           2. Subject to any approval required under state or federal law, purchase or  
2           acquire transmission facilities in addition to the transmission facilities contributed  
3           under sub. (5) (b).

4           (c) *Organization.* The articles of organization, as defined in s. 183.0102 (1), of  
5           a transmission company that is organized as a limited liability company under ch.  
6           183 or the bylaws of a transmission company that is organized as a corporation under  
7           ch. 180 shall provide for each of the following:

8           1. That the transmission company has no less than 5 nor more than 14  
9           managers or directors, except that the articles of organization or bylaws may allow  
10          the requirements of this subdivision to be modified upon a unanimous vote of the  
11          managers or directors during the 10-year period after the organizational start-up  
12          date or upon a two-thirds vote of the board of directors or managers after such  
13          10-year period.

14          2. That at least 4 managers or directors of the transmission company have  
15          staggered 4-year terms, are elected by a majority vote of the security holders and are  
16          not directors, employees or independent contractors of a person engaged in the  
17          production, sale, marketing, transmission or distribution of electricity or natural gas  
18          or of an affiliate of such a person.

19          3. That, during the 10-year period after the organizational start-up date, each  
20          of the following is satisfied, subject to the limitation on the number of managers or  
21          directors under subd. 1.:

22          a. Each nontransmission utility security holder that owns 10% or more of the  
23          outstanding voting securities of the transmission company may appoint one  
24          manager or director of the transmission company for a one-year term, except that

1 the requirements of this subd. 3. a. may be modified upon a unanimous vote of the  
2 managers or directors.

3 b. Each group of nontransmission utility security holders that, as a group, owns  
4 10% or more of the outstanding voting securities of the transmission company may  
5 appoint one manager or director of the transmission company for a one-year term  
6 if the group has entered into a written agreement regarding the appointment and the  
7 group files the agreement with the secretary of the transmission company, except  
8 that the requirements of this subd. 3. b. may be modified upon a unanimous vote of  
9 the managers or directors.

10 c. Each person that receives at least 5% of the voting securities of the  
11 transmission company under sub. (6) (a) or (b) may appoint one manager or director  
12 of the transmission company for a one-year term if the person continues to hold at  
13 least a 5% equity interest in the transmission company during the one-year term.

14 d. Each transmission utility security holder may appoint one manager or  
15 director of the transmission company for a one-year term.

16 4. That, during the 5-year period after the organizational start-up date, no  
17 public utility affiliate that contributes transmission facility assets to the  
18 transmission company under sub. (5) (b) and no affiliate of such a public utility  
19 affiliate may increase its percentage share of the outstanding securities of the  
20 transmission company prior to any initial issuance of securities by the transmission  
21 company to any 3rd party other than a 3rd party exercising its right to purchase  
22 securities under sub. (6) (b), except that this subdivision does not apply to securities  
23 that are issued by the transmission company in exchange for transmission facilities  
24 that are contributed in addition to the transmission facilities that are contributed

1 under sub. (5) (b) and except that the requirements of this subdivision may be  
2 modified upon a unanimous vote of the managers or directors.

3 5. That, beginning 3 years after the organizational start-up date, any holder  
4 of 10% or more of the securities of the transmission company may require the  
5 transmission company to comply with any state or federal law that is necessary for  
6 the security holder to sell or transfer its shares.

7 (d) *Commission jurisdiction.* The transmission company is subject to the  
8 jurisdiction of the commission except to the extent that it is subject to the exclusive  
9 jurisdiction of the federal energy regulatory commission.

10 **SECTION 2335ud.** 196.485 (4) (a) (intro.) of the statutes is amended to read:

11 196.485 (4) (a) (intro.) ~~A~~ Except as provided in par. (am), a transmission utility  
12 may not transfer control over, or divest its interest in, its transmission facilities to  
13 an independent system operator or independent transmission owner unless, to the  
14 satisfaction of the commission, each of the following requirements is satisfied:

15 **SECTION 2335uf.** 196.485 (4) (am) of the statutes is created to read:

16 196.485 (4) (am) Each transmission utility in the transmission area that is a  
17 public utility shall become a member of the Midwest independent system operator  
18 no later than June 30, 2000, and shall transfer operational control over its  
19 transmission facilities to the Midwest independent system operator. Each such  
20 transmission utility that has not contributed its transmission facilities to the  
21 transmission company shall elect to become part of the single zone for pricing  
22 purposes within the Midwest independent system operator and any phase-in plan  
23 prepared under sub. (3m) (a) 4.

24 **SECTION 2335uh.** 196.485 (5) of the statutes is created to read:

1           196.485 (5) PUBLIC UTILITY AFFILIATES. (a) *Asset cap exception.* Section 196.795  
2 (6m) (e) does not apply to the eligible assets of a nonutility affiliate in a holding  
3 company system unless each public utility affiliate in the holding company system  
4 does each of the following:

5           1. Petitions the commission and the federal energy regulatory commission to  
6 approve the transfer of operational control of all the public utility affiliate's  
7 transmission facilities in this state and in Iowa, Michigan, Minnesota and Illinois to  
8 the Midwest independent system operator.

9           2. Files with the commission an unconditional, irrevocable and binding  
10 commitment to contribute, no later than June 30, 2000, all of the transmission  
11 facilities that the public utility affiliate owns or operates in this state on the effective  
12 date of this subdivision .... [revisor inserts date], and land rights, to the transmission  
13 company. A filing under this subdivision shall specify a date no later than June 30,  
14 2000, on which the public utility affiliate will complete the contribution of  
15 transmission facilities.

16           3. Files with the commission an unconditional, irrevocable and binding  
17 commitment to contribute, and to cause each entity into which it merges or  
18 consolidates or to which it transfers substantially all of its assets to contribute, any  
19 transmission facility in this state the ownership or control of which it acquires after  
20 the effective date of this subdivision .... [revisor inserts date], and land rights, to the  
21 transmission company.

22           4. Notifies the commission in writing that the public utility affiliate has become  
23 a member of the Midwest independent system operator, has agreed to transfer its  
24 transmission facilities to the Midwest independent system operator and has  
25 committed not to withdraw its membership prior to the date on which the public

1 utility affiliate contributes transmission facilities to the transmission company  
2 under par. (b).

3 5. Petitions the commission and the federal energy regulatory commission to  
4 approve the contributions specified in subds. 2. and 3. and agrees in such a petition  
5 not to withdraw the petition in the event that the commission or the federal energy  
6 regulatory commission conditions its approval on changes that are consistent with  
7 state or federal law.

8 (b) *Contribution of transmission facilities.* 1. A public utility affiliate may not  
9 contribute a transmission facility to the transmission company until the commission  
10 has reviewed the terms and conditions of the transfer to determine whether the  
11 transfer satisfies the requirements of this subsection and has issued an order  
12 approving or modifying the terms and conditions of the transfer. An order under this  
13 subdivision that modifies the terms and conditions of a transfer may allow a public  
14 utility affiliate to recover in retail rates any adverse tax consequences of the transfer  
15 as a transition cost.

16 2. The transmission company and a public utility affiliate that files a  
17 commitment to contribute transmission facilities under par. (a) 2. shall structure the  
18 transfer of the transmission facilities in a manner that satisfies each of the following:

19 a. The structure of the transfer avoids or minimizes the material adverse tax  
20 consequences to the public utility affiliate that result from the transfer and avoids  
21 or minimizes material adverse consequences on public utility rates that do not arise  
22 out of combining the transmission company's facilities into a single zone in the  
23 Midwest independent system operator.

24 b. To the extent practicable, the structure of the transfer satisfies the  
25 requirements of the Internal Revenue Service for a tax-free transfer.

1           3. The requirements under subd. 2. b. shall, if practicable, be satisfied by the  
2 transmission company's issuance of a preferred class of securities that provides the  
3 fixed-cost portion of the resulting capital structure of the transmission company.  
4 The transmission company shall issue preferred securities under this subdivision on  
5 a basis that does not dilute the voting rights of the initial security holders relative  
6 to the value of their initial contributions.

7           4. If the transfer of transmission assets under this paragraph results in a  
8 capital structure of the transmission company in which the percentage of common  
9 equity is materially higher than that of the public utility affiliates who made the  
10 transfer, or if the cost of the fixed-cost portion of the capital structure of the  
11 transmission company is materially higher than that of the public utility affiliates  
12 who made the transfer, the public utility affiliates shall enter into a contract with the  
13 transmission company under which the public utility affiliates agree to accept from  
14 the transmission company a return on common equity based upon the equity rate of  
15 return approved by the federal energy regulatory commission and upon an imputed  
16 capital structure that assigns to a portion of the public utility affiliates' common  
17 equity holdings an imputed debt return that is consistent with the requirements of  
18 this subdivision. A contract under this subdivision shall specify that the public  
19 utility affiliates shall be required to accept the return on common equity described  
20 in this subdivision only until such time that the federal energy regulatory  
21 commission determines that the actual capital structure and capital costs of the  
22 transmission company are appropriate and consistent with industry practice for a  
23 regulated public utility that provides electric transmission service in interstate  
24 commerce.

1           5. If, at the time that a public utility affiliate files a commitment under par. (a)  
2           2., the public utility affiliate has applied for or obtained a certificate of public  
3           convenience and necessity under s. 196.491 (3) or a certificate under s. 196.49 for the  
4           construction of transmission facilities, the public utility affiliate shall do each of the  
5           following:

6           a. Proceed with diligence with respect to obtaining the certificate and, except  
7           as provided in subd. 6., constructing the transmission facilities.

8           b. If the commission determines that the cost of the transmission facilities is  
9           reasonable and prudent, transfer the transmission facilities to the transmission  
10          company at net book value when construction is completed in exchange for additional  
11          securities of the transmission company on a basis that is consistent with the  
12          securities that were initially issued to the public utility affiliate.

13          6. If the construction of a transmission facility specified in subd. 5. a. is not  
14          completed within 3 years after a certificate is issued for the transmission facility  
15          under s. 196.49 or 196.491 (3), the transmission company may assume responsibility  
16          for completing construction of the transmission facility. If the transmission company  
17          assumes responsibility for completing construction under this subdivision, the  
18          transmission company shall carry out any obligation under any contract entered into  
19          by the public utility with respect to the construction until the contract is modified or  
20          rescinded by the transmission company to the extent allowed under the contract.

21          7. Any transmission facilities that are contributed to the transmission  
22          company shall be valued at net book value at the time of the transfer.

23          (bm) *Lease of transmission facilities.* If a public utility affiliate is not able to  
24          contribute its transmission facilities to the transmission company as required under  
25          par. (b) due to merger-related accounting requirements, the public utility affiliate

1 shall transfer the transmission facilities to the transmission company under a lease  
2 for the period of time during which the accounting requirements are in effect and,  
3 after such requirements are no longer in effect, contribute the transmission facilities  
4 to the transmission company under par. (b). A public utility affiliate that transfers  
5 transmission facilities under a lease under this paragraph does not qualify for the  
6 asset cap exception under par. (a) unless, during the term of the lease, the public  
7 utility affiliate does not receive any voting interest in the transmission company.

8 (c) *Contribution of land rights.* 1. A public utility affiliate that commits to  
9 contributing land rights to the transmission company under par. (a) 2. shall do each  
10 of the following:

11 a. Except as provided in subd. 2., if the land right is assigned to a transmission  
12 account for rate-making purposes and is not jointly used for electric and gas  
13 distribution facilities by the public utility affiliate, the public utility affiliate shall  
14 convey or assign at book value all of its interest in the land right to the transmission  
15 company, except that any conveyance or assignment under this subd. 1. a. shall be  
16 subject to the rights of any joint user of the land right and to the right of the public  
17 utility affiliate to nondiscriminatory access to the real estate that is subject to the  
18 land right.

19 b. If the land right is jointly used, or is intended to be jointly used, for electric  
20 and gas distribution facilities by the public utility affiliate, the public utility affiliate  
21 shall enter into a contract with the transmission company that grants the  
22 transmission company a right to place, maintain, modify or replace the transmission  
23 company's transmission facilities on the real property that is subject to the land right  
24 during the life of the transmission facilities and the life of any replacements of the  
25 transmission facilities. A right granted in a contract under this subd. 1. b. shall be



1 paramount to the right of any other user of the land right, except that a right granted  
2 in such a contract shall be on par with the right of the public utility affiliate to use  
3 the land right for electric or gas distribution facilities.

4 2. If a public utility affiliate is prohibited from making a conveyance or  
5 assignment described in subd. 1. a., the public utility affiliate shall enter into a  
6 contract with the transmission company that grants the transmission company  
7 substantially the same rights as under such a conveyance or assignment. For  
8 purposes of a contract under this subdivision, a land right shall be valued at book  
9 value, not at market value.

10 3. The commission shall resolve any dispute over the contribution of a land  
11 right under subd. 1. or 2., including a dispute over the valuation of such a land right,  
12 unless a federal agency exercises jurisdiction over the dispute. During the pendency  
13 of any dispute that is before the commission or a federal agency, the transmission  
14 company shall be entitled to use the land right that is the subject to the dispute and  
15 shall be required to pay any compensation that is in dispute into an escrow account.

16 **SECTION 2335uj.** 196.485 (6) of the statutes is created to read:

17 196.485 (6) ELECTRIC UTILITIES, TRANSMISSION DEPENDENT UTILITIES AND RETAIL  
18 ELECTRIC COOPERATIVES. No later than the first day of the 12th month beginning after  
19 the first public utility affiliate files a commitment under sub. (5) (a) 2.:

20 (a) An electric utility, other than a public utility affiliate, may transfer all of its  
21 integrated transmission facilities to the transmission company on the same terms  
22 and conditions as a contribution of transmission facilities and land rights by a public  
23 utility affiliate under sub. (5) (b) and (c).

24 (b) A transmission-dependent utility or retail electric cooperative may  
25 purchase equity interests in the transmission company at a price that is equivalent

1 to net book value and on terms and conditions that are comparable to those for public  
2 utility affiliates that have contributed transmission facilities to the transmission  
3 company. A purchaser under this paragraph may contribute funds to the  
4 transmission company that are no more than the value of its prorated shares based  
5 on firm electric usage in this state in 1999.

6 **SECTION 2335uk.** 196.485 (6m) of the statutes is created to read:

7 196.485 (6m) DIVIDENDS, PROFITS AND GAINS. The commission may not treat any  
8 dividend received by a transmission utility from the transmission company or any  
9 gain or profit of a transmission utility from the sale or other disposition of securities  
10 issued by the transmission company as a credit against the retail revenue  
11 requirements of the transmission utility.

12 **SECTION 2335um.** 196.485 (7) of the statutes is created to read:

13 196.485 (7) ENFORCEMENT. A wholesale or retail customer of a public utility  
14 affiliate may petition the circuit court for Dane County for specific performance of  
15 a commitment filed under sub. (5) (a) 2. or 3.

16 **SECTION 2335uo.** 196.485 (8) of the statutes is created to read:

17 196.485 (8) PENALTIES. A public utility affiliate that fails to complete the  
18 contribution of transmission facilities to the transmission company by the  
19 completion date specified in the filing under sub. (5) (a) 2. shall forfeit \$25,000 for  
20 each day that completion of the contribution is delayed if the transmission company  
21 is legally able to accept the contribution.

22 **SECTION 2335uq.** 196.487 of the statutes is created to read:

23 **196.487 Reliability of electric service. (1) DEFINITIONS.** In this section:

24 (a) “Public utility affiliate” has the meaning given in s. 196.795 (1) (L).

25 (b) “Transmission company” has the meaning given in s. 196.485 (1) (ge).

1           **(2) COMMISSION ORDER.** If the commission determines that a public utility  
2 affiliate or the transmission company is not making investments in the facilities  
3 under its control that are sufficient to ensure reliable electric service, the commission  
4 shall order the public utility affiliate or transmission company to make adequate  
5 investments in its facilities that are sufficient to ensure reliable electric service. An  
6 order under this subsection shall require the public utility affiliate or transmission  
7 company to provide security in an amount and form that, to the satisfaction of the  
8 commission, is sufficient to ensure that the public utility affiliate or transmission  
9 company expeditiously makes any investment that is ordered.

10           **(3) COST RECOVERY.** The commission shall allow a public utility affiliate that is  
11 subject to an order under sub. (2) to recover in its retail electric rates the costs that  
12 are prudently incurred in complying with the order.

13           **SECTION 2335wb.** 196.491 (3) (d) 3r. of the statutes is created to read:

14           196.491 **(3)** (d) 3r. For a high-voltage transmission line that is proposed to  
15 increase the transmission import capability into this state, existing rights-of-way  
16 are used to the extent practicable and the routing and design of the high-voltage  
17 transmission line minimizes environmental impacts in a manner that is consistent  
18 with achieving reasonable electric rates.

19           **SECTION 2335wd.** 196.491 (3) (d) 3t. of the statutes is created to read:

20           196.491 **(3)** (d) 3t. For a high-voltage transmission line that is designed for  
21 operation at a nominal voltage of 345 kilovolts or more, the high-voltage  
22 transmission line provides usage, service or increased regional reliability benefits to  
23 the wholesale and retail customers or members in this state and the benefits of the  
24 high-voltage transmission line are reasonable in relation to the cost of the  
25 high-voltage transmission line.

1           **SECTION 2335wf.** 196.491 (3) (gm) of the statutes is created to read:

2           196.491 (3) (gm) The commission may not approve an application filed after the  
3 effective date of this paragraph .... [revisor inserts date], under this section for a  
4 certificate of public convenience and necessity for a high-voltage transmission line  
5 that is designed for operation at a nominal voltage of 345 kilovolts or more unless the  
6 approval includes the condition that the applicant shall pay the fees specified in sub.  
7 (3g) (a). If the commission has approved an application under this section for a  
8 certificate of public convenience and necessity for a high-voltage transmission line  
9 that is designed for operation at a nominal voltage of 345 kilovolts or more that was  
10 filed after April 1, 1999, and before the effective date of this paragraph .... [revisor  
11 inserts date], the commission shall require the applicant to pay the fees specified in  
12 sub. (3g) (a). For any application subject to this paragraph, the commission shall  
13 determine the cost of the high-voltage transmission line, identify the counties,  
14 towns, villages and cities through which the high-voltage transmission line is routed  
15 and allocate the amount of investment associated with the high-voltage  
16 transmission line to each such county, town, village and city.

17           **SECTION 2335wh.** 196.491 (3g) of the statutes is created to read:

18           196.491 (3g) FEES FOR CERTAIN HIGH-VOLTAGE TRANSMISSION LINES. (a) A person  
19 who receives a certificate of public convenience and necessity for a high-voltage  
20 transmission line that is designed for operation at a nominal voltage of 345 kilovolts  
21 or more under sub. (3) shall pay the department of administration an annual impact  
22 fee as specified in the rules promulgated by the department of administration under  
23 s. 16.969 (2) (a) and shall pay the department of administration a one-time  
24 environmental impact fee as specified in the rules promulgated by the department  
25 of administration under s. 16.969 (2) (b).

1 (b) A person that pays a fee under par. (a) may not use the payment to offset  
2 any other mitigation measure that is required in an order by the commission under  
3 sub. (3) regarding the certificate of public convenience and necessity specified in par.  
4 (a).

5 **SECTION 2335wj.** 196.491 (3m) (b) 2. of the statutes is amended to read:

6 196.491 (3m) (b) 2. The analytical process specified in subd. 1. b. shall, to the  
7 extent practicable, be consistent with the analytical process described in the merger  
8 ~~enforcement policy of the federal department of justice and the federal trade~~  
9 ~~commission regarding horizontal acquisitions and mergers that are subject to 15~~  
10 ~~USC 1, 18 or 45, as defined in s. 196.485 (1) (dr).~~

11 **SECTION 2335wL.** 196.494 (3) of the statutes is amended to read:

12 196.494 (3) ~~No later than December 31, 2004, the~~ The commission may shall,  
13 under this subsection, issue an order requiring an electric utility to construct or  
14 procure, on a competitive basis, the construction of transmission facilities specified  
15 by the commission in its order if the commission determines that, ~~based on the~~  
16 ~~results of the study under sub. (2),~~ such construction is necessary to relieve a  
17 constraint on a transmission system and the construction will materially benefit the  
18 customers of the electric utility or other electric utilities or of an independent system  
19 operator, as defined in s. 196.485 (1) (d), or independent transmission owner, as  
20 defined in s. 196.485 (1) (dm).

21 **SECTION 2335wn.** 196.494 (5) of the statutes is created to read:

22 196.494 (5) The governor may, on behalf of this state, enter into an interstate  
23 compact that establishes a joint process for the states in the upper midwest region  
24 of the United States to determine the need for and siting of regional electric  
25 transmission facilities that may affect electric service in this state. The governor

1 may not enter into a compact under this subsection unless the compact includes  
2 requirements and procedures for establishing each of the following:

3 (a) Compliance with each state’s environmental and siting standards for  
4 transmission facilities.

5 (b) A regional need determination for transmission facilities.

6 (c) A mechanism for resolving conflicts between the states regarding the siting  
7 of transmission facilities.

8 **SECTION 2335wp.** 196.52 (3) (a) of the statutes is amended to read:

9 196.52 (3) (a) In this subsection, “contract or arrangement” means a contract  
10 or arrangement providing for the furnishing of management, supervisory,  
11 construction, engineering, accounting, legal, financial or similar services and any  
12 contract or arrangement for the purchase, sale, lease or exchange of any property,  
13 right, or thing, or for the furnishing of any service, property, right, or thing, other  
14 than management, supervisory, construction, engineering, accounting, legal,  
15 financial or similar services, but “contract or arrangement” does not include a  
16 contract or arrangement under which a transmission utility, as defined in s. 196.485  
17 (1) (i), sells or transfers securities, as defined in s. 196.485 (1) (fe), that have been  
18 issued by a transmission company, as defined in s. 196.485 (1) (ge). Except as  
19 provided under par. (b), unless and until the commission gives its written approval,  
20 any contract or arrangement is not valid or effective if the contract or arrangement  
21 is made between a public utility and an affiliated interest after June 7, 1931. Every  
22 public utility shall file with the commission a verified copy of any contract or  
23 arrangement, a verified summary of any unwritten contract or arrangement, and  
24 any contract or arrangement, written or unwritten, which was in effect on June 7,  
25 1931. The commission shall approve a contract or arrangement made or entered into

1 after June 7, 1931, only if it shall clearly appear and be established upon  
2 investigation that it is reasonable and consistent with the public interest. The  
3 commission may not approve any contract or arrangement unless satisfactory proof  
4 is submitted to the commission of the cost to the affiliated interest of rendering the  
5 services or of furnishing the property or service to each public utility or of the cost  
6 to the public utility of rendering the services or of furnishing the property or service  
7 to each affiliated interest. No proof is satisfactory under this paragraph unless it  
8 includes the original (or verified copies) of the relevant cost records and other  
9 relevant accounts of the affiliated interest, or an abstract of the records and accounts  
10 or a summary taken from the records and accounts if the commission deems the  
11 abstract or summary adequate. The accounts shall be properly identified and duly  
12 authenticated. The commission, where reasonable, may approve or disapprove a  
13 contract or arrangement without submission of the cost records or accounts.

14 **SECTION 2335ya.** 196.795 (1) (g) 1. of the statutes is amended to read:

15 196.795 (1) (g) 1. As a beneficial owner, to take, hold or acquire 5% or more of  
16 the outstanding voting securities of a public utility, other than a transmission  
17 company, with the unconditional power to vote those securities.

18 **SECTION 2335yb.** 196.795 (1) (g) 2. of the statutes is amended to read:

19 196.795 (1) (g) 2. To exchange or convert 50% or more of the outstanding voting  
20 securities of a public utility, other than a municipality or other political subdivision  
21 or a transmission company, for or into the voting securities of a company organized,  
22 created, appointed or formed by or at the direction of the public utility or of a  
23 subsidiary of such company.

24 **SECTION 2335yc.** 196.795 (1) (h) 3. of the statutes is created to read:

25 196.795 (1) (h) 3. "Holding company" does not include a transmission company.

1           **SECTION 2335yd.** 196.795 (1) (p) of the statutes is created to read:

2           196.795 (1) (p) “Transmission company” has the meaning given in s. 196.485  
3 (1) (ge).

4           **SECTION 2335ye.** 196.795 (5) (i) 1. of the statutes is amended to read:

5           196.795 (5) (i) 1. Shall consider the public utility affiliate as a wholly  
6 independent corporation and shall impute a capital structure to the public utility  
7 affiliate and establish a cost of capital for the public utility affiliate on a stand-alone  
8 basis;

9           **SECTION 2335yf.** 196.795 (5) (p) 1., 2., 3. and 4. of the statutes are renumbered  
10 196.795 (6m) (b) 1., 2., 3. and 4.

11           **SECTION 2335yg.** 196.795 (5) (pm) 1. (intro.) of the statutes is repealed.

12           **SECTION 2335yh.** 196.795 (5) (pm) 1. a. of the statutes is renumbered 196.795  
13 (6m) (a) 3.

14           **SECTION 2335yi.** 196.795 (5) (pm) 1. b. of the statutes is renumbered 196.795  
15 (6m) (a) 5.

16           **SECTION 2335yj.** 196.795 (5) (pm) 1. c. of the statutes is renumbered 196.795  
17 (6m) (a) 6.

18           **SECTION 2335yk.** 196.795 (5) (pm) 2. of the statutes is renumbered 196.795  
19 (6m) (c) and amended to read:

20           196.795 (6m) (c) Wholesale merchant plants. The assets of a wholesale  
21 merchant plant shall not be included in the sum of the assets of a public utility  
22 affiliate under par. ~~(p)~~ (b) 1. a., b. or c. and shall not be included in a nonutility  
23 affiliate’s total assets under par. ~~(p)~~ (b) 2. a. if the requirements specified in s. 196.491  
24 (3m) (a) 1. and 2. are satisfied or if the wholesale merchant plant qualifies for the  
25 exemption under s. 196.491 (3m) (e).



1           **SECTION 2335yL.** 196.795 (5) (pm) 3. of the statutes is renumbered 196.795  
2 (6m) (d) and amended to read:

3           196.795 **(6m)** (d) *Foreign affiliates.* The assets of a foreign affiliate shall be  
4 included in the sum of the assets of a public utility affiliate under par. (p) ~~(b)~~ 1. a.,  
5 b. or c. and shall not be included in a nonutility affiliate's total assets under par. (p)  
6 ~~(b)~~ 2. a.

7           **SECTION 2335ym.** 196.795 (6m) (title) of the statutes is created to read:

8           196.795 **(6m)** (title) ASSET CAP.

9           **SECTION 2335yn.** 196.795 (6m) (a) (intro.) of the statutes is created to read:

10          196.795 **(6m)** (a) *Definitions.* (intro.) In this subsection:

11          **SECTION 2335yo.** 196.795 (6m) (a) 1. of the statutes is created to read:

12          196.795 **(6m)** (a) 1. "Contributor public utility affiliate" means a public utility  
13 affiliate that has contributed its transmission facilities to the transmission company  
14 under s. 196.485 (5) (b).

15          **SECTION 2335yp.** 196.795 (6m) (a) 2. of the statutes is created to read:

16          196.795 **(6m)** (a) 2. "Eligible asset" means an asset of a nonutility affiliate that  
17 is used for any of the following:

18           a. Producing, generating, transmitting, delivering, selling or furnishing gas,  
19 oil, electricity or steam energy.

20           b. Providing an energy management, conservation or efficiency product or  
21 service or a demand-side management product or service.

22           c. Providing an energy customer service, including metering or billing.

23           d. Recovering or producing energy from waste materials.

24           e. Processing waste materials.

1 f. Manufacturing, distributing or selling products for filtration, pumping water  
2 or other fluids, processing or heating water, handling fluids or other related  
3 activities.

4 g. Providing a telecommunications service, as defined in s. 196.01 (9m).

5 **SECTION 2335yq.** 196.795 (6m) (a) 4. of the statutes is created to read:

6 196.795 (6m) (a) 4. “Generation assets” means assets that are classified as  
7 electric generation assets on the books of account of a public utility, as determined  
8 by the commission.

9 **SECTION 2335yr.** 196.795 (6m) (b) (title) of the statutes is created to read:

10 196.795 (6m) (b) *In general.*

11 **SECTION 2335ys.** 196.795 (6m) (e) of the statutes is created to read:

12 196.795 (6m) (e) *Contributor public utility affiliates.* 1. The eligible assets of  
13 a nonutility affiliate in a holding company system that includes each of the  
14 contributor public utility affiliates in the holding company system shall not be  
15 included in the sum of the assets of the public utility affiliates under par. (b) 1. a.,  
16 b. or c. and shall not be included in the nonutility affiliate’s total assets under par.  
17 (b) 2. a.

18 2. For purposes of subd. 1., all of the assets of a nonutility affiliate shall be  
19 considered eligible assets if each of the following is satisfied:

20 a. The bylaws of the nonutility affiliate or a resolution adopted by its board of  
21 directors specifies that the business of the nonutility affiliate is limited to activities  
22 involving eligible assets.

23 b. Substantially all of the assets of the nonutility affiliate are eligible assets.

24 3. The net book value of transmission facility assets that a contributor public  
25 utility affiliate has contributed to a transmission company under s. 196.485 (5) (b)

1 shall be included in the sum of the assets of the public utility affiliate under par. (b)  
2 1. a., b. and c. In determining net book value under this subdivision, accumulated  
3 depreciation shall be calculated as if the contributor public utility affiliate had not  
4 contributed the assets.

5 4. The net book value of generation assets that a contributor public utility  
6 affiliate has transferred to a person that is not affiliated with the public utility  
7 affiliate pursuant to the order of the commission, a court or a federal regulatory  
8 agency shall be included in the sum of the assets of the public utility affiliate under  
9 par. (b) 1. a., b. and c. In determining net book value under this subdivision,  
10 accumulated depreciation shall be calculated as if the contributor public utility  
11 affiliate had not transferred the assets.

12 **SECTION 2335yt.** 196.795 (11) (b) of the statutes is amended to read:

13 196.795 (11) (b) This section shall be deemed to legalize and confirm the  
14 formation, prior to November 28, 1985, of any holding company, which is not itself  
15 a public utility, and shall be deemed to legalize and confirm the operations and  
16 issuances of securities of the holding company, except that nothing in this section  
17 shall be deemed to prevent the commission from imposing reasonable terms,  
18 limitations or conditions on any holding company which are consistent with the  
19 requirements of sub. ~~(5) (pm)~~ (6m) (c) or (d) or which are consistent with and  
20 necessary to satisfy the requirements of sub. (5) (b) to (o) and (q) to (s) or which relate  
21 to future investments by the holding company unless the holding company owns,  
22 operates, manages or controls a telecommunications utility and does not also own,  
23 operate, manage or control a public utility which is not a telecommunications utility.

24 **SECTION 2335yu.** 196.795 (11) (c) of the statutes is created to read:

1           196.795 (11) (c) The commission may not impose upon a holding company the  
2 formation of which is considered to be legalized and confirmed under par. (b) any  
3 term, limitation or condition under par. (b) that establishes the sum of the holding  
4 company's nonutility affiliate assets at less than 25% of the sum of the holding  
5 company's utility affiliate assets. For purposes of this paragraph, any term,  
6 limitation or condition on nonutility affiliate assets shall not apply to the ownership,  
7 operation, management or control of any eligible asset, as defined under sub. (6m)  
8 (a) 2., or an asset that is used for manufacturing, distributing or selling swimming  
9 pools or spas.

10           **SECTION 2335z.** 196.807 of the statutes is created to read:

11           **196.807 Energy affiliate and utility employes. (1) DEFINITIONS.** In this  
12 section:

13           (a) "Affiliate or utility" means a nonutility affiliate, a holding company system  
14 or an electric utility, as defined in s. 196.491 (1) (d).

15           (b) "Energy unit" means a unit in this state that is engaged in activities related  
16 to the production, generation, transmission or distribution of electricity, gas or steam  
17 or the recovery of energy from waste materials.

18           (c) "Holding company system" has the meaning given in s. 196.795 (1) (i).

19           (d) "Nonutility affiliate" has the meaning given in s. 196.795 (1) (j).

20           (e) "Public utility affiliate" has the meaning given in s. 196.795 (1) (L).

21           (f) "Sell an energy unit" means to sell, offer by lease, or otherwise transfer  
22 ownership or control of the energy unit.

23           (g) "Unit" means a division, department or other operational business unit of  
24 an affiliate or utility.

1           **(2) OFFER OF EMPLOYMENT.** (a) Except as provided in par. (b), a person may not  
2 sell an energy unit unless the terms of the transfer require the person to which the  
3 energy unit is transferred to offer employment to the nonsupervisory employees who  
4 are employed with the energy unit immediately prior to the transfer and who are  
5 necessary for the operation and maintenance of the energy unit.

6           (b) A public utility affiliate may not sell an energy unit to a nonutility affiliate  
7 in the same holding company system unless the terms of the transfer require the  
8 nonutility affiliate to offer employment to all of the nonsupervisory employees who are  
9 employed with the energy unit immediately prior to the transfer.

10           **(3) EMPLOYMENT TERMS AND CONDITIONS.** (a) Except as provided in par. (b), the  
11 employment that is offered under sub. (2) shall satisfy each of the following during  
12 the 30-month period beginning immediately after the transfer:

13           1. Wage rates shall be no less than the wage rates in effect immediately prior  
14 to the transfer.

15           2. Fringe benefits shall be substantially equivalent to the fringe benefits in  
16 effect immediately prior to the transfer.

17           3. Terms and conditions of employment, other than wage rates and fringe  
18 benefits, shall be substantially equivalent to the terms and conditions in effect  
19 immediately prior to the transfer.

20           (b) A collective bargaining agreement may modify or waive a requirement  
21 specified in par. (a).

22           **(4) COMMISSION APPROVAL.** Except for a cooperative association, as defined in  
23 s. 196.491 (1) (bm), no person may sell an energy unit unless the commission  
24 determines that the person has satisfied subs. (2) and (3).”

1           **974.** Page 1186, line 9: after that line insert:

2           “**SECTION 2337m.** Subchapter II of chapter 196 [precedes 196.991] of the  
3 statutes is created to read:

4                           **CHAPTER 196**

5                           **SUBCHAPTER II**

6                           **HOSPITAL RATE PRICE CAPS**

7           **196.991 Definitions.** In this subchapter:

8           **(1)** “Commission” means the public service commission.

9           **(2)** “Consumer price index” has the meaning given in s. 16.004 (8) (e) 1.

10          **(3)** “Hospital” has the meaning given in s. 50.33 (2), except that “hospital” does  
11 not include a center for the developmentally disabled, as defined in s. 51.01 (3).

12          **(3m)** “Price cap” means the maximum rate that may be charged for a service  
13 and includes any allowable increases in the maximum rate that are based on  
14 increases in the consumer price index.

15          **(4)** “Rates” means individual charges of a hospital for the services that it  
16 provides or, if authorized under s. 196.993, the aggregate charges based on case mix  
17 measurements.

18          **196.992 Hospital rate price caps.** **(1)** The commission shall promulgate  
19 rules that establish price caps for hospital rates. The commission shall consider each  
20 of the following in promulgating rules under this subsection:

21          **(a)** The need to reduce the rate of hospital cost increases while preserving the  
22 quality of health care in all parts of the state.

23          **(b)** A variety of cost-related trend factors based on nationally or regionally  
24 recognized economic models.

1 (c) The past budget and rate experiences of hospitals in this state.

2 (2) Rules promulgated under sub. (1) shall include requirements and  
3 procedures for hospitals to provide the commission with information that the  
4 commission determines is necessary to carry out its duties under this subchapter and  
5 for hospitals to notify the commission and patients of rates charged and any proposed  
6 increases or decreases in rates. The rules shall also include requirements and  
7 procedures for the commission to regularly review and, if necessary, revise the price  
8 caps established in the rules promulgated under sub. (1).

9 (3) Rules promulgated under sub. (1) may include requirements and  
10 procedures for each of the following:

11 (a) Exceptions from price caps for rural or teaching hospitals if the commission  
12 determines that such hospitals are subject to special circumstances that warrant an  
13 exception.

14 (b) A uniform system for hospitals to make reports to the commission if the  
15 commission determines that such a system is necessary for the commission to carry  
16 out its duties under this subchapter.

17 **196.993 Case mix measurements.** The commission may promulgate rules  
18 establishing a system that defines rates as aggregate charges based on case mix  
19 measurements if the commission submits its proposed system to the joint committee  
20 on finance under s. 13.10, receives that committee's approval and holds a public  
21 hearing prior to promulgating its rules. Such a system may not take effect prior to  
22 January 1, 2001, shall be consistent with the standard under s. 196.992 (1) (a) and  
23 shall ensure quality of care at a reasonable cost to patients.

24 **196.994 Commission prohibitions.** In carrying out its duties under this  
25 subchapter, the commission may not do any of the following:

1 (a) Interfere directly in the personal or decision-making relationships between  
2 a patient and the patient's physician.

3 (b) Restrict the freedom of patients to receive care at a hospital consistent with  
4 their religious preferences or request a hospital that is affiliated with a religious  
5 group to act in a manner contrary to the mission and philosophy of the religious  
6 group.

7 (c) Restrict directly the freedom of hospitals to exercise management decisions  
8 in complying with the price caps established in rules promulgated under s. 196.992  
9 (1).

10 (d) Require the submission of unrelated financial data from religious groups  
11 affiliated with a hospital.

12 **196.995 Enforcement. (1)** The commission may seek a judicial remedy to  
13 enforce compliance with any requirement of this subchapter or with any rule or order  
14 of the commission under this subchapter if it first notifies the hospital and provides  
15 the hospital a reasonable time to correct a violation. The commission shall commence  
16 any action under this subsection in the circuit court for the county in which the  
17 hospital is located.

18 **(2)** Any court that finds an intentional failure to comply with a price cap  
19 established in rules promulgated under s. 196.992 (1) may impose a forfeiture of up  
20 to \$5,000. Each week that a hospital continues its intentional failure to comply with  
21 the price cap constitutes a separate violation.

22 **(3)** Any court with jurisdiction over an action brought under this section may  
23 adopt remedies that it finds necessary to enforce compliance. Remedies under this  
24 section apply notwithstanding the existence or pursuit of any other remedy.

25 **196.996 Assessments. (1)** In this section:



1           (a) “Commercial insurance” includes a group or individual disability insurance  
2 policy, as defined in s. 632.895 (1) (a), an employer’s self-insured health care plan  
3 and worker’s compensation.

4           (b) “Deduction” means the portion of a charge that was incurred by a patient  
5 but was not received from 3rd-party payers or governmental or private payment.  
6 “Deduction” includes charity care but does not include bad debt.

7           (c) “Expense” means the cost of operation, including bad debt, that is charged  
8 to a hospital during the hospital’s fiscal year.

9           (d) “Gross patient revenue” means the total charges to medicare, as defined in  
10 s. 49.498 (1) (f), the medical assistance program, other public programs, commercial  
11 insurance and other self-payers or nonpublic payers, that are generated by a  
12 hospital from inpatient and outpatient services.

13           (e) “Net income” means total revenue and nonoperating gains in excess of  
14 expenses and nonoperating losses.

15           (f) “Net patient revenue” means gross patient revenue minus deductions.

16           (g) “Nonoperating gains” means gifts, donations, endowments, return on  
17 investments and any other gains that are not related to patient care.

18           (h) “Nonoperating losses” means state and federal corporate income and real  
19 estate taxes and other losses that are not directly related to patient care or  
20 hospital-related patient services.

21           (i) “Other public programs” include programs operated by or contracted for by  
22 county departments under s. 46.215, 46.22 or 46.23 and the relief block grant  
23 program under ch. 49.

1 (j) “Other revenue” means revenue from services, other than health care  
2 services, provided to patients and revenue from sales to and services provided to  
3 nonpatients.

4 (k) “Total revenue” means the sum of net patient revenue and other revenue.

5 (2) Beginning July 1, 2000, the commission shall, within 90 days after the  
6 commencement of each fiscal year, estimate the total amount of revenue required for  
7 administration by the commission of this subchapter during that fiscal year and  
8 assess that estimated total amount to hospitals in proportion to each hospital’s  
9 respective net income during the hospital’s most recently concluded entire fiscal  
10 year. The commission may not assess under this subsection a hospital that has a net  
11 income of 3% or less over the net income for the hospital’s next most recently  
12 concluded entire fiscal year. Each hospital that is assessed shall pay the assessment  
13 by the December 1 following the assessment. The commission shall credit all  
14 payments of assessments to the appropriation account under s. 20.155 (3) (gm).”.

15 **975.** Page 1186, line 9: after that line insert:

16 “**SECTION 2337m.** 214.04 (21) (b) of the statutes is amended to read:

17 214.04 (21) (b) The rules of the division shall provide that any remote service  
18 unit shall be available for use, on a nondiscriminatory basis, by any state or federal  
19 savings bank which has its principal place of business in this state, by any other state  
20 or federal savings bank obtaining the consent of a state or federal savings bank that  
21 has its principal place of business in this state and is using the terminal and by all  
22 customers designated by a savings bank using the unit. This paragraph does not  
23 authorize a savings bank which has its principal place of business outside this state  
24 to conduct business as a savings bank in this state. A remote service unit shall be

1 available for use, on a nondiscriminatory basis, by any credit union, state or national  
2 bank or state or federal savings and loan association, whose home office is located  
3 in this state, if the credit union, bank or savings and loan association requests to  
4 share its use, subject to joint rules established by the division of banking, the office  
5 of credit unions and the division under s. 221.0303 (2). The joint rules under s.  
6 221.0303 (2) shall prohibit a state or federal savings bank that owns or operates a  
7 remote service unit from charging a person a fee for a transaction using that remote  
8 service unit, unless the transaction relates to or affects an account held by that  
9 person with that savings bank. The division by order may authorize the installation  
10 and operation of a remote service unit in a mobile facility, after notice and hearing  
11 upon the proposed service stops of the mobile facility.

12 **SECTION 2340m.** 215.13 (46) (a) 1. of the statutes is amended to read:

13 215.13 **(46)** (a) 1. Directly or indirectly, acquire, place and operate, or  
14 participate in the acquisition, placement and operation of, at locations other than its  
15 home or branch offices, remote service units, in accordance with rules established by  
16 the division. Remote service units established in accordance with such rules are not  
17 subject to sub. (36), (39), (40) or (47) or s. 215.03 (8). The rules of the division shall  
18 provide that any such remote service unit shall be available for use, on a  
19 nondiscriminatory basis, by any state or federal savings and loan association which  
20 has its principal place of business in this state, by any other savings and loan  
21 association obtaining the consent of a state or federal savings and loan association  
22 which has its principal place of business in this state and is using the terminal and  
23 by all customers designated by a savings and loan association using the unit. This  
24 paragraph does not authorize a savings and loan association which has its principal  
25 place of business outside this state to conduct business as a savings and loan

1 association in this state. The remote service units also shall be available for use, on  
2 a nondiscriminatory basis, by any credit union, state or national bank or state or  
3 federal savings bank, whose home office is located in this state, if the credit union,  
4 bank or savings bank requests to share its use, subject to the joint rules established  
5 under s. 221.0303 (2). The joint rules under s. 221.0303 (2) shall prohibit a state or  
6 federal savings and loan association that owns or operates a remote service unit from  
7 charging a person a fee for a transaction using that remote service unit, unless the  
8 transaction relates to or affects an account held by that person with that savings and  
9 loan association. The division by order may authorize the installation and operation  
10 of a remote service unit in a mobile facility, after notice and hearing upon the  
11 proposed service stops of the mobile facility.”.

12 **976.** Page 1186, line 9: after that line insert:

13 “**SECTION 2336q.** 196.856 of the statutes is created to read:

14 **196.856 Assessment for stray voltage research.** The commission shall  
15 assess annually the amount appropriated under s. 20.285 (1) (gs) to public utilities  
16 that produce electricity in proportion to their respective electric gross operating  
17 revenues during the last calendar year, derived from intrastate operations. The  
18 amounts received under this section shall be credited to the appropriation account  
19 under s. 20.285 (1) (gs). A public utility shall pay the total amount that it is assessed  
20 under this section within 30 days after it receives a bill for that amount from the  
21 commission. The bill constitutes notice of the assessment and demand of payment.”.

22 **977.** Page 1186, line 9: after that line insert:

23 “**SECTION 2336u.** 200.01 (2) of the statutes is amended to read:

1           200.01 (2) “Public service corporation” means and embraces every corporation,  
2           except municipalities and other political subdivisions, which is a public utility as  
3           defined in s. 196.01, and every corporation which is a railroad as defined in s. 195.02,  
4           but shall not include a public utility corporation receiving an annual gross revenue  
5           of less than \$1,000 for the calendar year next preceding the issuance of any securities  
6           by it. “Public service corporation” includes a holding company, as defined under s.  
7           196.795 (1) (h), which is a public utility, as defined under s. 196.01 (5). “Public service  
8           corporation” does not include a telecommunications utility, as defined in s. 196.01  
9           (10). “Public service corporation” does not include any other holding company unless  
10          the holding company was formed after November 28, 1985, and unless the  
11          commission has determined, under s. 196.795 (7) (a), that each nonutility affiliate,  
12          as defined under s. 196.795 (1) (j), does not and cannot reasonably be expected to do  
13          at least one of the items specified in s. 196.795 (7) (a). “Public service corporation”  
14          does not include a company, as defined in s. 196.795 (1) (f), which owns, operates,  
15          manages or controls a telecommunications utility, as defined in s. 196.01 (10), unless  
16          such company also owns, operates, manages or controls a public utility which is not  
17          a telecommunications utility. “Public service corporation” does not include a  
18          transmission company, as defined in s. 196.485 (1) (ge).”.

19           **978.** Page 1193, line 3: after that line insert:

20           **“SECTION 2344a.** 221.0303 (2) of the statutes is amended to read:

21           221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS  
22          TERMINALS. A bank may, directly or indirectly, acquire, place and operate, or  
23          participate in the acquisition, placement and operation of, at locations other than its  
24          main or branch offices, customer bank communications terminals, in accordance

1 with rules established by the division. The rules of the division shall provide that  
2 any such customer bank communications terminal shall be available for use, on a  
3 nondiscriminatory basis, by any state or national bank and by all customers  
4 designated by a bank using the terminal. This subsection does not authorize a bank  
5 which has its principal place of business outside this state to conduct banking  
6 business in this state. The customer bank communications terminals also shall be  
7 available for use, on a nondiscriminatory basis, by any credit union, savings and loan  
8 association or savings bank, if the credit union, savings and loan association or  
9 savings bank requests to share its use, subject to rules jointly established by the  
10 division of banking, the office of credit unions and the division of savings and loan.  
11 The joint rules shall prohibit a state or national bank that owns or operates a  
12 customer bank communications terminal from charging a person a fee for a  
13 transaction using that customer bank communications terminal, unless the  
14 transaction relates to or affects an account held by that person with that bank. The  
15 division by order may authorize the installation and operation of a customer bank  
16 communications terminal in a mobile facility, after notice and hearing upon the  
17 proposed service stops of the mobile facility.”

18 **979.** Page 1193, line 3: after that line insert:

19 “**SECTION 2343d.** 220.06 (1) of the statutes is amended to read:

20 220.06 (1) In this section, “licensee” means a person licensed by the division  
21 under ch. 138, 217 or 218 or under s. 224.92.”.

22 **980.** Page 1193, line 10: delete that line and substitute “The department may  
23 by rule establish fees to be”.

24 **981.** Page 1193, line 17: delete lines 17 to 19.

1           **982.** Page 1193, line 19: after that line insert:

2           “**SECTION 2353d.** Subchapter IV of Chapter 224 [precedes 224.90] of the  
3 statutes is created to read:

4   **CHAPTER 224**

5   SUBCHAPTER IV

6   NONDEPOSITORY SMALL

7   BUSINESS LENDERS

8           **224.90 Definitions.** In this subchapter:

9           (1) “Division” means the division of banking.

10          (2) “In control” means any of the following:

11           (a) Owning 10% or more of the outstanding voting stock of a nondepository  
12 lender.

13           (b) Possessing, directly or indirectly, alone or in concert with others, the power  
14 to control or vote 10% or more of the outstanding voting stock of a nondepository  
15 lender or to elect or control the election of a majority of the board of directors of a  
16 nondepository lender.

17          (3) “Licensee” means a lender licensed under this subchapter.

18          (4) “Nondepository lender” means a lender that, in the ordinary course of  
19 business, provides loans that are guaranteed by the U.S. small business  
20 administration under 15 USC 636 (a) to small businesses. “Nondepository lender”  
21 does not include a bank, credit union, savings and loan association or savings bank.

22          **224.92 License required.** No person may engage in business as a  
23 nondepository lender in this state without a license issued under this subchapter.

1           **224.923 License application.** An application for a license under this  
2 subchapter shall be made to the division in writing on a form to be prescribed by the  
3 division. An application for a license under this subchapter shall state the full name  
4 and business address of the applicant and each officer, director and person in control  
5 of the applicant. The application also shall contain the applicant’s federal employer  
6 identification number. In addition, the application shall contain the applicant’s  
7 business plan, 3 years of detailed financial projections and other relevant  
8 information, all as prescribed by the division.

9           **224.927 Disclosure of certain application information.** The division may  
10 not disclose an applicant’s federal employer identification number received under s.  
11 224.923, except as follows:

12           (1) The division may disclose the information to the department of revenue for  
13 the sole purpose of requesting certification under s. 73.0301.

14           (2) The division may disclose the information to the department of workforce  
15 development in accordance with a memorandum of understanding under s. 49.857.

16           **224.93 License approval.** After a review of information regarding the  
17 directors, officers and controlling persons of the applicant for a license, a review of  
18 the applicant’s business plan, including at least three years of detailed financial  
19 projections and other information considered relevant by the division, the division  
20 may approve an application for a license if the division determines that all of the  
21 following conditions are met:

22           (1) The applicant has at least \$500,000 in capital and the amount of capital is  
23 adequate for the applicant to transact business as a nondepository lender.

24           (2) Each director, officer and person in control of the applicant is of good  
25 character and sound financial standing; the directors and officers of the applicant are



1 competent to perform their functions with respect to the applicant and the directors  
2 and officers of the applicant are collectively adequate to manage the business of the  
3 applicant as a nondepository lender.

4 (3) The business plan of the applicant will be honestly and efficiently conducted  
5 in accordance with the intent and purpose of this subchapter.

6 (4) The proposed activity of the applicant possesses a reasonable prospect for  
7 success.

8 (5) The applicant has paid to the division the application fee prescribed by the  
9 division, together with the actual cost incurred by the division in investigating the  
10 application.

11 **224.935 Expiration of license.** (1) GENERALLY. Except as provided under  
12 sub. (2), a license issued under this subchapter expires on the June 30 following the  
13 date on which the license was issued.

14 (2) CHANGE IN CONTROL OF LICENSEE. A change in the identity or number of  
15 individuals that are in control of a licensee terminates the licensee's license under  
16 this subchapter, unless the licensee applies to the division for and receives a renewal  
17 of the license no later than 15 days after the change in control.

18 **224.94 Renewal of license.** Except as provided under s. 224.935 (2), a  
19 licensee shall renew its license by submitting to the division a renewal application  
20 and the renewal fee as prescribed by the division not less than 60 days before the date  
21 on which the license expires. A renewal application is subject to the same criteria  
22 as the criteria for approval of an original license.

23 **224.95 Denial of or disciplinary action relating to license.** (1)  
24 MANDATORY DENIAL. The division shall deny an application for issuance or renewal  
25 of a license under this subchapter if any of the following applies:

1           (a) The applicant has failed to provide its federal employer identification  
2 number under s. 224.923.

3           (b) The department of revenue has certified under s. 73.0301 that the applicant  
4 is liable for delinquent taxes. An applicant whose application for issuance or renewal  
5 of a license is denied under this paragraph is entitled to a notice under s. 73.0301 (2)  
6 (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to a notice or hearing  
7 under sub. (4).

8           (c) The applicant is an individual who has failed to comply, after appropriate  
9 notice, with a subpoena or warrant issued by the department of workforce  
10 development or a county child support agency under s. 59.53 (5) and related to  
11 paternity or child support proceedings or who is delinquent in making court-ordered  
12 payments of child or family support, maintenance, birth expenses, medical expenses  
13 or other expenses related to the support of a child or former spouse, as provided in  
14 a memorandum of understanding entered into under s. 49.857. An applicant whose  
15 application for issuance or renewal of a license is denied under this paragraph is  
16 entitled to a notice and a hearing under s. 49.857 but is not entitled to a notice or  
17 hearing under sub. (4).

18           **(2) DISCRETIONARY DENIAL OR DISCIPLINARY ACTION.** The division may deny an  
19 application for issuance or renewal of a license under this subchapter or may revoke,  
20 suspend or limit a license issued under this subchapter if the division finds that the  
21 applicant or nondepository lender did any of the following:

22           (a) Made a material misstatement in an application for issuance or renewal of  
23 a license issued under this subchapter or in information provided to the division.

24           (b) Demonstrated a lack of competency to act as a nondepository lender.

25           (c) Violated any provision of this subchapter or any rule of the division.

1           **(3) DISCIPLINARY ORDERS.** The division may issue general or special orders  
2 necessary to prevent or correct actions by a nondepository lender that constitute  
3 cause under this section for revoking, suspending or limiting a license.

4           **(4) APPEAL OF DENIAL OR DISCIPLINARY ACTION.** A person whose application for  
5 issuance or renewal of a license under this subchapter has been denied or whose  
6 license has been revoked, suspended or limited under this section may request a  
7 hearing under s. 227.42 within 30 days after the date of denial, revocation,  
8 suspension or limitation. Failure of a person to request a hearing within the time  
9 provided under this subsection is a waiver of the person's right to a hearing on the  
10 denial, revocation, suspension or limitation.

11           **224.96 Required loan loss reserve.** Each licensee shall provide for a loan  
12 loss reserve sufficient to cover projected loan losses that are not guaranteed by the  
13 U.S. government or any agency of the U.S. government.

14           **224.97 Division review of nondepository lender operations.** The  
15 division may, at any reasonable time, examine the books of account, records,  
16 condition and affairs of a nondepository lender licensed under this subchapter. The  
17 division shall examine the books of account, records, condition and affairs of every  
18 nondepository lender licensed under this subchapter at least once during every 12  
19 month period. The division shall prepare a report of each examination conducted  
20 under this section. As part of an examination under this section or as part of the  
21 preparation of an examination report, the division may examine under oath any  
22 person in control, officer, director, agent, employe or customer of the nondepository  
23 lender. The division may require a nondepository lender that is examined under this  
24 section to pay to the division a reasonable fee for the costs of conducting the  
25 examination.

1           **224.98 Powers of licensee.** A licensee may do any of the following:

2           (1) Participate in the loan guaranty program under 15 USC 636 (a).

3           (2) Participate in any other government program for which the licensee is  
4 eligible and which has as its function the provision or facilitation of financing or  
5 management assistance to business firms.

6           **224.985 Required records and reports.** (1) RECORD KEEPING. A licensee  
7 shall keep books, accounts, and other records in such a form and manner as required  
8 by rule of the division. These records shall be kept at a location and shall be  
9 preserved for a length of time as prescribed by rule of the division.

10          (2) ANNUAL REPORT. Not more than ninety days after the close of a licensee’s  
11 fiscal year or upon request of the division, every licensee shall file with the division  
12 a report containing all of the following:

13          (a) Financial statements, including the balance sheet, the statement of income  
14 or loss, the statement of changes in capital accounts and the statement of changes  
15 in financial position of the licensee. The licensee shall ensure that the financial  
16 statements have been audited by an independent certified public account and  
17 prepared in accordance with generally accepted account principles.

18          (b) Other relevant information requested by the division.

19          **224.99 Rulemaking.** The division may promulgate rules for the efficient  
20 administration of this subchapter.”.

21          **983.** Page 1194, line 18: before “175.05” insert “125.72 (3) (b).”.

22          **984.** Page 1194, line 20: after that line insert:

23          “**SECTION 2356t.** 227.43 (3) (f) of the statutes is created to read:

1           227.43 (3) (f) The administrator of the division of hearings and appeals may  
2 set the fees to be charged for any services rendered under s. 125.72 to the department  
3 of revenue by a hearing examiner under this section. The fee shall cover the total  
4 cost of the services less any costs covered by the appropriation under s. 20.505 (4) (f)  
5 and those costs recovered under s. 125.72 (3) (b) 3m.

6           **SECTION 2356v.** 227.43 (4) (f) of the statutes is created to read:

7           227.43 (4) (f) The department of revenue shall pay all costs of the services of  
8 a hearing examiner assigned under sub. (1) (bg), according to the fees set under sub.  
9 (3) (f).”.

10          **985.** Page 1195, line 6: delete the material beginning with that line and  
11 ending with page 1197, line 13.

12          **986.** Page 1195, line 24: after that line insert:

13          “**SECTION 2359tb.** 230.04 (19m) of the statutes is created to read:

14          230.04 (19m) The secretary shall ensure that no agency require that its  
15 employes record their number of hours worked during any part of a pay period on a  
16 form on which the employe’s social security number is printed.”.

17          **987.** Page 1197, line 14: delete lines 14 and 15.

18          **988.** Page 1197, line 16: delete lines 16 to 22.

19          **989.** Page 1197, line 25: delete that line.

20          **990.** Page 1198, line 1: delete that line.

21          **991.** Page 1198, line 1: after that line insert:

22          “**SECTION 2361d.** 230.08 (2) (e) 8. of the statutes is amended to read:

23          230.08 (2) (e) 8. Natural resources — ~~6~~ 7.”.

1           **992.** Page 1198, line 2: delete lines 2 to 14.

2           **993.** Page 1198, line 16: delete lines 16 to 23.

3           **994.** Page 1198, line 23: after that line insert:

4           “**SECTION 2364me.** 230.08 (2) (wy) of the statutes is created to read:

5           230.08 (2) (wy) The executive director and staff of the tobacco control board.”.

6           **995.** Page 1198, line 24: delete that line.

7           **996.** Page 1199, line 1: delete lines 1 and 2.

8           **997.** Page 1199, line 3: delete lines 3 to 21.

9           **998.** Page 1199, line 22: delete the material beginning with that line and  
10 ending with page 1200, line 6.

11           **999.** Page 1201, line 1: delete lines 1 to 5.

12           **1000.** Page 1209, line 5: delete lines 5 to 12.

13           **1001.** Page 1209, line 20: delete the material beginning with that line and  
14 ending with page 1210, line 11.

15           **1002.** Page 1210, line 11: after that line insert:

16           “**SECTION 2400em.** 250.01 (4) (a) 5. of the statutes is created to read:

17           250.01 (4) (a) 5. A multiple municipal local health department established  
18 under s. 251.02 (3r).”.

19           **1003.** Page 1211, line 18: after that line insert:

20           “(c) From the appropriation under s. 20.435 (5) (fh), the department shall  
21 award \$25,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.”.

22           **1004.** Page 1211, line 18: after that line insert:

23           “**SECTION 2400qc.** 251.02 (1) of the statutes is amended to read:

1           251.02 (1) In counties with a population of less than 500,000, the county board  
2 shall establish a county health department that meets the requirements of this  
3 chapter. The county health department shall serve all areas of the county that are  
4 not served by a city health department that was established prior to January 1, 1994,  
5 or by a town or village health department established under sub. (3m) or by a  
6 multiple local health department established under sub. (3r). No city health  
7 department may be established after ~~that date~~ January 1, 1994, but a city-county  
8 health department may be established after that date.

9           **SECTION 2400qd.** 251.02 (3r) of the statutes is created to read:

10           251.02 (3r) In a county described in sub. (3m), in addition to the local health  
11 department required to be established under sub. (3m), the governing body of a city,  
12 village or town in that county may, in concert with the governing body of another city,  
13 village or town in that county, establish a multiple municipal local health  
14 department and elect a local health officer consistent with this chapter.

15           **SECTION 2400qe.** 251.03 (4r) of the statutes is created to read:

16           251.03 (4r) Subsections (1) to (4m) do not apply to a city, village or town that  
17 establishes a multiple municipal local health department under s. 251.02 (3r). In  
18 establishing a multiple municipal local health department as described under s.  
19 251.02 (3r), the relevant governing bodies shall agree on how many members of the  
20 local board of health are appointed by each governing body and how many of each  
21 governing body's appointees shall be members who are not elected officials or  
22 employes of the governing body. The members shall be appointed by the relevant  
23 governing bodies. A local board of health under this subsection shall elect a  
24 chairperson and clerk.

25           **SECTION 2400qf.** 251.04 (1) of the statutes is amended to read:

1           251.04 (1) A city or county board of health shall govern each local health  
2 department other than a local health department as authorized in s. 251.02 (3m) and  
3 (3r) and a city or county board of health or a board of health for a local health  
4 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of  
5 state public health statutes and public health rules of the department as prescribed  
6 for a Level I local health department. A local board of health may contract or  
7 subcontract to provide public health services. The contractor’s staff shall meet the  
8 appropriate qualifications for positions in a Level I local health department.

9           **SECTION 2400qg.** 251.04 (2) of the statutes is amended to read:

10           251.04 (2) A city or county board of health or a board of health for a local health  
11 department as authorized in s. 251.02 (3m) or (3r) shall assure that its local health  
12 department is a Level I, Level II or Level III local health department, as specified in  
13 s. 251.05 (1).

14           **SECTION 2400qh.** 251.04 (3) of the statutes is amended to read:

15           251.04 (3) A city or county board of health or a board of health for a local health  
16 department as authorized in s. 251.02 (3m) or (3r) may adopt those regulations, for  
17 its own guidance and for the governance of the local health department, that it  
18 considers necessary to protect and improve public health. The regulations may be  
19 no less stringent than, and may not conflict with, state statutes and rules of the  
20 department.

21           **SECTION 2400qi.** 251.06 (1) (a) 2. of the statutes is amended to read:

22           251.06 (1) (a) 2. A local health officer of a village or town health department  
23 established under s. 251.02 (3m) or of a multiple municipal local health department  
24 established under s. 251.02 (3r) shall be either a physician or a registered nurse. The  
25 local health officer shall be a voting member of the local board of health and shall take



1 an oath of office. With respect to the levels of services of a Level I local health  
2 department, as specified in s. 251.05 (2) (a), the local health officer shall be  
3 authorized to act by and be directed by the county health officer of the county  
4 specified under s. 251.02 (3m).

5 **SECTION 2400qim.** 251.06 (2) (c) (intro.) of the statutes is amended to read:  
6 251.06 (2) (c) (intro.) A local health officer of a local health department of a  
7 village or town established under s. 251.02 (3m) or a local health officer of a multiple  
8 municipal local health department established under s. 251.02 (3r) shall be one of the  
9 following:

10 **SECTION 2400qin.** 251.06 (2) (c) 1. of the statutes is amended to read:  
11 251.06 (2) (c) 1. An employe of the local health department of the village or town  
12 or an employe of the multiple municipal local health department.

13 **SECTION 2400qj.** 251.06 (4) (c) of the statutes is amended to read:  
14 251.06 (4) (c) A local health officer of a village or town health department  
15 established under s. 251.02 (3m) and a local health officer of a multiple municipal  
16 local health department established under s. 251.02 (3r) shall be appointed by the  
17 local board of health.

18 **SECTION 2400qk.** 251.12 of the statutes is amended to read:  
19 **251.12 City health department, how financed.** The common council shall  
20 appropriate funds for the operation of a city health department that is established  
21 as specified in s. 251.02 (1) and (2) and for the operation of a multiple municipal local  
22 health department that is established under s. 251.02 (3r) by the governing body of  
23 a city in concert with the governing body of another city or a village or town.

24 **SECTION 2400qL.** 251.125 of the statutes is amended to read:

1           **251.125 Village health department, how financed.** If a village health  
2 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local  
3 health department is established under s. 251.01 (3r) by the governing body of a  
4 village in concert with the governing body of another village or a city or town, the  
5 village board shall appropriate funds for the operation of the department.

6           **SECTION 2400qm.** 251.127 of the statutes is amended to read:

7           **251.127 Town health department, how financed.** If a town health  
8 department is established under s. 251.02 (3m) or if a multiple municipal local health  
9 department is established under s. 251.02 (3r) by the governing body of a town in  
10 concert with the governing body of another town or a city or village, the town board  
11 shall appropriate funds for the operation of the department.”.

12           **1005.** Page 1218, line 17: after that line insert:

13           **“SECTION 2440b.** 253.12 of the statutes is repealed and recreated to read:

14           **253.12 Birth defect prevention and surveillance system. (1)**

15           DEFINITIONS. In this section:

16           (a) “Birth defect” means any of the following conditions affecting an infant or  
17 child that occurs prior to or at birth and that requires medical or surgical  
18 intervention or interferes with normal growth and development:

- 19           1. A structural deformation, disruption or dysplasia.
- 20           2. A genetic, inherited or biochemical disease.

21           (b) “Pediatric specialty clinic” means a clinic the primary purpose of which is  
22 to provide pediatric specialty diagnostic, counseling and medical management  
23 services to persons with birth defects by physician subspecialist.

24           (c) “Infant or child” means a human being from birth to the age of 2 years.

1 (d) "Physician" has the meaning given in s. 448.01 (5).

2 **(2) REPORTING.** (a) Except as provided in par. (b), all of the following shall report  
3 in the manner prescribed by the department under sub. (3) (a) 3. a birth defect in an  
4 infant or child:

5 1. A hospital or pediatric specialty clinic in which the birth defect is diagnosed  
6 in an infant or child or treatment for the birth defect is provided to the infant or child.

7 2. A physician who diagnoses the birth defect or provides treatment to the  
8 infant or child for the birth defect.

9 3. A clinical laboratory that identifies a birth defect in the infant or child as the  
10 result of laboratory analysis.

11 (b) No person specified under par. (a) 1. to 3. need report under par. (a) if that  
12 person knows that another person specified under par. (a) 1. to 3. has already  
13 reported to the department the required information with respect to the same birth  
14 defect of the same infant or child.

15 (c) Upon request of the department, a physician, hospital or pediatric specialty  
16 clinic shall provide to the department information contained in the medical records  
17 of patients who have a confirmed or suspected birth defect diagnosis. The physician,  
18 hospital or pediatric specialty clinic shall provide that information within 10  
19 working days after the department requests it.

20 **(3) DEPARTMENT DUTIES AND POWERS.** (a) The department shall do all of the  
21 following:

22 1. Establish and maintain an up-to-date registry that documents the  
23 diagnosis in this state of any infant or child who has a birth defect, regardless of the  
24 residence of the infant or child. The department shall include in the registry  
25 information that will facilitate all of the following:

- 1           a. Identification of risk factors for birth defects.
- 2           b. Investigation of the incidence, prevalence and trends of birth defects using
- 3 epidemiological surveys.
- 4           c. Development of preventive strategies to decrease the occurrence of birth
- 5 defects.
- 6           2. Specify by rule the birth defects the existence of which requires a report
- 7 under sub. (2) to be submitted to the department.
- 8           3. Specify by rule the content, format and procedures for submitting a report
- 9 under sub. (2).
- 10           (b) The department may monitor the data contained in the reports submitted
- 11 under sub. (2) to ensure the quality of that data and to make improvements in
- 12 reporting methods.
- 13           **(4) COUNCIL ON BIRTH DEFECT PREVENTION AND SURVEILLANCE.** The council on
- 14 birth defect prevention and surveillance, created under s. 15.197 (12), shall make
- 15 recommendations to the department regarding the establishment of a registry that
- 16 documents the diagnosis and treatment in the state of an infant or child who has a
- 17 birth defect, as required under sub. (3) (a) 1. and regarding the rules that the
- 18 department is required to promulgate under sub. (3) (a) 2. and 3.
- 19           **(5) CONFIDENTIALITY.** (a) Any information contained in a report made to the
- 20 department under sub. (2) that may specifically identify the subject of the report is
- 21 confidential. The department may not release that confidential information except
- 22 to the following, under the following conditions:
- 23           1. The parent or guardian of an infant or child for whom a report is made under
- 24 sub. (2).

1           2. A local health officer, upon receipt of a written request and informed written  
2 consent from the parent or guardian of the infant or child. The local health officer  
3 may disclose information received under this subdivision only to the extent  
4 necessary to render and coordinate follow-up care for the infant or child or to conduct  
5 a health, demographic or epidemiological investigation. The local health officer shall  
6 destroy all information received under this subdivision within one year after  
7 receiving it.

8           3. A physician, hospital or pediatric specialty clinic reporting under sub. (2),  
9 for the purpose of verification of information reported by the physician, hospital or  
10 pediatric specialty clinic.

11           4. A representative of a federal or state agency upon written request and to the  
12 extent that the information is necessary to perform a legally authorized function of  
13 that agency, including investigation of causes, mortality, methods of prevention,  
14 treatment or care of birth defects, associated diseases or disabilities. The  
15 information may not include the name or address of an infant or child with a  
16 condition reported under sub. (2). The department shall notify the parent or  
17 guardian of an infant or child about whom information is released under this  
18 subdivision, of the release. The representative of the federal or state agency may  
19 disclose information received under this paragraph only as necessary to perform the  
20 legally authorized function of that agency for which the information was requested.

21           (b) The department may also release confidential information to a person  
22 proposing to conduct research if all of the following conditions are met:

23           1. The person proposing to conduct the research applies in writing to the  
24 department for approval to perform the research and the department approves the  
25 application. The application for approval shall include a written protocol for the

1 proposed research, the person’s professional qualifications to perform the proposed  
2 research and any other information requested by the department.

3 2. The research is for the purpose of studying birth defects surveillance and  
4 prevention.

5 3. If the research will involve direct contact with a subject of a report made  
6 under sub. (2) or with any member of the subject’s family, the department determines  
7 that the contact is necessary for meeting the research objectives and that the  
8 research is in response to a public health need or is for the purpose of or in connection  
9 with birth defects surveillance or investigations sponsored and conducted by public  
10 health officials. The department must also determine that the research has been  
11 approved by a certified institutional review board or a committee for the protection  
12 of human subjects in accordance with the regulations for research involving human  
13 subjects required by the federal department of health and human services for  
14 projects supported by that agency. Contact may only be made in a manner and  
15 method approved by the department.

16 4. The person agrees in writing that the information provided will be used only  
17 for the research approved by the department.

18 5. The person agrees in writing that the information provided will not be  
19 released to any person except other persons involved in the research.

20 6. The person agrees in writing that the final product of the research will not  
21 reveal information that may specifically identify the subject of a report made under  
22 sub. (2).

23 7. The person agrees in writing to any other conditions imposed by the  
24 department.”.

1           **1006.** Page 1233, line 22: delete that line and substitute “section, “board”  
2 means the tobacco control board.”.

3           **1007.** Page 1233, line 23: delete the material beginning with that line and  
4 ending with page 1234, line 19 and substitute:

5           “(1m) DUTIES. The board shall do all of the following:

6           (a) Appoint an executive director within the classified service who shall employ  
7 staff within the classified service with appropriate programmatic and technical  
8 expertise.

9           (b) Administer the grant program under sub. (3).

10           (c) Promulgate rules establishing criteria for recipients of grants awarded  
11 under sub. (3), including performance-based standards for grant recipients that  
12 propose to use the grant for media efforts. The board shall ensure that programs or  
13 projects conducted under the grants are culturally sensitive.

14           (d) Provide a forum for the discussion, development, and recommendation of  
15 public policy alternatives in the field of smoking cessation and prevention.

16           (e) Provide a clearinghouse of information on matters relating to tobacco issues  
17 and how they are being met in different places throughout the nation such that both  
18 lay and professional groups in the field of government, health care and education  
19 may have additional avenues for sharing experiences and interchanging ideas in the  
20 formulation of public policy on tobacco.

21           (f) Develop and prepare an annual plan regarding the allocation of funding for  
22 a statewide tobacco control program based on successful tobacco control programs in  
23 other states and based on recommendations of the U.S. Centers for Disease Control  
24 regarding the allocation of funding for comprehensive tobacco control programs.”.

1           **1008.** Page 1234, line 20: delete “20.435 (5) (tc)” and substitute “20.436 (1)  
2 (tc)”.

3           **1009.** Page 1234, line 21: delete “department” and substitute “board”.

4           **1010.** Page 1235, line 11: delete lines 11 to 19 and substitute:

5           “(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute  
6 grants for any of the following:”.

7           **1011.** Page 1236, line 8: after that line insert:

8           “10. Development of policies that restrict access to tobacco products and reduce  
9 exposure to environmental tobacco smoke.”.

10           **1012.** Page 1236, line 11: delete lines 11 to 21 and substitute:

11           “(d) From the appropriation under s. 20.436 (1) (tb), beginning in fiscal year  
12 2000–01 and annually thereafter, the board may expend for administration of the  
13 program under this section not more than 5% of the total amount deposited in that  
14 fiscal year into the tobacco control fund under s. 25.66.

15           **(4) REPORTS.** Not later than July 1, 2001, and annually thereafter, the board  
16 shall submit to the governor and to the chief clerk of each house of the legislature for  
17 distribution under s. 13.172 (2) a report that evaluates the success of the grant  
18 program under sub. (3). The report shall specify the number of grants awarded  
19 during the immediately preceding fiscal year and the purpose for which each grant  
20 was made. The report shall also specify donations and grants accepted by the board  
21 under sub. (5).

22           **(5) FUNDS.** The board may accept for any of its purposes any donations and  
23 grants of money, equipment, supplies, materials and services from any person. The  
24 board shall include in the report under sub. (4) any donation or grant accepted by the



1 board under this subsection, including the nature, amount and conditions, if any, of  
2 the donation or grant and the identity of the donor.

3 (6) SUBCOMMITTEES. The board may create subcommittees to assist in its work.  
4 If the board creates subcommittees, one of the subcommittees shall address the issue  
5 of populations most adversely affected by tobacco.”

6 **1013.** Page 1236, line 21: after that line insert:

7 “SECTION 2486u. 281.01 (3e) of the statutes is created to read:

8 281.01 (3e) “Design–build construction process” has the meaning given in s.  
9 59.52 (29) (c) 1.”

10 **1014.** Page 1238, line 10: after that line insert:

11 “SECTION 2487x. 281.165 of the statutes is created to read:

12 **281.165 Compliance with water quality standards for wetlands.** An  
13 activity shall be considered to comply with the water quality standards that are  
14 applicable to wetlands and that are promulgated as rules under s. 281.15 and is  
15 exempt from any prohibition, restriction, requirement, permit, license, approval,  
16 authorization, fee, notice, hearing, procedure or penalty specified under s. 29.601 (3)  
17 or chs. 30, 31, 281, 283, 289 to 292 or 299 or specified under any rule promulgated,  
18 order issued or ordinance adopted under any of those sections or chapters, if the  
19 activity meets all of the following requirements:

20 (1) The wetland area that will be affected by the activity is less than 15 acres  
21 in size.

22 (2) The site of the activity is zoned for industrial use and is in the vicinity of  
23 a manufacturing facility.

1           **(3)** The site of the activity is within the corporate limits of a city on January  
2 1, 1999.

3           **(4)** The governing body of the city adopts a resolution stating that the  
4 exemption under this section is necessary to protect jobs that exist in the city on the  
5 date of the adoption of the resolution or is necessary to promote job creation.

6           **(5)** The site of the activity is located in Trempealeau County.”.

7           **1015.** Page 1238, line 10: after that line insert:

8           “**SECTION 2489e.** 281.41 (1) of the statutes is amended to read:

9           281.41 **(1)** Except as provided under sub. (2), every owner, within the time  
10 prescribed by the department, shall file with the department a certified copy of  
11 complete plans of a proposed system or plant or extension thereof, in scope and detail  
12 satisfactory to the department, and, if required, of existing systems or plants, and  
13 such other information concerning maintenance, operation and other details as the  
14 department requires, including the information specified under s. 281.35 (5) (a), if  
15 applicable. An owner contracting for a system, plant or extension under the  
16 design-build construction process, other than an owner that is a town or the state,  
17 may submit to the department performance objectives and preliminary designs in a  
18 form that is satisfactory to the department, rather than complete plans. Material  
19 changes with a statement of the reasons shall be likewise submitted. Before plans  
20 are drawn a statement concerning the improvement may be made to the department  
21 and the department may, if requested, outline generally what it will require. Upon  
22 receipt of such plans for approval, the department or its duly authorized  
23 representative shall notify the owner of the date of receipt. Within 90 days from the  
24 time of receipt of complete plans or within the time specified in s. 281.35 (5) (c), if

1 applicable, the department or its authorized representative shall examine and take  
2 action to approve, approve conditionally or reject the plans and shall state in writing  
3 any conditions of approval or reasons for rejection. Approval or disapproval of such  
4 plans and specifications shall not be contingent upon eligibility of such project for  
5 federal aid. The time period for review may be extended by agreement with the  
6 owner if the plans and specifications cannot be reviewed within the specified time  
7 limitation due to circumstances beyond the control of the department or in the case  
8 of extensive installation involving expenditures of \$350,000 or more. The extension  
9 shall not exceed 6 months. Failure of the department or its authorized  
10 representative to act before the expiration of the time period allowed for review shall  
11 constitute an approval of the plans, and upon demand a written certificate of  
12 approval shall be issued. Approval may be subject to modification by the department  
13 upon due notice. Construction or material change shall be according to approved  
14 plans only. The department may disapprove plans which are not in conformance  
15 with any existing approved areawide waste treatment management plan prepared  
16 pursuant to the federal water pollution control act, P.L. 92-500, as amended, and  
17 shall disapprove plans that do not meet the grounds for approval specified under s.  
18 281.35 (5) (d), if applicable. The department shall require each person whose plans  
19 are approved under this section to report that person's volume and rate of water  
20 withdrawal, as defined under s. 281.35 (1) (m), and that person's volume and rate of  
21 water loss, as defined under s. 281.35 (1) (L), if any, in the form and at the times  
22 specified by the department.”.

23 **1016.** Page 1245, line 7: delete “and the” and substitute “, the”.

1           **1017.** Page 1245, line 8: after “loan program” insert “and the safe drinking  
2 water loan program”.

3           **1018.** Page 1245, line 12: delete “or the” and substitute “, the”.

4           **1019.** Page 1245, line 13: after “program” insert “or the safe drinking water  
5 loan program”.

6           **1020.** Page 1246, line 7: after “loan program” insert “plus the amounts  
7 required to be paid under s. 20.320 (2) (c) and (u) for the safe drinking water loan  
8 program”.

9           **1021.** Page 1246, line 10: after that line insert:

10           “**SECTION 2510m.** 281.59 (4) (f) of the statutes is amended to read:

11           281.59 (4) (f) Revenue obligations may be contracted by the building  
12 commission when it reasonably appears to the building commission that all  
13 obligations incurred under this subsection can be fully paid on a timely basis from  
14 moneys received or anticipated to be received. Revenue obligations issued under this  
15 subsection for the clean water fund program and the urban storm water loan  
16 program shall not exceed \$1,297,755,000 in principal amount, excluding obligations  
17 issued to refund outstanding revenue obligation notes. Revenue obligations issued  
18 under this subsection for the safe drinking water loan program shall not exceed  
19 \$27,700,000 in principal amount, excluding obligations issued to refund outstanding  
20 revenue obligation notes.”.

21           **1022.** Page 1275, line 18: delete lines 18 to 21.

22           **1023.** Page 1275, line 21: after that line insert:

23           “**SECTION 2554em.** 285.14 of the statutes is created to read:

1           **285.14 Air pollution control; limitation.** Notwithstanding s. 285.11 (6), in  
2           establishing nitrogen oxide emission reductions for the control of atmospheric ozone  
3           in another state pursuant to a call for a state implementation plan issued by the  
4           federal environmental protection agency before the effective date of this section ...  
5           [revisor inserts date], the department may not, in an implementation plan, by rule  
6           or through the adoption of control strategies, regulate nitrogen oxide emissions from  
7           motor vehicle manufacturing facilities.”.

8           **1024.** Page 1276, line 4: after that line insert:

9           “**SECTION 2554j.** 285.48 of the statutes is created to read:

10           **285.48 Nitrogen oxide emissions from certain electric generation**  
11           **facilities. (1)** In establishing nitrogen oxide emission reductions for the control of  
12           atmospheric ozone in another state pursuant to a call for a state implementation plan  
13           issued prior to the effective date of this subsection ... [revisor inserts date], the  
14           department may not, in an implementation plan under s. 285.11 (6), by rule or  
15           through the adoption of control strategies, regulate nitrogen oxide emissions from  
16           electric generation facilities that are located in Ashland, Barron, Bayfield, Buffalo,  
17           Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse,  
18           Monroe, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau,  
19           Vernon or Washburn county.

20           **(2)** The department may not, based solely on the prohibition under sub. (1),  
21           require more stringent nitrogen oxide emission reductions for any electric utility, as  
22           defined in s. 196.491 (1) (d), or large industrial core source in this state that is  
23           identified by the federal environmental protection agency.”.

1           **1025.** Page 1276, line 5: delete the material beginning with that line and  
2 ending with page 1277, line 18, and substitute:

3           “**SECTION 2556.** 285.69 (2) (c) (intro.) of the statutes is amended to read:

4           285.69 (2) (c) (intro.) The fees collected under ~~par.~~ pars. (a) and (e) shall be  
5 credited to the appropriations under s. 20.370 (2) (bg), (3) (bg), (8) (mg) and (9) (mh)  
6 for the following:

7           **SECTION 2557.** 285.69 (2) (e) of the statutes is created to read:

8           285.69 (2) (e) The owner or operator of a stationary source for which an  
9 operation permit is required shall pay to the department an annual facility fee based  
10 on the total amount of actual emissions in the preceding year of all air contaminants  
11 on which the fee under par. (a) is based, if the total amount of those emissions is 5  
12 tons or more. The amount of the fee is as follows:

13           1. If the total amount of emissions is at least 5 tons but does not exceed 25 tons,  
14 \$50.

15           2. If the total amount of emissions exceeds 25 tons but does not exceed 100 tons,  
16 \$650.

17           3. If the total amount of emissions exceeds 100 tons but does not exceed 250  
18 tons, \$2,000.

19           4. If the total amount of emissions exceeds 250 tons but does not exceed 4,000  
20 tons, \$7,000.

21           5. If the total amount of the emissions exceeds 4,000 tons, \$20,000.”.

22           **1026.** Page 1278, line 16: delete lines 16 to 25.

23           **1027.** Page 1279, line 1: delete lines 1 to 10.

24           **1028.** Page 1279, line 8: before that line insert:

1           **“SECTION 2563dd.** 287.23 (5) (intro.) of the statutes is amended to read:

2           287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) The department shall  
3 award a grant to each eligible responsible unit that submits a complete grant  
4 application under sub. (4) for expenses allowable under sub. (3) (b). Except as  
5 provided under sub. (5m) or (5p), the amount of the grant for years before 2000 shall  
6 be determined as follows:

7           **SECTION 2563de.** 287.23 (5) (d) of the statutes is created to read:

8           287.23 (5) (d) This subsection does not apply after December 31, 1999.

9           **SECTION 2563dh.** 287.23 (5c) of the statutes is created to read:

10          287.23 (5c) GRANT AWARD FOR 2000 AND THEREAFTER. Beginning with grants for  
11 calendar year 2000, the department shall award a grant to each eligible responsible  
12 unit that submits a complete grant application under sub. (4). Grants under this  
13 subsection shall be paid from the appropriation under s. 20.370 (6) (bu). Except as  
14 provided in sub. (5m) or (5p), the amount of the grant shall be the sum of the  
15 following:

16          (a) The product of \$11.45 times the population served at least once per month  
17 by residential collection of at least 2 of the materials listed in s. 287.07 (3).

18          (b) The product of \$5.85 times the population served by a system for collecting  
19 materials listed in s. 287.07 (3) taken by individuals to designated collection sites.  
20 The population counted under par. (a) may not be counted under this paragraph.

21          **SECTION 2563dp.** 287.23 (5e) of the statutes is renumbered 287.23 (5e) (a) and  
22 amended to read:

23          287.23 (5e) (a) If For calendar years before 2000, if available funds are  
24 insufficient, under sub. (5) (c) 2., to pay \$8 times the population of all of the  
25 responsible units that are entitled to that amount, the department shall distribute

1 the funds so that each responsible unit that would be entitled to \$6 times its  
2 population if the per person amount in sub. (5) (c) 2. were \$6 receives \$6 times its  
3 population and shall prorate the remaining funds.

4 **SECTION 2563dr.** 287.23 (5e) (b) of the statutes is created to read:

5 287.23 (5e) (b) Beginning in 2000, if the amounts appropriated in s. 20.370 (6)  
6 (bu) are insufficient to pay all of the grants in amounts calculated under sub. (5c),  
7 the department shall prorate the available funds.

8 **SECTION 2563ds.** 287.23 (5m) of the statutes is amended to read:

9 287.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a  
10 process for distributing grants if the amount that would be awarded under sub. (5)  
11 or (5e) exceeds the amount of funds available under s. 20.370 (6) (bq) or (bu).

12 **SECTION 2563dt.** 287.23 (5p) (a) of the statutes is amended to read:

13 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after  
14 October 1 but no later than October 10, the amount of the responsible unit's grant  
15 is 95% of the amount determined under sub. (5), (5c) or (5m).

16 **SECTION 2563ed.** 287.23 (5p) (b) of the statutes is amended to read:

17 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after  
18 October 10 but no later than October 20, the amount of the responsible unit's grant  
19 is 90% of the amount determined under sub. (5), (5c) or (5m).

20 **SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to read:

21 287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after  
22 October 20 but no later than October 30, the amount of the responsible unit's grant  
23 is 75% of the amount determined under sub. (5), (5c) or (5m).

24 **SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

25 **SECTION 2563er.** 287.23 (6) of the statutes is amended to read:



1           287.23 (6) DISBURSEMENT. The department shall disburse 50% of a grant to the  
2 applicant upon approval, but no later than February 1 of the year for which the grant  
3 is made.

4           **SECTION 2563et.** 287.23 (7) of the statutes is repealed.”.

5           **1029.** Page 1279, line 10: after that line insert:

6           “**SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

7           **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

8           **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

9           **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and  
10 amended to read:

11           560.031 (1) (c) “Recovered material” means a material ~~specified by the board~~  
12 ~~under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

13           **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and  
14 amended to read:

15           560.031 (1) (e) “Waste generator” means a person who generates solid waste  
16 that ~~contains a material specified by the board under s. 287.42 (5)~~ or a responsible  
17 unit.

18           **SECTION 2565h.** 287.41 of the statutes is repealed.

19           **SECTION 2565i.** 287.42 of the statutes is repealed.

20           **SECTION 2565j.** 287.44 of the statutes is repealed.

21           **SECTION 2565k.** 287.46 of the statutes is repealed.

22           **SECTION 2565L.** 287.48 of the statutes is repealed.”.

23           **1030.** Page 1280, line 7: after that line insert:

24           “**SECTION 2569k.** 289.645 of the statutes is created to read:

1           **289.645 Recycling fee. (1)** IMPOSITION OF RECYCLING FEE ON GENERATORS.

2           Except as provided under sub. (4), a generator of solid waste or hazardous waste shall  
3           pay a recycling fee for each ton or equivalent volume of solid waste or hazardous  
4           waste that is disposed of at a licensed solid waste or hazardous waste disposal  
5           facility. If a person arranges for collection or disposal services on behalf of one or  
6           more generators, that person shall pay the recycling fee to the licensed solid waste  
7           or hazardous waste disposal facility or to any intermediate hauler used to transfer  
8           wastes from collection points to a licensed facility. An intermediate hauler who  
9           receives the recycling fee under this subsection shall pay the fee to the licensed solid  
10          waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be  
11          calculated in the same manner as the calculation made for tonnage fees under s.  
12          289.62 (1).

13          **(2) COLLECTION.** The owner or operator of a licensed solid waste or hazardous  
14          waste disposal facility shall collect the recycling fee from the generator, a person who  
15          arranges for disposal on behalf of one or more generators or an intermediate hauler  
16          and shall pay to the department the amount of the fee required to be collected  
17          according to the amount of solid waste or hazardous waste received and disposed of  
18          at the facility during the preceding reporting period.

19          **(3) AMOUNT OF RECYCLING FEE.** The fee imposed under this section is as follows:

20                 (a) For all solid waste other than high-volume industrial waste, \$10 per ton.

21                 (b) For all high-volume industrial waste, \$2 per ton.

22          **(4) EXEMPTIONS FROM RECYCLING FEE.** (a) Solid waste materials approved by the  
23          department for lining, daily cover or capping or for constructing berms, dikes or  
24          roads within a solid waste disposal facility are not subject to the recycling fee

1 imposed under sub. (1), except that materials approved for use under s. 289.30 (5)  
2 or 289.31 (9) are subject to the fee.

3 (b) Except as provided in par. (c), the recycling fee does not apply to waste  
4 generated by an organization described in section 501 (c) (3) of the Internal Revenue  
5 Code that is exempt from federal income tax under section 501 (a) of the Internal  
6 Revenue Code, that derives a portion of its income from the recycling and reuse  
7 programs and that does one of the following:

- 8 1. Provides services and programs for people with disabilities.
- 9 2. Primarily serves low-income persons.

10 (c) Waste generated by an organization described in par. (b) which is  
11 commingled with waste generated by a person other than an organization described  
12 in par. (b) is subject to the fee.

13 **(5) REPORTING PERIOD.** The reporting period under this section is the same as  
14 the reporting period under s. 289.62 (1). The owner or operator of any licensed solid  
15 waste or hazardous waste disposal facility shall pay the recycling fee required to be  
16 collected under sub. (2) at the same time as any tonnage fees under s. 289.62 (1) are  
17 paid.

18 **(6) USE OF RECYCLING FEES.** The fees collected under sub. (2) shall be deposited  
19 in the recycling fund.

20 **(7) FAILURE TO PAY RECYCLING FEE.** (a) If a person required under sub. (1) to pay  
21 the recycling fee to a licensed solid waste or hazardous waste disposal facility fails  
22 to pay the fee, the owner or operator of the licensed solid waste or hazardous waste  
23 disposal facility shall submit to the department with the payment required under  
24 sub. (2) an affidavit stating facts sufficient to show the person's failure to comply with  
25 sub. (1).

1 (b) If the person named in the affidavit under par. (a) is a generator or a person  
2 who arranges for collection or disposal services on behalf of one or more generators  
3 and the person holds a license for the collection and transportation of solid waste or  
4 hazardous waste, the department shall immediately notify the person that the  
5 license will be suspended 30 days after the date the notice is mailed unless the person  
6 submits to the department an affidavit stating facts sufficient to show that it has  
7 paid the fee as required under sub. (1).

8 (c) If the person named in the affidavit under par. (a) is an intermediate hauler  
9 that holds a license for the collection and transportation of solid waste or hazardous  
10 waste, the department shall immediately notify the person that the license will be  
11 suspended 30 days after the date the notice is mailed unless the person submits to  
12 the department an affidavit stating facts sufficient to show that either of the  
13 following has occurred:

14 1. The person named in the affidavit under par. (a) received the required fee  
15 from a generator, from a person who arranges for collection or disposal services on  
16 behalf of one or more generators or from an earlier intermediate hauler, and paid the  
17 fee to the licensed solid waste or hazardous waste disposal facility or to a subsequent  
18 intermediate hauler.

19 2. A generator, a person who arranges for collection or disposal services on  
20 behalf of one or more generators or an earlier intermediate hauler failed to pay the  
21 required fee to the person named in the affidavit under par. (a).

22 (d) If the department does not receive an affidavit under par. (b) or (c) within  
23 30 days after the date the notice is mailed, the department shall suspend the license  
24 issued to the person for the collection and transportation of solid waste or hazardous

1 waste. Notwithstanding s. 227.42, the department is not required to provide the  
2 licensee with a hearing before the suspension.

3 (e) When a person whose license is suspended under par. (d) provides the  
4 department with proof that the person has paid the owner or operator of the licensed  
5 solid waste or hazardous waste facility the amount of the unpaid fee, the department  
6 shall immediately reinstate the suspended license.

7 **SECTION 2569L.** 289.67 (1) (cm) of the statutes is amended to read:

8 289.67 (1) (cm) *Amount of environmental repair fee.* Except as provided under  
9 par. (d), the environmental repair fee imposed under par. (a) is ~~15 cents per ton for~~  
10 ~~solid or hazardous waste received by a licensed solid or hazardous waste disposal~~  
11 ~~facility after December 31, 1985, but before July 1, 1989, and 20 21 cents per ton for~~  
12 ~~solid or hazardous waste received by a licensed solid or hazardous waste disposal~~  
13 ~~facility on or after July 1, 1989.~~

14 **SECTION 2569m.** 289.67 (1) (cp) of the statutes is amended to read:

15 289.67 (1) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)  
16 and except as provided under par. (d), the environmental repair fee imposed under  
17 par. (a) is ~~30~~ 69 cents per ton for solid or hazardous waste, other than high-volume  
18 industrial waste, ~~disposed of on or after January 1, 1988, but before July 1, 1989,~~  
19 ~~and 50 cents per ton disposed of on or after July 1, 1989.~~

20 **1031.** Page 1306, line 16: before "Green" insert "Beloit, the city of".

21 **1032.** Page 1307, line 6: after that line insert:

22 "(e) To the city of Beloit, \$250,000."

23 **1033.** Page 1308, line 19: delete the material beginning with that line and  
24 ending with page 1309, line 11.

1           **1034.** Page 1312, line 6: delete lines 6 to 8.

2           **1035.** Page 1312, line 10: delete “after fiscal year 1999–2000”.

3           **1036.** Page 1314, line 22: after “social security number” insert “or any  
4 personal identifying information, as defined in s. 943.201 (1) (b), of an individual who  
5 is not a prisoner”.

6           **1037.** Page 1317, line 8: delete lines 8 to 10.

7           **1038.** Page 1318, line 3: delete that line and substitute “conversion or has  
8 approved the construction or conversion of the building, structure or facility.”.

9           **1039.** Page 1318, line 4: delete lines 4 and 5.

10          **1040.** Page 1320, line 16: delete “\$42,091,800” and substitute “\$42,343,200”.

11          **1041.** Page 1320, line 17: delete that line and substitute “\$82,741,700 1999,  
12 \$85,688,700 for 1998 2000 and \$41,091,900 \$43,345,500 for the”.

13          **1042.** Page 1320, line 19: delete that line and substitute “\$1,251,400 for the  
14 last 6 months of 1999, \$3,505,000 for 2000 and \$2,253,600 for the”.

15          **1043.** Page 1324, line 15: delete the material beginning with that line and  
16 ending with page 1325, line 17 and substitute:

17           “**SECTION 2718ex.** 303.01 (2) (em) of the statutes is repealed.”.

18          **1044.** Page 1326, line 6: delete the material beginning with that line and  
19 ending with page 1327, line 12.

20          **1045.** Page 1327, line 16: after that line insert:

21           “**SECTION 2718wc.** 303.08 (5) (a) of the statutes is renumbered 303.08 (5) (cg).  
22           **SECTION 2718wg.** 303.08 (5) (b) of the statutes is amended to read:

23           303.08 (5) (b) Necessary travel expense to and from work ~~and other~~;

1           ~~(cr)~~ Other incidental expenses of the prisoner;

2           **SECTION 2718wL.** 303.08 (5) (c) of the statutes is amended to read:

3           303.08 (5) (c) ~~Support~~ Court-ordered support of the prisoner’s dependents, if  
4 any;

5           **SECTION 2718wq.** 303.08 (5m) of the statutes is amended to read:

6           303.08 (5m) A county may receive payments under sub. (5) ~~(a) and (b), (cg) and~~  
7 ~~(cr)~~ or seek reimbursement under s. 302.372, but may not collect for the same  
8 expenses twice.”.

9           **1046.** Page 1334, line 13: delete that line and substitute “obtained and any  
10 licensing fees relating to the word or words or the symbol on special group plates  
11 under par. (f) 54. have been waived by the National Football League.”.

12           **1047.** Page 1335, line 15: delete “as follows:”.

13           **1048.** Page 1335, line 16: delete lines 16 to 18.

14           **1049.** Page 1335, line 19: delete “shall be credited”.

15           **1050.** Page 1335, line 19: after that line insert:

16           “**SECTION 2726v.** 341.14 (6r) (bm) of the statutes is created to read:

17           341.14 (6r) (bm) Upon receipt of an application for a special group plate under  
18 par. (f) 53., a person authorized to issue registration plates shall forward the  
19 application to the department’s special license plate unit. The department may not  
20 charge a fee for forwarding an application under this paragraph.”.

21           **1051.** Page 1337, line 25: delete that line.

22           **1052.** Page 1338, line 1: delete lines 1 to 3.

23           **1053.** Page 1339, line 3: after that line insert:

1           “**SECTION 2734c.** 341.406 of the statutes is created to read:

2           **341.406 Uniform hazardous materials transportation plan and fees.**

3           **(1)** The department shall promulgate rules establishing criteria for the payment of  
4 fees by persons who may be required to file hazardous materials transportation  
5 registration statements with the federal department of transportation under 49 USC  
6 5108 or who may be required to register with the state under 49 USC 5119. The rules  
7 promulgated under this subsection shall be consistent with the procedures,  
8 limitations and recommendations under 49 USC 5119. The department shall design  
9 the rules so that revenue from the fees paid in fiscal year 2000–01 are approximately  
10 \$700,000.”.

11           **1054.** Page 1340, line 20: after that line insert:

12           “**SECTION 2734hdm.** 342.07 (1) of the statutes is renumbered 342.07 (1) (intro.)  
13 and amended to read:

14           342.07 **(1)** Application for registration of and a new certificate of title for a  
15 repaired salvage vehicle must be accompanied by ~~the~~ all of the following:

16           (a) The required fees, ~~a.~~

17           (b) A properly assigned salvage certificate of title or a properly assigned  
18 certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle and any.

19           (c) Any other transfer document required by law, ~~and by the.~~

20           (d) The certificate of inspection under sub. (4).

21           **SECTION 2734hdp.** 342.07 (2) (a) of the statutes is amended to read:

22           342.07 **(2)** (a) To determine whether the vehicle is the same vehicle for which  
23 the salvage title is submitted under sub. (1) was issued;”.

24           **1055.** Page 1341, line 9: after that line insert:



1           **“SECTION 2734hgd.** 342.15 (2) of the statutes is amended to read:

2           342.15 (2) Except as provided in s. 342.16 with respect to a vehicle which is not  
3 a salvage vehicle, the transferee shall, promptly after delivery to him or her of the  
4 vehicle, execute the application for a new certificate of title in the space provided  
5 therefor on the certificate or as the department prescribes, and cause deliver or mail  
6 the certificate and application to be mailed or delivered to the department. A salvage  
7 vehicle purchaser shall comply with s. 342.065 (1) ~~(b)~~ (a).

8           **SECTION 2734hgf.** 342.15 (3) of the statutes is amended to read:

9           342.15 (3) Except as provided in s. 342.16 with respect to a vehicle which is not  
10 a salvage vehicle and as between the parties, a transfer by an owner is not effective  
11 until the provisions of this section have been complied with. An owner who has  
12 delivered possession of the vehicle to the transferee and has complied with the  
13 provisions of this section ~~requiring action by him or her~~ is not liable as owner for any  
14 damages thereafter resulting from operation of the vehicle.

15           **SECTION 2734hgh.** 342.15 (6) of the statutes is amended to read:

16           342.15 (6) (a) Except as provided in s. 342.16 with respect to a vehicle which  
17 is not a salvage vehicle, any transferee of a vehicle who fails to make application for  
18 a new certificate of title immediately upon transfer to him or her of a vehicle may be  
19 required to forfeit not more than \$200. A certificate is considered to have been  
20 applied for when the application accompanied by the required fee has been delivered  
21 to the department or deposited in the mail properly addressed with postage prepaid.

22           (b) Except as provided in s. 342.16 with respect to a vehicle which is not a  
23 salvage vehicle, any transferee of a vehicle who with intent to defraud fails to make  
24 application for a new certificate of title immediately upon transfer to him or her of  
25 a vehicle may be fined not more than \$1,000 or imprisoned for not more than 30 days

1 or both. A certificate is considered to have been applied for when the application  
2 accompanied by the required fee has been delivered to the department or deposited  
3 in the mail properly addressed with postage prepaid.

4 **SECTION 2734hgj.** 342.16 (1) (a) of the statutes is amended to read:

5 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used  
6 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage  
7 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts  
8 a vehicle for sale on consignment, the dealer may not submit to the department the  
9 certificate of title or application for certificate of title naming the dealer as owner of  
10 the vehicle. Upon transferring the vehicle to another person, the dealer shall  
11 immediately give the transferee on a form prescribed by the department a receipt for  
12 all title, registration, security interest and sales tax moneys paid to the dealer for  
13 transmittal to the department when required. The dealer shall promptly execute the  
14 assignment and warranty of title, showing the name and address of the transferee  
15 and of any secured party holding a security interest created or reserved at the time  
16 of the resale or sale on consignment, in the spaces provided therefor on the certificate  
17 or as the department prescribes. Within 7 business days following the sale or  
18 transfer, the dealer shall mail or deliver the certificate or application for certificate  
19 to the department with the transferee's application for a new certificate. A  
20 nonresident who purchases a motor vehicle from a dealer in this state may not,  
21 unless otherwise authorized by rule of the department, apply for a certificate of title  
22 issued for the vehicle in this state unless the dealer determines that a title is  
23 necessary to protect the interests of a secured party. The dealer is responsible for  
24 determining whether a title and perfection of security interest is required. The  
25 dealer is liable for any damages incurred by the department or any secured party for

1 the dealer's failure to perfect a security interest which the dealer had knowledge of  
2 at the time of sale.

3 **SECTION 2734hgm.** 342.16 (1) (c) of the statutes is amended to read:

4 342.16 (1) (c) Except when all available spaces for a dealer's or wholesaler's  
5 reassignment on a certificate of title have been completed or as otherwise authorized  
6 by rules of the department, a dealer or wholesaler who acquires a new or used vehicle  
7 that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that  
8 is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for  
9 sale on consignment may not apply for a certificate of title naming the dealer or  
10 wholesaler as owner of the vehicle. The rules may regulate the frequency of  
11 application by a dealer or wholesaler for transfer of registration or credits for  
12 registration from a previously registered vehicle to another vehicle that the dealer  
13 or wholesaler intends to register in his or her own name.

14 **SECTION 2734hgo.** 342.16 (1) (d) of the statutes is amended to read:

15 342.16 (1) (d) Unless exempted by rule of the department, a dealer or  
16 wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds  
17 it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and  
18 holds it for resale shall make application for a certificate of title naming the dealer  
19 or wholesaler as owner of the vehicle when all of the available spaces for a dealer's  
20 or wholesaler's reassignment on the certificate of title for such vehicle have been  
21 completed.”.

22 **1056.** Page 1344, line 13: after that line insert:

23 “**SECTION 2751m.** 345.05 (1) (c) of the statutes is amended to read:

1           345.05 (1) (c) “Municipality” means any county, city, village, town, school  
2 district (as enumerated in s. 67.01 (5), sewer district, drainage district, commission  
3 formed by a contract under s. 66.30 (2) and, without restriction because of failure of  
4 enumeration, any other political subdivision of the state.”.

5           **1057.** Page 1347, line 7: after “suspended” insert “. The operating privilege  
6 shall be suspended”.

7           **1058.** Page 1347, line 14: after “privilege.” insert “This paragraph does not  
8 apply if the judgment was entered solely for violation of an ordinance unrelated to  
9 the violator’s operation of a motor vehicle.”.

10           **1059.** Page 1361, line 6: delete the material beginning with that line and  
11 ending with page 1362, line 20.

12           **1060.** Page 1375, line 12: after that line insert:

13           “**SECTION 2922g.** 440.947 of the statutes is created to read:

14           **440.947 Disclosures and representations for certain sales. (1)** In this  
15 section:

16           (a) “Cash advance item” means personal property or a service that is obtained  
17 by a person from a 3rd party and that is paid for by the person on behalf of, and  
18 subject to reimbursement from, a buyer of a casket, outer burial container or  
19 cemetery merchandise from the person. “Cash advance item” includes cemetery or  
20 crematory services, pallbearers, public transportation, clergy honoraria, flowers,  
21 musicians or vocalists, nurses, obituary notices, gratuities and death certificates.

22           (b) “Direct cremation service” means the disposition of human remains by  
23 cremation without any formal viewing, visitation or ceremony in which the body of  
24 the deceased is present.

1 (c) “Outer burial container” has the meaning given in s. 157.061 (11g).

2 (d) “Person” does not include a person issued a funeral director’s license under  
3 ch. 445 or an operator of a funeral establishment, as defined in s. 445.01 (7).

4 **(2)** No person may sell or offer for sale a casket, outer burial container or  
5 cemetery merchandise unless the person has provided to the buyer, prior to the sale,  
6 a price list in a clearly legible and conspicuous format that includes each of the  
7 following:

8 (a) The name, address and telephone number of the person’s place of business.

9 (b) The effective date of the price list.

10 (c) The price and a description of each type of casket, outer burial container and  
11 cemetery merchandise that the person usually offers for sale without special  
12 ordering. A description required under this paragraph shall enable a buyer to  
13 identify and understand the specific casket, outer burial container or cemetery  
14 merchandise that is offered for sale.

15 (d) If the person usually offers an outer burial container for sale without special  
16 ordering, a statement that is identical to the following: “State law does not require  
17 that you buy a container to surround the casket in the grave. However, many  
18 cemeteries require that you have such a container so that the grave will not sink in.  
19 Either a grave liner or a burial vault will satisfy these requirements.”

20 (e) The price and a description of any direct cremation or burial service offered  
21 by the person and, if the person offers direct cremation service, a statement that is  
22 identical to the following: “If you want to arrange a direct cremation, you can use an  
23 alternative container. Alternative containers encase the body and can be made of  
24 materials like fiberboard or composition materials (with or without an outside

1 covering). The containers that we provide are .... [insert a description of the  
2 containers offered for direct cremation].”

3 (f) The price and a description of any service offered by the person for the use  
4 any facilities, equipment or staff related to a viewing, funeral ceremony, memorial  
5 service or graveside service.

6 (g) The amount and a description of any basic service fee that is charged in  
7 addition to any price described under pars. (c), (e) or (f).

8 **(3)** A person who sells a casket, outer burial container or cemetery merchandise  
9 shall, immediately after completing the sale, provide the buyer with a form in a  
10 clearly legible and conspicuous format that includes each of the following:

11 (a) The price and a description of the casket, outer burial container or cemetery  
12 merchandise.

13 (b) The price and a description of any service specified in sub. (2) (e) or (f) that  
14 is sold in addition to the casket, outer burial container or cemetery merchandise.

15 (c) The amount and a description of any basic service fee that is charged in  
16 addition to any price described under par. (a) or (b).

17 (d) A statement that the buyer may be charged only for the items that he or she  
18 has selected or that are required by law and a description and explanation of any  
19 items that he or she is required by law to purchase.

20 (e) A description of any charge for a cash advance item, including any  
21 commission, discount or rebate that the person receives for a cash advance item from  
22 the 3rd party from which the cash advance item is obtained and that the person does  
23 not pass on to the buyer.

24 **(4)** No person who sells a casket, outer burial container or cemetery  
25 merchandise may do any of the following:

1 (a) Provide inaccurate information regarding the information specified in sub.  
2 (2) (c), (e), (f) or (g) to a prospective buyer who contacts the person by telephone.

3 (b) Represent that state or local law requires a prospective buyer to purchase  
4 a casket for a direct cremation service.

5 (c) Misrepresent to a prospective buyer any requirement under federal, state  
6 or local law or under the rules of any cemetery, mausoleum or crematory relating to  
7 the use of a casket, outer burial container or cemetery merchandise.

8 (d) Represent that any casket, outer burial container or cemetery merchandise  
9 will delay the natural decomposition of human remains for a long or indefinite period  
10 of time.

11 (e) Require a buyer to pay an additional fee or surcharge if the buyer purchases  
12 a casket, outer burial container or cemetery merchandise from a 3rd party.

13 (f) Alter a price specified in sub. (2) (c), (e), (f) or (g) based on the type of casket,  
14 outer burial container or cemetery merchandise purchased by a buyer.

15 (5) A person who sells a casket, outer burial container or cemetery merchandise  
16 shall retain a copy of the price list specified in sub. (2) (intro.) for at least one year  
17 after the date of its last distribution to a prospective buyer and shall retain a copy  
18 of each form that is provided to a buyer under sub. (3) (intro.) for at least one year  
19 after completion of a sale. A person required to retain a copy under this subsection  
20 shall make the copy available for inspection by the department upon request.

21 **SECTION 2922r.** 440.95 (3) of the statutes is amended to read:

22 440.95 (3) Except as provided in subs. (1) and (2), any person who violates s.  
23 440.91 or 440.947 or any rule promulgated under s. 440.91 may be fined not more  
24 than \$1,000 or imprisoned for not more than 6 months or both.”

1           **1061.** Page 1376, line 21: after that line insert:

2           “**SECTION 2927m.** 560.031 of the statutes is repealed and recreated to read:

3           **560.031 Recycling market development. (1)** In this section:

4           (d) “Responsible unit” has the meaning given in s. 287.01 (9).

5           **(2)** (a) At the request of the board, the department shall provide the financial  
6 assistance awarded to a governmental entity or business entity by the board under  
7 sub. (3).

8           (b) The department shall provide the financial assistance from the  
9 appropriations under s. 20.143 (1) (L) and (tm).

10           **(3)** The board may award a grant, loan or manufacturing rebate under this  
11 subsection to a governmental unit or business entity for a project to assist waste  
12 generators in the marketing of recovered materials or to develop markets for  
13 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
14 board shall consider the extent to which the project does the following:

15           (a) Maximizes the marketability of recovered materials on a statewide basis.

16           (b) Minimizes the amount of recovered materials disposed of in landfills or  
17 burned without energy recovery in incinerators.

18           (c) Includes materials that are banned from landfills and that will support  
19 community recycling efforts.

20           (d) Maintains present markets or creates new or expanded markets for  
21 recovered materials.

22           **(4)** If the board determines that financial assistance is required to stimulate  
23 an activity that it determines is needed to assist responsible units in the marketing  
24 of recovered materials or to develop markets for recovered materials, the board shall



1 request the department to issue a request for proposals for that activity, unless the  
2 board determines that a request for proposals is not an effective means for  
3 distributing the financial assistance for that activity. Upon a request from the board  
4 under this subsection, the department shall issue a request for proposals for the  
5 activity specified by the board.

6 (5) The department shall annually contract for the operation of a statewide  
7 materials exchange program with a materials exchange program that received  
8 funding from the board in the 1997–99 fiscal biennium. The department shall  
9 provide funding for the materials exchange program from the appropriation under  
10 s. 20.143 (1) (tm).

11 (6) The department shall consult with the board and seek advice from the  
12 council on recycling before promulgating any rules under this section.”.

13 **1062.** Page 1378, line 12: after that line insert:

14 “SECTION 2937f. 560.083 of the statutes is created to read:

15 **560.083 Grants for public retail markets.** (1) In this section,  
16 “municipality” means a city, village, town or county in this state.

17 (2) From the appropriation under s. 20.143 (1) (c), the department may make  
18 grants to municipalities and nonprofit organizations to fund costs related to  
19 conducting public retail markets. The department shall promulgate rules for the  
20 administration of this section.”.

21 **1063.** Page 1378, line 12: after that line insert:

22 “SECTION 2937m. 560.09 (5) of the statutes is repealed.”.

23 **1064.** Page 1384, line 23: after that line insert:

24 “SECTION 2955f. 560.155 of the statutes is created to read:

1           **560.155 Business employees' skills training financial assistance**  
2 **program.** (1) From the appropriations under s. 20.143 (1) (c) and (Lm), the  
3 department may award financial assistance as provided in sub. (2) (a) to a business  
4 if all of the following apply:

5           (a) The business is located in this state and satisfies any of the following  
6 criteria:

7           1. The business has no more than 35 full-time employees.

8           2. The business had no more than \$2,500,000 in gross annual income in the  
9 year preceding the year in which the business receives the financial assistance.

10          (b) The business uses the financial assistance to provide skills training or other  
11 education related to the needs of the business to current or prospective employes of  
12 the business.

13          (c) The business submits a plan to the department detailing the proposed use  
14 of the financial assistance and the secretary approves the plan.

15          (d) The business enters into a written agreement with the department that  
16 specifies the conditions for the use of the financial assistance, including reporting,  
17 auditing and repayment requirements.

18          (e) The business agrees in writing that, before providing training or other  
19 education to a current or prospective employe with the financial assistance, it will  
20 enter into a contract with the employe under which the business agrees to retain the  
21 employe, and the employe agrees to work for the business, for at least one year after  
22 the employe's training or education is completed.

23          (f) The business agrees in writing to submit to the department the report  
24 required under sub. (3) by the time required under sub. (3).

1           **(2)** (a) The department may not award a business more than \$10,000 in  
2 financial assistance under this section. One-half of the amount awarded to a  
3 business shall be a grant and one-half shall be a loan.

4           (b) In awarding financial assistance under this section, the department shall  
5 give preference to businesses in industries with especially severe labor shortages.  
6 The department shall consult with the department of workforce development to  
7 determine which industries are experiencing severe labor shortages.

8           (c) 1. Except as provided in subd. 2., the department shall award not less than  
9 30% of the financial assistance awarded under this section in a fiscal biennium to  
10 businesses that are located in counties with populations of less than 100,000.

11           2. Subdivision 1. does not apply in any fiscal biennium in which the department  
12 receives applications from an insufficient number of qualified businesses to comply  
13 with subd. 1.

14           **(3)** A business that receives financial assistance under this section shall submit  
15 to the department, within 6 months after spending the full amount of the proceeds,  
16 a report detailing how the proceeds were used.”.

17           **1065.** Page 1394, line 11: after that line insert:

18           “**SECTION 2982k.** 560.27 of the statutes is created to read:

19           **560.27 Grants for work-based learning programs.** (1) From the  
20 appropriation under s. 20.143 (1) (kj), the department may make a grant of up to  
21 \$350,000 in each fiscal year to the College of the Menominee Nation for the provision  
22 of work-based learning programs for students of the tribal college.

1           (2) The department shall promulgate rules for the administration of this  
2 section, including rules related to the use of the proceeds and auditing and reporting  
3 requirements.”.

4           **1066.** Page 1394, line 11: after that line insert:

5           “SECTION 2980m. 560.26 of the statutes is created to read:

6           **560.26 Wisconsin Procurement Institute grants.** (1) Subject to sub. (3),  
7 the department shall make grants annually from the appropriation under s. 20.143  
8 (1) (c) to the Wisconsin Procurement Institute if all of the following apply:

9           (a) The Wisconsin Procurement Institute uses the grant proceeds to further its  
10 efforts to secure federal government contracts and create jobs in the state.

11           (b) The Wisconsin Procurement Institute submits a plan to the department for  
12 each grant detailing the proposed use of the grant and the secretary approves the  
13 plan.

14           (c) The Wisconsin Procurement Institute enters into a written agreement with  
15 the department that specifies the conditions for use of the grant proceeds, including  
16 reporting and auditing requirements.

17           (d) The Wisconsin Procurement Institute agrees in writing to submit to the  
18 department the report required under sub. (2) by the time required under sub. (2).

19           (2) If the Wisconsin Procurement Institute receives a grant under this section,  
20 it shall submit to the department, within 6 months after spending the full amount  
21 of the grant, a report detailing how the grant proceeds were used.

22           (3) The department may not make grants under sub. (1) that exceed \$100,000  
23 in total in any year.”.

24           **1067.** Page 1396, line 17: after that line insert:

1           **“SECTION 2996p.** 560.65 (4) (a) of the statutes is repealed.”.

2           **1068.** Page 1396, line 24: delete the material beginning with that line and  
3 ending with page 1397, line 3, and substitute:

4           “560.68 (3) The department may charge a ~~grant or loan~~ recipient of a grant or  
5 loan awarded under this subchapter an origination fee of up to 1.5% of the grant or  
6 loan amount if the grant or loan ~~exceeds \$200,000 and is awarded under s. 560.63~~  
7 ~~or 560.66~~ equals \$100,000 or more. The department shall deposit all origination fees  
8 collected under this subsection in the appropriation account under s. 20.143 (1)  
9 (gm).”.

10          **1069.** Page 1400, line 18: after that line insert:

11          **“SECTION 3020m.** 560.835 (7) (b) of the statutes is amended to read:

12          560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
13 appropriation account under s. 20.143 (1) (L) all moneys received after ~~July 1, 1995~~  
14 the effective date of this paragraph ... [revisor inserts date], in repayment of loans  
15 made under this section.”.

16          **1070.** Page 1401, line 5: after that line insert:

17          **“SECTION 3023j.** 562.065 (4) of the statutes is amended to read:

18          562.065 (4) UNCLAIMED PRIZES. ~~Any~~ A licensee under s. 562.05 (1) (b) may retain  
19 any winnings on a race which that are not claimed within 90 days after the end of  
20 the period authorized for racing in that year under s. 562.05 (9) ~~shall be paid to the~~  
21 ~~department. The department shall credit moneys received under this subsection to~~  
22 ~~the appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g).~~”.

23          **1071.** Page 1402, line 19: after that line insert:

24          **“SECTION 3025t.** 569.01 (1j) of the statutes is created to read:

1           569.01 (1j) “Indian gaming facility” means a facility at which Indian gaming  
2 is conducted under an Indian gaming compact.”.

3           **1072.** Page 1402, line 19: after that line insert:

4           “**SECTION 3025r.** 565.30 (3m) of the statutes is amended to read:

5           565.30 (3m) VALUE OF CERTAIN PRIZES. A prize that is a lottery ticket or lottery  
6 share in the same lottery game in which the prize is won or in another lottery game  
7 shall, for prize structure accounting purposes, be valued at the same percentage of  
8 the 50% of the retail price, as specified under s. 25.75 (3) (a), as are other prizes in  
9 the same lottery game in which the prize is won.

10          **SECTION 3025w.** 565.45 of the statutes is repealed.”.

11          **1073.** Page 1402, line 19: after that line insert:

12          “**SECTION 3025r.** 565.30 (5m) of the statutes is amended to read:

13          565.30 (5m) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR  
14 FAMILY SUPPORT. The administrator shall report to the department of workforce  
15 development the name, address and social security number of each winner of a  
16 lottery prize that is payable in instalments. Upon receipt of the report, the  
17 department of workforce development shall certify to the administrator whether any  
18 payee named in the report is obligated to provide child support, spousal support,  
19 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,  
20 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or  
21 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize  
22 under s. 767.265. The administrator shall withhold the certified amount from each  
23 payment made to the winner and remit the certified amount to the department of  
24 workforce development.”.

1           **1074.** Page 1402, line 23: after that line insert:

2           “**SECTION 3026h.** 569.01 (4) of the statutes is created to read:

3           569.01 (4) “Net win” means the amount wagered at an Indian gaming facility,  
4 less the amount paid out in winnings at the Indian gaming facility.

5           **SECTION 3026p.** 569.02 (5) of the statutes is created to read:

6           569.02 (5) On March 1 annually, for each payment of Indian gaming receipts,  
7 as described under s. 569.01 (1m) (d), received by the state from an Indian tribe in  
8 the prior calendar year, determine the amount to be transferred under s. 20.505 (8)  
9 (hm) to the lottery fund by doing all of the following:

10           (a) Dividing the net win in the prior calendar year at all of the Indian tribe’s  
11 Indian gaming facilities at which pari-mutuel racing is conducted and at which  
12 pari-mutuel racing under ch. 562 was conducted on the effective date of this  
13 paragraph .... [revisor inserts date], by the net win in the prior calendar year at all  
14 of the Indian tribe’s Indian gaming facilities.

15           (b) Multiplying the number calculated under par. (a) by the amount of Indian  
16 gaming receipts, as described under s. 569.01 (1m) (d), received by the state from the  
17 Indian tribe in the prior calendar year.”.

18           **1075.** Page 1404, line 15: after that line insert:

19           “**SECTION 3036c.** 609.05 (2) of the statutes is amended to read:

20           609.05 (2) Subject to s. 609.22 (4) and (4m), a limited service health  
21 organization, preferred provider plan or managed care plan may require an enrollee  
22 to designate a primary provider and to obtain health care services from the primary  
23 provider when reasonably possible.

24           **SECTION 3036f.** 609.05 (3) of the statutes is amended to read:

1           609.05 (3) Except as provided in ss. 609.22 (4m), 609.65 and 609.655, a limited  
2 service health organization, preferred provider plan or managed care plan may  
3 require an enrollee to obtain a referral from the primary provider designated under  
4 sub. (2) to another participating provider prior to obtaining health care services from  
5 that participating provider.

6           **SECTION 3036j.** 609.22 (4m) of the statutes is created to read:

7           609.22 (4m) OBSTETRIC AND GYNECOLOGIC SERVICES. (a) A managed care plan  
8 that provides coverage of obstetric or gynecologic services may not require a female  
9 enrollee of the managed care plan to obtain a referral for coverage of those services  
10 provided by a participating provider who is a physician licensed under ch. 448 and  
11 who specializes in obstetrics and gynecology, regardless of whether the participating  
12 provider is the enrollee's primary provider. Notwithstanding sub. (4), the managed  
13 care plan may not require the enrollee to obtain a standing referral under the  
14 procedure established under sub. (4) (a) for coverage of the services specified in this  
15 paragraph.

16           (b) A managed care plan under par. (a) may not do any of the following:

17           1. Penalize or restrict the coverage of a female enrollee on account of her having  
18 obtained obstetric or gynecologic services in the manner provided under par. (a).

19           2. Penalize or restrict the contract of a participating provider on account of his  
20 or her having provided obstetric or gynecologic services in the manner provided  
21 under par. (a).

22           (c) A managed care plan under par. (a) shall provide written notice of the  
23 requirement under par. (a) in every policy or group certificate issued by the managed  
24 care plan and, during each open enrollment period, to every female enrollee and  
25 every female applicant for coverage.”.



1           **1076.** Page 1404, line 15: after that line insert:

2           “**SECTION 3036c.** 609.23 of the statutes is created to read:

3           **609.23 Point-of-service coverage option.** (1) In this section,  
4 “point-of-service coverage option” means a health benefit plan coverage option  
5 under which all of the following apply:

6           (a) An insured may obtain health care services from a provider of his or her  
7 choice.

8           (b) A provider selected under par. (a) is not necessarily a participating provider  
9 of the health benefit plan or a member of the health benefit plan’s network of  
10 providers.

11           (c) The health benefit plan reimburses a provider selected under par. (a) for the  
12 cost of services provided to the insured if the provider is appropriately licensed and  
13 the services provided are covered under the health benefit plan.

14           **(2)** (a) Notwithstanding ss. 609.05 (2) and 628.36 (2) (b) 1. and 3., a managed  
15 care plan shall offer to its enrollees at least one point-of-service coverage option in  
16 each geographic service area of the managed care plan.

17           (b) An enrollee who selects point-of-service coverage shall be responsible for  
18 any extra costs associated with the coverage, including additional administrative  
19 costs and provider fees. Nothing in this section is intended to require a managed care  
20 plan to incur any additional costs resulting from the selection by an enrollee of  
21 point-of-service coverage.

22           (c) The commissioner shall ensure that premium rates, copayments,  
23 deductibles or any other cost-sharing provisions related to point-of-service

1 coverage are based on sound actuarial principles and supported by reliable data or  
2 actual or reasonably anticipated experience.”

3 **1077.** Page 1405, line 24: after that line insert:

4 “**SECTION 3044ad.** 632.75 (5) of the statutes is amended to read:

5 632.75 (5) PAYMENTS FOR HOSPITAL SERVICES. No insurer may reimburse a  
6 hospital for patient health care costs at a rate exceeding the rate price cap  
7 established under ~~ch. 54, 1985 stats., or s. 146.60, 1983 stats., for care provided prior~~  
8 ~~to July 1, 1987 subch. II of ch. 196.~~”

9 **1078.** Page 1406, line 3: after that line insert:

10 “**SECTION 3044L.** 632.897 (10) (a) 3. of the statutes is amended to read:

11 632.897 (10) (a) 3. The fact that the group member or insured does not claim  
12 the child as an exemption for federal income tax purposes under 26 USC 151 (c) (1)  
13 (B), or as an exemption for state income tax purposes under s. 71.07 (8) (b) or under  
14 the laws of another state, if a court order under s. 767.25 (4m), ~~767.51 (3m) or 767.62~~  
15 ~~(4) (b)~~ or the laws of another state assigns responsibility for the child’s health care  
16 expenses to the group member or insured.”

17 **1079.** Page 1407, line 18: after that line insert:

18 “**SECTION 3049d.** 753.015 of the statutes is created to read:

19 **753.015 Elections.** (1) Except as provided in sub. (2), circuit judges shall be  
20 elected by qualified electors of that circuit on an at-large basis. A circuit judge shall  
21 reside within the circuit in which he or she is elected.

22 (2) At each applicable election held on or after the effective date of this  
23 subsection .... [revisor inserts date], the circuit judges for each of the odd-numbered  
24 branches in the 1st judicial administrative district shall be elected from judicial

1 subdistricts, numbered 1 to 25. The boundaries of each judicial subdistrict shall be  
2 the same as the boundaries of the supervisory districts for the election of the  
3 Milwaukee County board of supervisors. Each judicial subdistrict shall take the  
4 same number as the corresponding county supervisory district that bounds it. One  
5 circuit judge shall be elected from each of the 25 judicial subdistricts. The circuit  
6 judge to be elected from each judicial subdistrict shall be for those odd-numbered  
7 branches numbered in ascending numerical order, such that the circuit judge for  
8 branch one shall be elected by the electors of judicial subdistrict one, the circuit judge  
9 for branch 3 shall be elected by the electors of judicial subdistrict 2, the circuit judge  
10 for branch 5 shall be elected by the electors of judicial subdistrict 3, and continuing  
11 in that manner with the circuit judge for branch 49 being elected by the electors of  
12 judicial subdistrict 25. The person elected as circuit judge from a judicial subdistrict  
13 under this subsection shall reside in the judicial subdistrict from which he or she is  
14 elected.

15 (3) Within 30 days after the number of branches in the first judicial  
16 administrative district changes or the boundaries of Milwaukee County supervisory  
17 districts change, the Milwaukee County board of supervisors shall, by ordinance,  
18 create revised judicial subdistricts in a number that results in the creation of one  
19 judicial subdistrict for each of the odd-numbered circuit branches, with the  
20 boundaries of each judicial subdistrict being concurrent with the boundaries of one  
21 county supervisory district.

22 **SECTION 3049g.** 753.06 (1) (a) of the statutes is amended to read:

23 753.06 (1) (a) Milwaukee County. The circuit has 46 branches. Commencing  
24 August 1, 1999, the circuit has 47 branches. Commencing August 1, 2001, the circuit  
25 has 50 branches.”

1           **1080.** Page 1409, line 4: after that line insert:

2           “**SECTION 3051n.** 767.045 (1) (a) 2. of the statutes is amended to read:

3           767.045 (1) (a) 2. The Except as provided in par. (am), the legal custody or  
4 physical placement of the child is contested.

5           **SECTION 3051no.** 767.045 (1) (am) of the statutes is created to read:

6           767.045 (1) (am) The court is not required to appoint a guardian ad litem under  
7 par. (a) 2. if all of the following apply:

8           1. Legal custody or physical placement is contested in an action to modify legal  
9 custody or physical placement under s. 767.325 or 767.327.

10           2. The modification sought would not substantially alter the amount of time  
11 that a parent may spend with his or her child.

12           3. The court determines any of the following:

13           a. That the appointment of a guardian ad litem will not assist the court in the  
14 determination regarding legal custody or physical placement because the facts or  
15 circumstances of the case make the likely determination clear.

16           b. That a party seeks the appointment of a guardian ad litem solely for a tactical  
17 purpose, or for the sole purpose of delay, and not for a purpose that is in the best  
18 interest of the child.

19           **SECTION 3051p.** 767.045 (1) (e) of the statutes is created to read:

20           767.045 (1) (e) Nothing in this subsection prohibits the court from making a  
21 temporary order under s. 767.23 that concerns the child before a guardian ad litem  
22 is appointed or before the guardian ad litem has made a recommendation to the  
23 court, if the court determines that the temporary order is in the best interest of the  
24 child.

1           **SECTION 3051r.** 767.078 (1) (a) 1. of the statutes is amended to read:

2           767.078 (1) (a) 1. Is an action for modification of a child support order under  
3           s. 767.32 or an action in which an order for child support is required under s. 767.25  
4           (1), 767.51 (3) or 767.62 (4) (a).”.

5           **1081.** Page 1409, line 12: after that line insert:

6           “**SECTION 3054m.** 767.245 (1) of the statutes is amended to read:

7           767.245 (1) Except as provided in sub- subs. (1m) and (2m), upon petition by  
8           a grandparent, greatgrandparent, stepparent or person who has maintained a  
9           relationship similar to a parent–child relationship with the child, the court may  
10          grant reasonable visitation rights to that person if the parents have notice of the  
11          hearing and if the court determines that visitation is in the best interest of the child.

12          **SECTION 3054p.** 767.245 (1m) of the statutes is created to read:

13          767.245 (1m) (a) Except as provided in par. (b), the court may not grant  
14          visitation rights under sub. (1) to a person who has been convicted under s. 940.01  
15          of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree  
16          intentional homicide, of a parent of the child, and the conviction has not been  
17          reversed, set aside or vacated.

18          (b) Paragraph (a) does not apply if the court determines by clear and convincing  
19          evidence that the visitation would be in the best interests of the child. The court shall  
20          consider the wishes of the child in making the determination.

21          **SECTION 3054r.** 767.245 (6) of the statutes is created to read:

22          767.245 (6) (a) If a person granted visitation rights with a child under this  
23          section is convicted under s. 940.01 of the first–degree intentional homicide, or under  
24          s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the

1 conviction has not been reversed, set aside or vacated, the court shall modify the  
2 visitation order by denying visitation with the child upon petition, motion or order  
3 to show cause by a parent or guardian of the child, or upon the court’s own motion,  
4 and upon notice to the person granted visitation rights.

5 (b) Paragraph (a) does not apply if the court determines by clear and convincing  
6 evidence that the visitation would be in the best interests of the child. The court shall  
7 consider the wishes of the child in making that determination.

8 **SECTION 3054t.** 767.247 of the statutes is created to read:

9 **767.247 Prohibiting visitation or physical placement if a parent kills**  
10 **other parent.** (1) Notwithstanding ss. 767.23 (1) (am), 767.24 (1), (4) and (5),  
11 767.51 (3) and 767.62 (4) (a) and except as provided in sub. (2), in an action under this  
12 chapter that affects a minor child, a court or family court commissioner may not  
13 grant to the child’s parent visitation or physical placement rights with the child if the  
14 parent has been convicted under s. 940.01 of the first-degree intentional homicide,  
15 or under s. 940.05 of the 2nd-degree intentional homicide, of the child’s other parent,  
16 and the conviction has not been reversed, set aside or vacated.

17 (2) Subsection (1) does not apply if the court or family court commissioner  
18 determines by clear and convincing evidence that the visitation or periods of physical  
19 placement would be in the best interests of the child. The court or family court  
20 commissioner shall consider the wishes of the child in making the determination.”.

21 **1082.** Page 1409, line 12: after that line insert:

22 “**SECTION 3054c.** 767.078 (2) of the statutes is amended to read:

23 767.078 (2) Subsection (1) does not limit the authority of a court to issue an  
24 order, other than an order under sub. (1), regarding employment of a parent in an

1 action for modification of a child support order under s. 767.32 or an action in which  
2 an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (a).

3 **SECTION 3054cd.** 767.11 (12) (b) of the statutes is amended to read:

4 767.11 (12) (b) If after mediation under this section the parties do not reach  
5 agreement on legal custody or periods of physical placement, the parties or the  
6 mediator shall so notify the court. ~~The Except as provided in s. 767.045 (1) (am), the~~  
7 ~~court shall promptly appoint a guardian ad litem under s. 767.045. After the~~  
8 ~~appointment~~ Regardless of whether the court appoints a guardian ad litem, the court  
9 shall, if appropriate, refer the matter for a legal custody or physical placement study  
10 under sub. (14). If the parties come to agreement on legal custody or physical  
11 placement after the matter has been referred for a study, the study shall be  
12 terminated. The parties may return to mediation at any time before any trial of or  
13 final hearing on legal custody or periods of physical placement. If the parties return  
14 to mediation, the county shall collect any applicable fee under s. 814.615.

15 **SECTION 3054ce.** 767.115 (title) of the statutes is amended to read:

16 **767.115 (title) Educational program in action programs and classes in**  
17 **actions affecting the family.**

18 **SECTION 3054cf.** 767.115 (4) of the statutes is created to read:

19 767.115 (4) (a) At any time during the pendency of a divorce or paternity action,  
20 the court or family court commissioner may order the parties to attend a class that  
21 is approved by the court or family court commissioner and that addresses such issues  
22 as child development, family dynamics, how parental separation affects a child's  
23 development and what parents can do to make raising a child in a separated  
24 situation less stressful for the child.

1 (b) The court or family court commissioner may not require the parties to  
2 attend a class under this subsection as a condition to the granting of the final  
3 judgment or order in the divorce or paternity action, however, the court or family  
4 court commissioner may refuse to hear a custody or physical placement motion of a  
5 party who refuses to attend a class ordered under this subsection.

6 (c) 1. Except as provided in subd. 2., the parties shall be responsible for any cost  
7 of attending the class.

8 2. If the court or family court commissioner finds that a party is indigent, any  
9 costs that would be the responsibility of that party shall be paid by the county.

10 **SECTION 3054cg.** 767.23 (1) (a) of the statutes is amended to read:

11 767.23 (1) (a) ~~Upon~~ Subject to s. 767.477, upon request of one party, granting  
12 legal custody of the minor children to the parties jointly, to one party solely or to a  
13 relative or agency specified under s. 767.24 (3). ~~The, in a manner consistent with s.~~  
14 767.24, except that the court or family court commissioner may order ~~joint~~ sole legal  
15 custody without the agreement of the other party and without the findings required  
16 under s. 767.24 (2) (b) 2. This order may not have a binding effect on a final custody  
17 determination.

18 **SECTION 3054ch.** 767.23 (1) (am) of the statutes is amended to read:

19 767.23 (1) (am) ~~Upon~~ Subject to s. 767.477, upon the request of a party,  
20 granting periods of physical placement to a party in a manner consistent with s.  
21 767.24. The court or family court commissioner shall make a determination under  
22 this paragraph within 30 days after the request for a temporary order regarding  
23 periods of physical placement is filed.

24 **SECTION 3054ci.** 767.23 (1) (c) of the statutes is amended to read:



1           767.23 (1) (c) ~~Requiring Subject to s. 767.477, requiring~~ either party or both  
2 parties to make payments for the support of minor children, which payment amounts  
3 may be expressed as a percentage of parental income or as a fixed sum, or as a  
4 combination of both in the alternative by requiring payment of the greater or lesser  
5 of either a percentage of parental income or a fixed sum.

6           **SECTION 3054cj.** 767.23 (1) (k) of the statutes is amended to read:

7           767.23 (1) (k) ~~Requiring Subject to s. 767.477, requiring~~ either party or both  
8 parties to maintain minor children as beneficiaries on a health insurance policy or  
9 plan.

10          **SECTION 3054ck.** 767.23 (1n) of the statutes is amended to read:

11          767.23 (1n) Before making any temporary order under sub. (1), the court or  
12 family court commissioner shall consider those factors ~~which~~ that the court is  
13 required by this chapter to consider before entering a final judgment on the same  
14 subject matter. In making a determination under sub. (1) (a) or (am), the court or  
15 family court commissioner shall consider the factors under s. 767.24 (5). If the court  
16 or family court commissioner makes a temporary child support order that deviates  
17 from the amount of support that would be required by using the percentage standard  
18 established by the department under s. 49.22 (9), the court or family court  
19 commissioner shall comply with the requirements of s. 767.25 (1n). A temporary  
20 order under sub. (1) may be based upon the written stipulation of the parties, subject  
21 to the approval of the court or the family court commissioner. Temporary orders  
22 made by the family court commissioner may be reviewed by the court as provided in  
23 s. 767.13 (6).

24          **SECTION 3054cL.** 767.24 (1) of the statutes is amended to read:

1           767.24 (1) GENERAL PROVISIONS. In rendering a judgment of annulment, divorce  
2 or, legal separation or paternity, or in rendering a judgment in an action under s.  
3 767.02 (1) (e) or 767.62 (3), the court shall make such provisions as it deems just and  
4 reasonable concerning the legal custody and physical placement of any minor child  
5 of the parties, as provided in this section.

6           **SECTION 3054cm.** 767.24 (1m) of the statutes is created to read:

7           767.24 (1m) PARENTING PLAN. In an action for annulment, divorce or legal  
8 separation, an action to determine paternity or an action under s. 767.02 (1) (e) or  
9 767.62 (3) in which legal custody or physical placement is contested, a party seeking  
10 sole or joint legal custody or periods of physical placement shall file a parenting plan  
11 with the court before any pretrial conference may be held. A parenting plan shall  
12 provide information about the following questions:

13           (a) What legal custody or physical placement the parent is seeking.

14           (b) Where the parent lives currently and where the parent intends to live  
15 during the next 2 years.

16           (c) Where the parent works and the hours of employment.

17           (d) Who will provide any necessary child care when the parent cannot and who  
18 will pay for the child care.

19           (e) Where the child will go to school.

20           (f) What doctor or health care facility will provide medical care for the child.

21           (g) How the child's medical expenses will be paid.

22           (h) What the child's religious commitment will be, if any.

23           (i) Who will make decisions about the child's education, medical care, choice of  
24 child care providers and extracurricular activities.

1 (j) How the parent proposes to resolve disagreements related to matters over  
2 which the court orders joint decision making.

3 (k) What child support, family support, maintenance or other income transfer  
4 there will be.

5 **SECTION 3054cn.** 767.24 (2) (a) of the statutes is amended to read:

6 767.24 (2) (a) Subject to ~~par. (b)~~ pars. (am), (b) and (c), based on the best interest  
7 of the child and after considering the factors under sub. (5), the court may give joint  
8 legal custody or sole legal custody of a minor child.

9 **SECTION 3054co.** 767.24 (2) (am) of the statutes is created to read:

10 767.24 (2) (am) The court shall presume that joint legal custody is in the best  
11 interest of the child.

12 **SECTION 3054cp.** 767.24 (2) (b) of the statutes is amended to read:

13 767.24 (2) (b) The court may give ~~joint~~ sole legal custody only if it finds that  
14 doing so is in the child's best interest and that either of the following applies:

15 1. Both parties agree to ~~joint~~ sole legal custody with the same party.

16 2. The parties do not agree to ~~joint~~ sole legal custody with the same party, but  
17 at least one party requests ~~joint~~ sole legal custody and the court specifically finds all  
18 2 or more of the following:

19 a. ~~Both parties are~~ One party is not capable of performing parental duties and  
20 responsibilities and or does not wish to have an active role in raising the child.

21 b. ~~No~~ One or more conditions exist at that time ~~which~~ that would substantially  
22 interfere with the exercise of joint legal custody.

23 c. The parties will not be able to cooperate in the future decision making  
24 required under an award of joint legal custody. In making this finding the court shall  
25 consider, along with any other pertinent items, any reasons offered by a party

1 objecting to joint legal custody. Evidence that either party engaged in abuse, as  
2 defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of  
3 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
4 as defined in s. 813.12 (1) (a), creates a rebuttable presumption that the parties will  
5 not be able to cooperate in the future decision making required. ~~This presumption  
6 may be rebutted by clear and convincing evidence that the abuse will not interfere  
7 with the parties' ability to cooperate in the future decision making required.~~

8 **SECTION 3054cq.** 767.24 (2) (c) of the statutes is created to read:

9 767.24 (2) (c) The court may not give sole legal custody to a parent who refuses  
10 to cooperate with the other parent if the court finds that the refusal to cooperate is  
11 unreasonable.

12 **SECTION 3054cr.** 767.24 (4) (a) of the statutes is renumbered 767.24 (4) (a) 1.  
13 and amended to read:

14 767.24 (4) (a) 1. Except as provided under par. (b), if the court orders sole or  
15 joint legal custody under sub. (2), the court shall allocate periods of physical  
16 placement between the parties in accordance with this subsection.

17 2. In determining the allocation of periods of physical placement, the court  
18 shall consider each case on the basis of the factors in sub. (5). ~~The court shall set a~~  
19 placement schedule that allows the child to have regularly occurring, meaningful  
20 periods of physical placement with each parent and that maximizes the amount of  
21 time the child may spend with each parent, taking into account geographic  
22 separation and accommodations for different households.

23 **SECTION 3054cs.** 767.24 (4) (a) 3. of the statutes is created to read:

24 767.24 (4) (a) 3. Notwithstanding subd. 2. and sub. (5), the court shall presume  
25 that any proposal submitted to the court with respect to periods of physical

1 placement that has been voluntarily agreed to by the parties is in the child's best  
2 interest.

3 **SECTION 3054ct.** 767.24 (4) (c) of the statutes is amended to read:

4 767.24 (4) (c) No court may deny periods of physical placement for failure to  
5 meet, or grant periods of physical placement for meeting, any financial obligation to  
6 the child or, if the parties were married, to the former spouse.

7 **SECTION 3054cu.** 767.24 (5) (intro.) of the statutes is amended to read:

8 767.24 (5) FACTORS IN CUSTODY AND PHYSICAL PLACEMENT DETERMINATIONS.  
9 (intro.) In determining legal custody and periods of physical placement, the court  
10 shall consider all facts relevant to the best interest of the child. The court may not  
11 prefer one parent or potential custodian over the other on the basis of the sex or race  
12 of the parent or potential custodian. ~~The court shall consider reports of appropriate~~  
13 ~~professionals if admitted into evidence when legal custody or physical placement is~~  
14 ~~contested.~~ The court shall consider the following factors in making its  
15 determination:

16 **SECTION 3054cv.** 767.24 (5) (a) of the statutes is amended to read:

17 767.24 (5) (a) The wishes of the child's parent or parents, as shown by any  
18 stipulation between the parties, any proposed parenting plan or any legal custody  
19 or physical placement proposal submitted to the court at trial.

20 **SECTION 3054cw.** 767.24 (5) (bm) of the statutes is created to read:

21 767.24 (5) (bm) The right of the child to spend the same amount of time or  
22 substantial periods of time with each parent.

23 **SECTION 3054cx.** 767.24 (5) (cm) of the statutes is created to read:

24 767.24 (5) (cm) The amount and quality of time that each parent has spent with  
25 the child in the past, changes to the parents' custodial roles made necessary by the

1 divorce and any reasonable life–style changes that a parent proposes to make to be  
2 able to spend time with the child in the future.

3 **SECTION 3054cy.** 767.24 (5) (dm) of the statutes is created to read:

4 767.24 (5) (dm) The age of the child and the child’s developmental and  
5 educational needs at different ages.

6 **SECTION 3054cz.** 767.24 (5) (em) of the statutes is created to read:

7 767.24 (5) (em) The need for regularly occurring and meaningful periods of  
8 physical placement to provide predictability and stability for the child.

9 **SECTION 3054d.** 767.24 (5) (fm) of the statutes is created to read:

10 767.24 (5) (fm) The cooperation and communication between the parties and  
11 whether either party unreasonably refuses to cooperate or communicate with the  
12 other party.

13 **SECTION 3054dc.** 767.24 (5) (g) of the statutes is amended to read:

14 767.24 (5) (g) Whether each party can support the other party’s relationship  
15 with the child, including encouraging and facilitating frequent and continuing  
16 contact with the child, or whether one party is likely to unreasonably interfere with  
17 the child’s continuing relationship with the other party.

18 **SECTION 3054dd.** 767.24 (5) (jm) of the statutes is created to read:

19 767.24 (5) (jm) The reports of appropriate professionals if admitted into  
20 evidence.

21 **SECTION 3054de.** 767.242 of the statutes is created to read:

22 **767.242 Enforcement of physical placement orders. (1) DEFINITIONS.** In  
23 this section:

1 (a) "Petitioner" means the parent filing a petition under this section, regardless  
2 of whether that parent was the petitioner in the action in which periods of physical  
3 placement were awarded under s. 767.24.

4 (b) "Respondent" means the parent upon whom a petition under this section is  
5 served, regardless of whether that parent was the respondent in the action in which  
6 periods of physical placement were awarded under s. 767.24.

7 **(2) WHO MAY FILE.** A parent who has been awarded periods of physical  
8 placement under s. 767.24 may file a petition under sub. (3) if any of the following  
9 applies:

10 (a) The parent has had one or more periods of physical placement denied by the  
11 other parent.

12 (b) The parent has had one or more periods of physical placement substantially  
13 interfered with by the other parent.

14 (c) The parent has incurred a financial loss or expenses as a result of the other  
15 parent's intentional failure to exercise one or more periods of physical placement  
16 under an order allocating specific times for the exercise of periods of physical  
17 placement.

18 **(3) PETITION.** (a) The petition shall allege facts sufficient to show the following:

19 1. The name of the petitioner and that the petitioner has been awarded periods  
20 of physical placement.

21 2. The name of the respondent.

22 3. That the criteria in sub. (2) apply.

23 (b) The petition shall request the imposition of a remedy or any combination  
24 of remedies under sub. (5) (b). This paragraph does not prohibit a judge or family

1 court commissioner from imposing a remedy under sub. (5) (b) if the remedy was not  
2 requested in the petition.

3 (c) A judge or family court commissioner shall accept any legible petition for  
4 an order under this section.

5 (d) The petition shall be filed under the principal action under which the  
6 periods of physical placement were awarded.

7 (e) A petition under this section is a motion for remedial sanction for purposes  
8 of s. 785.03 (1) (a).

9 **(4) SERVICE ON RESPONDENT; RESPONSE.** Upon the filing of a petition under sub.  
10 (3), the petitioner shall serve a copy of the petition upon the respondent. The  
11 respondent may respond to the petition either in writing before or at the hearing  
12 under sub. (5) (a) or orally at that hearing.

13 **(5) HEARING; REMEDIES.** (a) A judge or family court commissioner shall hold a  
14 hearing on the petition no later than 30 days after the petition has been served,  
15 unless the time is extended by mutual agreement of the parties or upon the motion  
16 of a guardian ad litem and the approval of the judge or family court commissioner.  
17 The judge or family court commissioner may, on his or her own motion or the motion  
18 of any party, order that a guardian ad litem be appointed for the child prior to the  
19 hearing.

20 (b) At the conclusion of the hearing, the judge or family court commissioner  
21 may do any of the following:

22 1. If the judge or family court commissioner finds that the respondent has  
23 intentionally and unreasonably denied the petitioner one or more periods of physical  
24 placement or that the respondent has intentionally and unreasonably interfered



1 with one or more of the petitioner's periods of physical placement, do one or more of  
2 the following:

3 a. Issue an order granting additional periods of physical placement to replace  
4 those denied or interfered with.

5 b. If the underlying order or judgment relating to periods of physical placement  
6 does not provide for specific times for the exercise of periods of physical placement,  
7 issue an order specifying the times for the exercise of periods of physical placement.

8 c. Find the respondent in contempt of court under ch. 785.

9 d. Grant an injunction ordering the respondent to strictly comply with the  
10 judgment or order relating to the award of physical placement. In determining  
11 whether to issue an injunction, the judge or family court commissioner shall consider  
12 whether alternative remedies requested by the petitioner would be as effective in  
13 obtaining compliance with the order or judgment relating to physical placement.

14 2. If the judge or family court commissioner finds that the petitioner has  
15 incurred a financial loss or expenses as a result of the respondent's failure,  
16 intentionally and unreasonably and without adequate notice to the petitioner, to  
17 exercise one or more periods of physical placement under an order allocating specific  
18 times for the exercise of periods of physical placement, issue an order requiring the  
19 respondent to pay to the petitioner a sum of money sufficient to compensate the  
20 petitioner for the financial loss or expenses.

21 (c) Except as provided in par. (b) 1. a. and b., the judge or family court  
22 commissioner may not modify an order of legal custody or physical placement in an  
23 action under this section.

1 (d) The judge or family court commissioner shall award the prevailing party  
2 a reasonable amount for the cost of maintaining an action under this section and for  
3 attorney fees.

4 (e) An injunction issued under par. (b) 1. d. is effective according to its terms,  
5 for the period of time that the petitioner requests, but not more than 2 years.

6 **(6) ENFORCEMENT ASSISTANCE.** (a) If an injunction is issued under sub. (5) (b)  
7 1. d., upon request by the petitioner the judge or family court commissioner shall  
8 order the sheriff to assist the petitioner in executing or serving the injunction.

9 (b) Within 24 hours after a request by the petitioner, the clerk of the circuit  
10 court shall send a copy of an injunction issued under sub. (5) (b) 1. d. to the sheriff  
11 or to any other local law enforcement agency that is the central repository for orders  
12 and that has jurisdiction over the respondent's residence. If the respondent does not  
13 reside in this state, the clerk shall send a copy of the injunction to the sheriff of the  
14 county in which the circuit court is located.

15 (c) The sheriff or other appropriate local law enforcement agency under par. (b)  
16 shall make available to other law enforcement agencies, through a verification  
17 system, information on the existence and status of any injunction issued under sub.  
18 (5) (b) 1. d. The information need not be maintained after the injunction is no longer  
19 in effect.

20 **(7) ARREST.** A law enforcement officer may arrest and take a person into custody  
21 if all of the following apply:

22 (a) A petitioner under this section presents the law enforcement officer with a  
23 copy of an injunction issued under sub. (5) (b) 1. d. or the law enforcement officer  
24 determines that such an injunction exists through communication with appropriate  
25 authorities.

1 (b) The law enforcement officer has probable cause to believe that the person  
2 has violated the injunction issued under sub. (5) (b) 1. d.

3 **(8) PENALTY.** Whoever intentionally violates an injunction issued under sub.  
4 (5) (b) 1. d. may be fined not more than \$10,000 or imprisoned for not more than 2  
5 years or both.

6 **SECTION 3054df.** 767.25 (1) (intro.) of the statutes is amended to read:

7 767.25 (1) (intro.) Whenever the court approves a stipulation for child support  
8 under s. 767.10, enters a judgment of annulment, divorce or legal separation, or  
9 enters an order or a judgment in a paternity action or in an action under s. 767.02  
10 (1) (f) or (j) ~~or~~, 767.08 or 767.62 (3), the court shall do all of the following:

11 **SECTION 3054dg.** 767.25 (1m) (b) of the statutes is amended to read:

12 767.25 (1m) (b) The financial resources of both parents ~~as determined under~~  
13 ~~s. 767.255.~~

14 **SECTION 3054dh.** 767.25 (1m) (c) of the statutes is amended to read:

15 767.25 (1m) (c) ~~The~~ If the parties were married, the standard of living the child  
16 would have enjoyed had the marriage not ended in annulment, divorce or legal  
17 separation.

18 **SECTION 3054di.** 767.25 (4m) (b) of the statutes is amended to read:

19 767.25 (4m) (b) In addition to ordering child support for a child under sub. (1),  
20 the court shall specifically assign responsibility for and direct the manner of  
21 payment of the child's health care expenses. In assigning responsibility for a child's  
22 health care expenses, the court shall consider whether a child is covered under a  
23 parent's health insurance policy or plan at the time the court approves a stipulation  
24 for child support under s. 767.10, enters a judgment of annulment, divorce or legal  
25 separation, or enters an order or a judgment in a paternity action or in an action

1 under s. 767.02 (1) (f) or (j) or, 767.08 or 767.62 (3), the availability of health  
2 insurance to each parent through an employer or other organization, the extent of  
3 coverage available to a child and the costs to the parent for the coverage of the child.  
4 A parent may be required to initiate or continue health care insurance coverage for  
5 a child under this subsection. If a parent is required to do so, he or she shall provide  
6 copies of necessary program or policy identification to the custodial parent and is  
7 liable for any health care costs for which he or she receives direct payment from an  
8 insurer. This subsection shall not be construed to limit the authority of the court to  
9 enter or modify support orders containing provisions for payment of medical  
10 expenses, medical costs, or insurance premiums which are in addition to and not  
11 inconsistent with this subsection.

12 **SECTION 3054dj.** 767.25 (5) of the statutes is amended to read:

13 767.25 (5) ~~Liability~~ Subject to ss. 767.51 (4) and 767.62 (4m), liability for past  
14 support shall be limited to the period after the birth of the child.

15 **SECTION 3054dk.** 767.25 (6) (intro.) of the statutes, as affected by 1997  
16 Wisconsin Act 191, section 398, is amended to read:

17 767.25 (6) (intro.) A party ordered to pay child support under this section shall  
18 pay simple interest at the rate of ~~1.5%~~ 1% per month on any amount in arrears that  
19 is equal to or greater than the amount of child support due in one month. If the party  
20 no longer has a current obligation to pay child support, interest at the rate of ~~1.5%~~  
21 1% per month shall accrue on the total amount of child support in arrears, if any.  
22 Interest under this subsection is in lieu of interest computed under s. 807.01 (4),  
23 814.04 (4) or 815.05 (8) and is paid to the department or its designee under s. 767.29.  
24 Except as provided in s. 767.29 (1m), the department or its designee, whichever is  
25 appropriate, shall apply all payments received for child support as follows:

1           **SECTION 3054dL.** 767.253 of the statutes is amended to read:

2           **767.253 Seek-work orders.** In an action for modification of a child support  
3 order under s. 767.32 or an action in which an order for child support is required  
4 under s. 767.25 (1), 767.51 (3) or 767.62 (4) (~~a~~), the court may order either or both  
5 parents of the child to seek employment or participate in an employment or training  
6 program.

7           **SECTION 3054dm.** 767.254 (2) (intro.) of the statutes is amended to read:

8           767.254 (2) (intro.) In an action for revision of a judgment or order providing  
9 for child support under s. 767.32 or an action in which an order for child support is  
10 required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (~~a~~), the court shall order an  
11 unemployed teenage parent to do one or more of the following:

12           **SECTION 3054dn.** 767.261 (intro.) of the statutes, as affected by 1997 Wisconsin  
13 Act 191, section 403, is amended to read:

14           **767.261 Family support.** (intro.) The court may make a financial order  
15 designated "family support" as a substitute for child support orders under s. 767.25  
16 and maintenance payment orders under s. 767.26. A party ordered to pay family  
17 support under this section shall pay simple interest at the rate of ~~1.5%~~ 1% per month  
18 on any amount in arrears that is equal to or greater than the amount of child support  
19 due in one month. If the party no longer has a current obligation to pay child support,  
20 interest at the rate of ~~1.5%~~ 1% per month shall accrue on the total amount of child  
21 support in arrears, if any. Interest under this section is in lieu of interest computed  
22 under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the department or its  
23 designee under s. 767.29. Except as provided in s. 767.29 (1m), the department or  
24 its designee, whichever is appropriate, shall apply all payments received for family  
25 support as follows:"

1           **1083.** Page 1410, line 5: after that line insert:

2           “**SECTION 3055c.** 767.265 (1) of the statutes, as affected by 1997 Wisconsin Act  
3 191, section 411, and 1999 Wisconsin Act .... (this act), is amended to read:

4           767.265 (1) Each order for child support under this chapter, for maintenance  
5 payments under s. 767.23 or 767.26, for family support under this chapter, for costs  
6 ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02  
7 (1) (f), for maintenance payments under s. 767.02 (1) (g) or for the annual receiving  
8 and disbursing fee under s. 767.29 (1) (d), each order for a revision in a judgment or  
9 order with respect to child support, maintenance or family support payments under  
10 s. 767.32, each stipulation approved by the court or the family court commissioner  
11 for child support under this chapter and each order for child or spousal support  
12 entered under s. 948.22 (7) constitutes an assignment of all commissions, earnings,  
13 salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that  
14 are payable in instalments and other money due or to be due in the future to the  
15 department or its designee. The assignment shall be for an amount sufficient to  
16 ensure payment under the order or stipulation and to pay any arrearages due at a  
17 periodic rate not to exceed 50% of the amount of support due under the order or  
18 stipulation so long as the addition of the amount toward arrearages does not leave  
19 the party at an income below the poverty line established under 42 USC 9902 (2).”.

20           **1084.** Page 1413, line 24: after that line insert:

21           “**SECTION 3061c.** 767.265 (3h) of the statutes, as affected by 1997 Wisconsin Act  
22 191, section 415, is amended to read:

23           767.265 (3h) A person who receives notice of assignment under this section or  
24 s. 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (e) or 767.62 (4) (b) 3.~~ or similar laws

1 of another state shall withhold the amount specified in the notice from any money  
2 that person pays to the payer later than one week after receipt of notice of  
3 assignment. Within 5 days after the day the person pays money to the payer, the  
4 person shall send the amount withheld to the department or its designee, whichever  
5 is appropriate, or, in the case of an amount ordered withheld for health care  
6 expenses, to the appropriate health care insurer, provider or plan. With each  
7 payment sent to the department or its designee, the person from whom the payer  
8 receives money shall report to the department or its designee the payer's gross  
9 income or other gross amount from which the payment was withheld. Except as  
10 provided in sub. (3m), for each payment sent to the department or its designee, the  
11 person from whom the payer receives money shall receive an amount equal to the  
12 person's necessary disbursements, not to exceed \$3, which shall be deducted from the  
13 money to be paid to the payer. Section 241.09 does not apply to assignments under  
14 this section.

15 **SECTION 3061cd.** 767.265 (4) of the statutes is amended to read:

16 767.265 (4) A withholding assignment or order under this section or s. 767.23  
17 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (e) or 767.62 (4) (b) 3.~~ has priority over any other  
18 assignment, garnishment or similar legal process under state law.

19 **SECTION 3061ce.** 767.265 (6) (a) of the statutes, as affected by 1997 Wisconsin  
20 Act 191, section 420, is amended to read:

21 767.265 (6) (a) Except as provided in sub. (3m), if after receipt of notice of  
22 assignment the person from whom the payer receives money fails to withhold the  
23 money or send the money to the department or its designee or the appropriate health  
24 care insurer, provider or plan as provided in this section or s. 767.23 (1) (L), or 767.25  
25 (4m) (c), ~~767.51 (3m) (e) or 767.62 (4) (b) 3.~~, the person may be proceeded against

1 under the principal action under ch. 785 for contempt of court or may be proceeded  
2 against under ch. 778 and be required to forfeit not less than \$50 nor more than an  
3 amount, if the amount exceeds \$50, that is equal to 1% of the amount not withheld  
4 or sent.

5 **SECTION 3061cf.** 767.265 (6) (b) of the statutes, as affected by 1997 Wisconsin  
6 Act 191, section 422, is amended to read:

7 767.265 (6) (b) If an employer who receives an assignment under this section  
8 or s. 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (e) or 767.62 (4) (b) 3.~~ fails to notify  
9 the department or its designee, whichever is appropriate, within 10 days after an  
10 employe is terminated or otherwise temporarily or permanently leaves employment,  
11 the employer may be proceeded against under the principal action under ch. 785 for  
12 contempt of court.

13 **SECTION 3061cg.** 767.265 (6) (c) of the statutes is amended to read:

14 767.265 (6) (c) No employer may use an assignment under this section or s.  
15 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (e) or 767.62 (4) (b) 3.~~ as a basis for the  
16 denial of employment to a person, the discharge of an employe or any disciplinary  
17 action against an employe. An employer who denies employment or discharges or  
18 disciplines an employe in violation of this paragraph may be fined not more than  
19 \$500 and may be required to make full restitution to the aggrieved person, including  
20 reinstatement and back pay. Except as provided in this paragraph, restitution shall  
21 be in accordance with s. 973.20. An aggrieved person may apply to the district  
22 attorney or to the department for enforcement of this paragraph.

23 **SECTION 3061ch.** 767.267 (1) of the statutes, as affected by 1997 Wisconsin Act  
24 27, is amended to read:



1           767.267 (1) If the court or the family court commissioner determines that  
2 income withholding under s. 767.265 is inapplicable, ineffective or insufficient to  
3 ensure payment under an order or stipulation specified in s. 767.265 (1), or that  
4 income withholding under s. 767.25 (4m) (c) or ~~767.51 (3m) (e)~~ is inapplicable,  
5 ineffective or insufficient to ensure payment of a child's health care expenses,  
6 including payment of health insurance premiums, ordered under s. 767.25 (4m) or  
7 767.51 (3m), the court or family court commissioner may require the payer to identify  
8 or establish a deposit account, owned in whole or in part by the payer, that allows for  
9 periodic transfers of funds and to file with the financial institution at which the  
10 account is located an authorization for transfer from the account to the department  
11 or its designee, whichever is appropriate. The authorization shall be provided on a  
12 standard form approved by the court and shall specify the frequency and the amount  
13 of transfer, sufficient to meet the payer's obligation under the order or stipulation,  
14 as required by the court or family court commissioner. The authorization shall  
15 include the payer's consent for the financial institution or an officer, employe or agent  
16 of the financial institution to disclose information to the court, family court  
17 commissioner, county child support agency under s. 59.53 (5), department or  
18 department's designee regarding the account for which the payer has executed the  
19 authorization for transfer.”.

20           **1085.** Page 1415, line 19: after that line insert:

21           “**SECTION 3064m.** 767.325 (4m) of the statutes is created to read:

22           767.325 (**4m**) DENIAL OF PHYSICAL PLACEMENT FOR KILLING OTHER PARENT. (a)

23 Notwithstanding subs. (1) to (4), upon petition, motion or order to show cause by a  
24 party or on its own motion, a court shall modify a physical placement order by

1 denying a parent physical placement with a child if the parent has been convicted  
2 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the  
3 2nd-degree intentional homicide, of the child’s other parent, and the conviction has  
4 not been reversed, set aside or vacated.

5 (b) Paragraph (a) does not apply if the court determines by clear and convincing  
6 evidence that physical placement with the parent would be in the best interests of  
7 the child. The court shall consider the wishes of the child in making the  
8 determination.”.

9 **1086.** Page 1415, line 19: after that line insert:

10 “**SECTION 3065c.** 767.29 (1m) (intro.) of the statutes, as affected by 1997  
11 Wisconsin Act 191, section 427, is amended to read:

12 767.29 (**1m**) (intro.) Notwithstanding ss. 767.25 (6), and 767.261, ~~767.51 (5p)~~  
13 ~~and 767.62 (4) (g)~~, if the department or its designee receives support or maintenance  
14 money that exceeds the amount due in the month in which it is received and that the  
15 department or its designee determines is for support or maintenance due in a  
16 succeeding month, the department or its designee may hold the amount of  
17 overpayment that does not exceed the amount due in the next month for  
18 disbursement in the next month if any of the following applies:

19 **SECTION 3065cd.** 767.295 (2) (a) (intro.) of the statutes is amended to read:

20 767.295 (**2**) (a) (intro.) In an action for modification of a child support order  
21 under s. 767.32, an action in which an order for child support is required under s.  
22 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~ or a contempt of court proceeding to enforce a  
23 child support or family support order in a county that contracts under s. 49.36 (2),  
24 the court may order a parent who is not a custodial parent to register for a work

1 experience and job training program under s. 49.36 if all of the following conditions  
2 are met:

3 **SECTION 3065ce.** 767.295 (2) (c) of the statutes is amended to read:

4 767.295 (2) (c) If the court enters an order under par. (a), it shall order the  
5 parent to pay child support equal to the amount determined by applying the  
6 percentage standard established under s. 49.22 (9) to the income a person would earn  
7 by working 40 hours per week for the federal minimum hourly wage under 29 USC  
8 206 (a) (1) or equal to the amount of child support that the parent was ordered to pay  
9 in the most recent determination of support under this chapter. The child support  
10 obligation ordered under this paragraph continues until the parent makes timely  
11 payment in full for 3 consecutive months or until the person participates in the  
12 program under s. 49.36 for 16 weeks, whichever comes first. The court shall provide  
13 in its order that the parent must make child support payments calculated under s.  
14 767.25 (1j) or (1m), ~~767.51 (4m) or (5) or 767.62 (4) (d) 1. or (e)~~ after the obligation to  
15 make payments ordered under this paragraph ceases.

16 **SECTION 3065cf.** 767.303 (1) of the statutes is amended to read:

17 767.303 (1) If a person fails to pay a payment ordered for support under s.  
18 767.077, support under s. 767.08, child support or family support under s. 767.23,  
19 child support under s. 767.25, family support under s. 767.261, revised child or  
20 family support under s. 767.32, child support under s. 767.458 (3), child support  
21 under s. 767.458 (3), child support under s. 767.51, child support under s. 767.62 (4)  
22 ~~(a)~~, child support under ch. 769 or child support under s. 948.22 (7), the payment is  
23 90 or more days past due and the court finds that the person has the ability to pay  
24 the amount ordered, the court may suspend the person's operating privilege, as  
25 defined in s. 340.01 (40), until the person pays all arrearages in full or makes

1 payment arrangements that are satisfactory to the court, except that the suspension  
2 period may not exceed 5 years. If otherwise eligible, the person is eligible for an  
3 occupational license under s. 343.10 at any time.

4 **SECTION 3065cg.** 767.303 (1) of the statutes, as affected by 1997 Wisconsin Act  
5 84 and 1999 Wisconsin Act .... (this act), is amended to read:

6 767.303 (1) If a person fails to pay a payment ordered for support under s.  
7 767.077, support under s. 767.08, child support or family support under s. 767.23,  
8 child support under s. 767.25, family support under s. 767.261, revised child or  
9 family support under s. 767.32, child support under s. 767.458 (3), child support  
10 under s. 767.477, child support under s. 767.51, child support under s. 767.62 (4) (a),  
11 child support under ch. 769 or child support under s. 948.22 (7), the payment is 90  
12 or more days past due and the court finds that the person has the ability to pay the  
13 amount ordered, the court may suspend the person's operating privilege, as defined  
14 in s. 340.01 (40), until the person pays all arrearages in full or makes payment  
15 arrangements that are satisfactory to the court, except that the suspension period  
16 may not exceed 2 years. If otherwise eligible, the person is eligible for an  
17 occupational license under s. 343.10 at any time.

18 **SECTION 3065ch.** 767.32 (1) (b) 4. of the statutes is amended to read:

19 767.32 (1) (b) 4. A difference between the amount of child support ordered by  
20 the court to be paid by the payer and the amount that the payer would have been  
21 required to pay based on the percentage standard established by the department  
22 under s. 49.22 (9) if the court did not use the percentage standard in determining the  
23 child support payments and did not provide the information required under s. 46.10  
24 (14) (d), 301.12 (14) (d), or 767.25 (1n), ~~767.51 (5d) or 767.62 (4) (f)~~, whichever is  
25 appropriate.

1           **SECTION 3065ci.** 767.32 (2m) of the statutes is amended to read:

2           767.32 **(2m)** Upon request by a party, the court may modify the amount of  
3 revised child support payments determined under sub. (2) if, after considering the  
4 factors listed in s. 767.25 (1m), ~~767.51 (5) or 767.62 (4) (e)~~, as appropriate, the court  
5 finds, by the greater weight of the credible evidence, that the use of the percentage  
6 standard is unfair to the child or to any of the parties.

7           **SECTION 3065cj.** 767.325 (2m) of the statutes is created to read:

8           767.325 **(2m)** MODIFICATION OF PERIODS OF PHYSICAL PLACEMENT FOR FAILURE TO  
9 EXERCISE PHYSICAL PLACEMENT. Notwithstanding subs. (1) and (2), upon petition,  
10 motion or order to show cause by a party, a court may modify an order of physical  
11 placement at any time with respect to periods of physical placement if it finds that  
12 a parent has repeatedly and unreasonably failed to exercise periods of physical  
13 placement awarded under an order of physical placement that allocates specific  
14 times for the exercise of periods of physical placement.

15           **SECTION 3065ck.** 767.325 (5m) of the statutes is created to read:

16           767.325 **(5m)** FACTORS TO CONSIDER. In all actions to modify legal custody or  
17 physical placement orders, the court shall consider the factors under s. 767.24 (5) and  
18 shall make its determination in a manner consistent with s. 767.24.

19           **SECTION 3065cL.** 767.325 (6m) of the statutes is created to read:

20           767.325 **(6m)** PARENTING PLAN. In any action to modify a legal custody or  
21 physical placement order under sub. (1), the court may require the party seeking the  
22 modification to file with the court a parenting plan under s. 767.24 (1m) before any  
23 hearing is held.

24           **SECTION 3065cm.** 767.327 (4) of the statutes is amended to read:

1           767.327 (4) GUARDIAN AD LITEM; PROMPT HEARING. After a petition, motion or  
2 order to show cause is filed under sub. (3), the court shall appoint a guardian ad litem,  
3 unless s. 767.045 (1) (am) applies, and shall hold a hearing as soon as possible.

4           **SECTION 3065cn.** 767.327 (5m) of the statutes is created to read:

5           767.327 (5m) DISCRETIONARY FACTORS TO CONSIDER. In making a determination  
6 under sub. (3), the court may consider the child’s adjustment to the home, school,  
7 religion and community.

8           **SECTION 3065co.** 767.45 (7) of the statutes is amended to read:

9           767.45 (7) The clerk of court shall provide without charge, to each person  
10 bringing an action under this section, except to the state under sub. (1) (g) or (6m),  
11 a document setting forth the percentage standard established by the department  
12 under s. 49.22 (9) and listing the factors which a court may consider under s. ~~767.51~~  
13 ~~(5)~~ 767.25 (1m).

14           **SECTION 3065cp.** 767.455 (6) of the statutes is amended to read:

15           767.455 (6) DOCUMENT. The summons served on the respondent shall be  
16 accompanied by a document, provided without charge by the clerk of court, setting  
17 forth the percentage standard established by the department under s. 49.22 (9) and  
18 listing the factors which a court may consider under s. ~~767.51 (5)~~ 767.25 (1m).

19           **SECTION 3065cq.** 767.477 (1) of the statutes is amended to read:

20           767.477 (1) At any time during the pendency of an action to establish the  
21 paternity of a child, if genetic tests show that the alleged father is not excluded and  
22 that the statistical probability of the alleged father’s parentage is 99.0% or higher,  
23 on the motion of a party, the court shall make an appropriate temporary ~~order~~ orders  
24 for the payment of child support ~~and may make a temporary order,~~ assigning

1 responsibility for and directing the manner of payment of the child's health care  
2 expenses and for the custody and physical placement of the child.

3 **SECTION 3065cr.** 767.477 (2) of the statutes is amended to read:

4 767.477 (2) Before making any temporary order under sub. (1), the court shall  
5 consider those factors that the court is required ~~under s. 767.51~~ to consider when  
6 granting a final judgment on the same subject matter. If the court makes a  
7 temporary child support order that deviates from the amount of support that would  
8 be required by using the percentage standard established by the department under  
9 s. 49.22 (9), the court shall comply with the requirements of s. ~~767.51 (5d)~~ 767.25 (1n).

10 **SECTION 3065cs.** 767.51 (3) of the statutes is repealed and recreated to read:

11 767.51 (3) A judgment or order determining paternity shall contain all of the  
12 following provisions:

13 (a) An adjudication of the paternity of the child.

14 (b) Orders for the legal custody of and periods of physical placement with the  
15 child, determined in accordance with s. 767.24.

16 (c) An order requiring either or both of the parents to contribute to the support  
17 of any child of the parties who is less than 18 years old, or any child of the parties who  
18 is less than 19 years old if the child is pursuing an accredited course of instruction  
19 leading to the acquisition of a high school diploma or its equivalent, determined in  
20 accordance with s. 767.25.

21 (d) A determination as to which parent, if eligible, shall have the right to claim  
22 the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or  
23 as an exemption for state tax purposes under s. 71.07 (8) (b).

1 (e) An order requiring either or both parties to pay or contribute to the  
2 reasonable expenses of the pregnancy and the child's birth, based on the parties'  
3 ability to pay or contribute to those expenses.

4 (f) An order requiring either or both parties to pay or contribute to the costs of  
5 the guardian ad litem fees, genetic tests as provided in s. 767.48 (5) and other costs.

6 (g) An order requiring either party to pay or contribute to the attorney fees of  
7 the other party.

8 **SECTION 3065ct.** 767.51 (3m) of the statutes, as affected by 1997 Wisconsin Act  
9 27, is repealed.

10 **SECTION 3065cu.** 767.51 (3r) of the statutes is repealed.

11 **SECTION 3065cv.** 767.51 (4) of the statutes is repealed and recreated to read:

12 767.51 (4) (a) Subject to par. (b), liability for past support of the child shall be  
13 limited to support for the period after the day on which the action is commenced  
14 under s. 767.45, unless a party shows, to the satisfaction of the court, all of the  
15 following:

16 1. That he or she was induced to delay commencing the action by any of the  
17 following:

18 a. Duress or threats.

19 b. Actions, promises or representations by the other party upon which the party  
20 relied.

21 c. Actions taken by the other party to evade paternity proceedings.

22 2. That, after the inducement ceased to operate, he or she did not unreasonably  
23 delay in commencing the action.

24 (b) In no event may liability for past support of the child be imposed for any  
25 period before the birth of the child.



1           **SECTION 3065cw.** 767.51 (4g) of the statutes is repealed.

2           **SECTION 3065cx.** 767.51 (4m) of the statutes is repealed.

3           **SECTION 3065cy.** 767.51 (5) of the statutes is repealed.

4           **SECTION 3065d.** 767.51 (5d) of the statutes is repealed.

5           **SECTION 3065dd.** 767.51 (5p) of the statutes, as affected by 1997 Wisconsin Act  
6 191, is repealed.

7           **SECTION 3065de.** 767.53 (intro.) of the statutes is amended to read:

8           **767.53 Paternity hearings and records; confidentiality.** (intro.) Any  
9 hearing, discovery proceeding or trial relating to paternity determination shall be  
10 closed to any person other than those necessary to the action or proceeding. Any  
11 record of the pending proceedings shall be placed in a closed file, except that:

12           **SECTION 3065df.** 767.53 (1) (intro.) of the statutes is amended to read:

13           767.53 (1) (intro.) Access to the record of any pending ~~or past~~ proceeding  
14 involving the paternity of the same child shall be allowed to all of the following:

15           **SECTION 3065dg.** 767.53 (3) of the statutes is created to read:

16           767.53 (3) Subject to s. 767.19, the records of any past proceeding in which  
17 paternity was established are open to public inspection.

18           **SECTION 3065dh.** 767.62 (4) of the statutes, as affected by 1997 Wisconsin Act  
19 191, is repealed and recreated to read:

20           767.62 (4) **ORDERS WHEN PATERNITY ACKNOWLEDGED.** In an action under sub. (3)  
21 (a), if the persons who signed and filed the statement acknowledging paternity as  
22 parents of the child had notice of the hearing, the court or family court commissioner  
23 shall make an order that contains all of the following provisions:

24           (a) Orders for the legal custody of and periods of physical placement with the  
25 child, determined in accordance with s. 767.24.

1 (b) An order requiring either or both of the parents to contribute to the support  
2 of any child of the parties who is less than 18 years old, or any child of the parties who  
3 is less than 19 years old if the child is pursuing an accredited course of instruction  
4 leading to the acquisition of a high school diploma or its equivalent, determined in  
5 accordance with s. 767.25.

6 (c) A determination as to which parent, if eligible, shall have the right to claim  
7 the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or  
8 as an exemption for state tax purposes under s. 71.07 (8) (b).

9 (d) An order requiring either or both parties to pay or contribute to the  
10 reasonable expenses of the pregnancy and the child's birth, based on the parties'  
11 ability to pay or contribute to those expenses.

12 (e) An order requiring either or both parties to pay or contribute to the costs  
13 of the guardian ad litem fees and other costs.

14 (f) An order requiring either party to pay or contribute to the attorney fees of  
15 the other party.

16 **SECTION 3065di.** 767.62 (4m) of the statutes is created to read:

17 767.62 (4m) LIABILITY FOR PAST SUPPORT. (a) Subject to par. (b), liability for past  
18 support of the child shall be limited to support for the period after the day on which  
19 the action is commenced under sub. (3) (a), unless a party shows, to the satisfaction  
20 of the court, all of the following:

21 1. That he or she was induced to delay commencing the action by any of the  
22 following:

23 a. Duress or threats.

24 b. Actions, promises or representations by the other party upon which the party  
25 relied.

- 1 c. Actions taken by the other party to evade proceedings under sub. (3) (a).
- 2 2. That, after the inducement ceased to operate, he or she did not unreasonably
- 3 delay in commencing the action.
- 4 (b) In no event may liability for past support of the child be imposed for any
- 5 period before the birth of the child.”.

6 **1087.** Page 1420, line 3: after that line insert:

7 “SECTION 3073m. 800.01 (2) (a) of the statutes is amended to read:

8 800.01 (2) (a) Service under sub. (1) (a) shall be as provided in s. 801.11 or

9 968.04 (3) (b) 2. or by personal service by ~~a municipal employe~~ an adult who is a

10 resident of the state where the service is made but who is not a party to the action.”.

11 **1088.** Page 1421, line 6: after that line insert:

12 “SECTION 3076m. 800.02 (4) (a) (intro.) of the statutes is amended to read:

13 800.02 (4) (a) (intro.) The summons shall be signed by a municipal judge or by

14 the attorney who is prosecuting the case in municipal court and shall contain the

15 following information:”.

16 **1089.** Page 1422, line 17: after that line insert:

17 “SECTION 3078g. 800.04 (5) of the statutes is created to read:

18 800.04 (5) Unless good cause to the contrary is shown, appearances referred

19 to in this section may be conducted by telephone or by interactive video and audio

20 transmission, if available. If testimony is to be taken under oath, the proceeding

21 shall be reported by a court reporter who is in simultaneous voice communication

22 with all parties to the proceeding. Regardless of the physical location of any party

23 to the call, any plea, waiver, stipulation, motion, objection, decision, order or other

24 action taken by the court or any party shall have the same effect as if made in open

1 court. With the exceptions of scheduling conferences, pretrial conferences, and,  
2 during hours the court is not in session, the proceeding shall be conducted in a  
3 courtroom or other place reasonably accessible to the public. Simultaneous access  
4 to the proceeding shall be provided to persons entitled to attend by means of a  
5 loudspeaker or, upon request to the court, by making a person party to the telephone  
6 call without charge. The court may permit a hearing under this section to be  
7 conducted by telephone or by interactive video and audio transmission only if the  
8 defendant consents. The defendant’s consent may be made by telephone.”.

9 **1090.** Page 1423, line 17: after that line insert:

10 “**SECTION 3080mg.** 800.09 (1) (c) of the statutes is amended to read:

11 800.09 (1) (c) The court may suspend the defendant’s operating privilege, as  
12 defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments  
13 and costs are paid, if the defendant has not done so within 60 days after the date the  
14 restitution or payments or both are to be made under par. (a) and has not notified the  
15 court that he or she is unable to comply with the judgment, as provided under s.  
16 800.095 (4) (a), except that the suspension period may not exceed 5 years. The court  
17 shall take possession of the suspended license and shall forward the license, along  
18 with a notice of the suspension clearly stating that the suspension is for failure to  
19 comply with a judgment of the court, to the department of transportation. This  
20 paragraph does not apply if the forfeiture is assessed for violation of an ordinance  
21 that is unrelated to the violator’s operation of a motor vehicle.”.

22 **1091.** Page 1424, line 9: after that line insert:

23 “**SECTION 3083m.** 800.095 (4) (b) 4. of the statutes is amended to read:

1           800.095 (4) (b) 4. That the defendant's operating privilege, as defined in s.  
2           340.01 (40), be suspended until the judgment is complied with, except that the  
3           suspension period may not exceed 5 years. This subdivision does not apply if the  
4           forfeiture is assessed for violation of an ordinance that is unrelated to the violator's  
5           operation of a motor vehicle."

6           **1092.** Page 1425, line 7: after that line insert:

7           "SECTION 3085c. 802.12 (3) (d) 1. of the statutes is amended to read:

8           802.12 (3) (d) 1. Custody and physical placement under s. 767.24, 767.458 (3),  
9           767.51 (3) or 767.62 (4) (a).

10          SECTION 3085d. 802.12 (3) (d) 3. of the statutes is amended to read:

11          802.12 (3) (d) 3. Child support under s. 767.25, 767.458 (3), 767.51 or 767.62  
12          (4) (a)."

13          **1093.** Page 1426, line 12: after that line insert:

14          "SECTION 3087c. 808.075 (4) (d) 11. of the statutes is amended to read:

15          808.075 (4) (d) 11. Enforcement or modification of assignments under s. 767.25  
16          (4m), or 767.265, 767.51 (3m) or 767.62 (4) (b) 3."

17          **1094.** Page 1426, line 20: after that line insert:

18          "SECTION 3089m. 814.245 (2) (d) of the statutes is amended to read:

19          814.245 (2) (d) "State agency" does not include the consumer privacy advocate  
20          or citizens utility board."

21          **1095.** Page 1426, line 20: after that line insert:

22          "SECTION 3093m. 814.245 (2) (d) of the statutes is amended to read:

23          814.245 (2) (d) "State agency" does not include the public intervenor or citizens  
24          utility board."

1           **1096.** Page 1431, line 11: after that line insert:

2           “**SECTION 3113m.** 895.505 of the statutes is created to read:

3           **895.505 Disposal of records containing personal information. (1)**

4           DEFINITIONS. In this section:

5           (a) “Credit card” has the meaning given in s. 421.301 (15).

6           (b) “Financial institution” means any bank, savings bank, savings and loan  
7           association or credit union that is authorized to do business under state or federal  
8           laws relating to financial institutions, any issuer of a credit card or any investment  
9           company.

10          (c) “Investment company” has the meaning given in s. 180.0103 (11e).

11          (d) “Medical business” means any organization or enterprise operated for profit  
12          or not for profit, including a sole proprietorship, partnership, firm, business trust,  
13          joint venture, syndicate, corporation, limited liability company or association, that  
14          possesses information, other than personnel records, relating to a person’s physical  
15          or mental health, medical history or medical treatment.

16          (e) “Personal information” means any of the following:

17           1. Personally identifiable data about an individual’s medical condition, if the  
18           data are not generally considered to be public knowledge.

19           2. Personally identifiable data that contain an individual’s account or customer  
20           number, account balance, balance owing, credit balance or credit limit, if the data  
21           relate to an individual’s account or transaction with a financial institution.

22           3. Personally identifiable data provided by an individual to a financial  
23           institution upon opening an account or applying for a loan or credit.

1           4. Personally identifiable data about an individual's insurance, if the insurance  
2 is related to a transaction with a financial institution.

3           5. Personally identifiable data about an individual's federal, state or local tax  
4 filings.

5           (f) "Personally identifiable" means capable of being associated with a particular  
6 individual through one or more identifiers or other information or circumstances.

7           (g) "Record" means any material on which written, drawn, printed, spoken,  
8 visual or electromagnetic information is recorded or preserved, regardless of  
9 physical form or characteristics.

10          (h) "Tax preparation business" means any organization or enterprise operated  
11 for profit, including a sole proprietorship, partnership, firm, business trust, joint  
12 venture, syndicate, corporation, limited liability company or association, that  
13 prepares a person's federal, state or local tax filings or counsels a person regarding  
14 the person's federal, state or local tax filings.

15          **(2) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION.** A financial  
16 institution, medical business or tax preparation business may not dispose of a record  
17 containing personal information unless the financial institution, medical business,  
18 tax preparation business or other person under contract with the financial  
19 institution, medical business or tax preparation business does any of the following:

20           (a) Shreds the record before the disposal of the record.

21           (b) Erases the personal information contained in the record before the disposal  
22 of the record.

23           (c) Modifies the record to make the personal information unreadable before the  
24 disposal of the record.

1 (d) Takes actions that it reasonably believes will ensure that no unauthorized  
2 person will have access to the personal information contained in the record for the  
3 period between the record's disposal and the record's destruction.

4 (3) CAUSE OF ACTION. A financial institution, medical business or tax  
5 preparation business is liable to a person whose personal information is improperly  
6 disposed of in violation of sub. (2) for the amount of damages resulting from the  
7 violation.”.

8 **1097.** Page 1431, line 11: after that line insert:

9 “SECTION 3111g. 880.155 (2) of the statutes is amended to read:

10 880.155 (2) If one or both parents of a minor child are deceased and the child  
11 is in the custody of the surviving parent or any other person, a grandparent or  
12 stepparent of the child may petition for visitation privileges with respect to the child,  
13 whether or not the person with custody is married. The grandparent or stepparent  
14 may file the petition in a guardianship or temporary guardianship proceeding under  
15 this chapter that affects the minor child or may file the petition to commence an  
16 independent action under this chapter. The Except as provided in sub. (3m), the  
17 court may grant reasonable visitation privileges to the grandparent or stepparent if  
18 the surviving parent or other person who has custody of the child has notice of the  
19 hearing and if the court determines that visitation is in the best interest of the child.

20 SECTION 3111j. 880.155 (3m) of the statutes is created to read:

21 880.155 (3m) (a) Except as provided in par. (b), the court may not grant  
22 visitation privileges to a grandparent or stepparent under this section if the  
23 grandparent or stepparent has been convicted under s. 940.01 of the first-degree



1 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
2 a parent of the child, and the conviction has not been reversed, set aside or vacated.

3 (b) Paragraph (a) does not apply if the court determines by clear and convincing  
4 evidence that the visitation would be in the best interests of the child. The court shall  
5 consider the wishes of the child in making the determination.

6 **SECTION 3111m.** 880.155 (4m) of the statutes is created to read:

7 880.155 (4m) (a) If a grandparent or stepparent granted visitation privileges  
8 with respect to a child under this section is convicted under s. 940.01 of the  
9 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional  
10 homicide, of a parent of the child, and the conviction has not been reversed, set aside  
11 or vacated, the court shall modify the visitation order by denying visitation with the  
12 child upon petition, motion or order to show cause by a person having custody of the  
13 child, or upon the court's own motion, and upon notice to the grandparent or  
14 stepparent granted visitation privileges.

15 (b) Paragraph (a) does not apply if the court determines by clear and convincing  
16 evidence that the visitation would be in the best interests of the child. The court shall  
17 consider the wishes of the child in making the determination.

18 **SECTION 3111p.** 880.157 of the statutes is created to read:

19 **880.157 Prohibiting visitation or physical placement if a parent kills**  
20 **other parent. (1)** Except as provided in sub. (2), in an action under this chapter  
21 that affects a minor child, a court may not grant to a parent of the child visitation or  
22 physical placement rights with the child if the parent has been convicted under s.  
23 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree  
24 intentional homicide, of the child's other parent, and the conviction has not been  
25 reversed, set aside or vacated.

1           (2) Subsection (1) does not apply if the court determines by clear and  
2 convincing evidence that visitation or periods of physical placement would be in the  
3 best interests of the child. The court shall consider the wishes of the child in making  
4 the determination.”.

5           **1098.** Page 1431, line 11: after that line insert:

6           “**SECTION 3111q.** 908.03 (6m) (d) of the statutes is amended to read:

7           908.03 (6m) (d) *Fees.* The department of health and family services shall, by  
8 rule, prescribe uniform fees that are based on an approximation of ~~the~~ actual costs  
9 that are incurred by a health care provider in providing certified duplicate patient  
10 health care records. The fees are the maximum amount that a health care provider  
11 may charge ~~under par. (e) 3.~~ for certified duplicate patient health care records. The  
12 rule shall also allow specify that the health care provider ~~to~~ may charge fees for  
13 actual postage or other actual delivery costs. The commencement of an action is not  
14 a prerequisite for the application of this paragraph.”.

15           **1099.** Page 1431, line 22: after that line insert:

16           “**SECTION 3120m.** 938.09 (2) of the statutes is amended to read:

17           938.09 (2) By the district attorney or, if designated by the county board of  
18 supervisors, by the corporation counsel, in any matter concerning a civil law  
19 violation arising under s. 938.125. If the county board transfers this authority to or  
20 from the district attorney on or after May 11, 1990, the board may do so only if the  
21 action is effective on September 1 of an odd-numbered year and the board notifies  
22 the department of ~~administration~~ justice of that change by January 1 of that  
23 odd-numbered year.

24           **SECTION 3120n.** 938.09 (5) of the statutes is amended to read:

1           938.09 (5) By the district attorney or, if designated by the county board of  
2 supervisors, by the corporation counsel, in any matter arising under s. 938.13. If the  
3 county board transfers this authority to or from the district attorney on or after  
4 May 11, 1990, the board may do so only if the action is effective on September 1 of  
5 an odd-numbered year and the board notifies the department of ~~administration~~  
6 justice of that change by January 1 of that odd-numbered year.”.

7           **1100.** Page 1431, line 22: after that line insert:

8           “**SECTION 3130m.** 938.20 (8) of the statutes is amended to read:

9           938.20 (8) If a juvenile is held in custody, the intake worker shall notify the  
10 juvenile’s parent, guardian and legal custodian of the reasons for holding the juvenile  
11 in custody and of the juvenile’s whereabouts unless there is reason to believe that  
12 notice would present imminent danger to the juvenile. If a juvenile who has violated  
13 the terms of aftercare supervision administered by the department or a county  
14 department is held in custody, the intake worker shall also notify the department or  
15 county department, whichever has supervision over the juvenile, of the reasons for  
16 holding the juvenile in custody, of the juvenile’s whereabouts and of the time and  
17 place of the detention hearing required under s. 938.21. The parent, guardian and  
18 legal custodian shall also be notified of the time and place of the detention hearing  
19 required under s. 938.21, the nature and possible consequences of that hearing, the  
20 right to counsel under s. 938.23 regardless of ability to pay and the right to present  
21 and cross-examine witnesses at the hearing. If the parent, guardian or legal  
22 custodian is not immediately available, the intake worker or another person  
23 designated by the court shall provide notice as soon as possible. When the juvenile  
24 is alleged to have committed a delinquent act, the juvenile shall receive the same

1 notice about the detention hearing as the parent, guardian or legal custodian. The  
2 intake worker shall notify both the juvenile and the juvenile’s parent, guardian or  
3 legal custodian.

4 **SECTION 3131m.** 938.21 (3) (d) of the statutes is amended to read:

5 938.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian  
6 or legal custodian shall be informed by the court of the allegations that have been  
7 made or may be made, the nature and possible consequences of this hearing as  
8 compared to possible future hearings, the right to counsel under s. 938.23 regardless  
9 of ability to pay, the right to confront and cross-examine witnesses and the right to  
10 present witnesses.

11 **SECTION 3142g.** 938.23 (2) of the statutes is created to read:

12 938.23 (2) (a) Whenever a juvenile is alleged to be in need of protection or  
13 services under s. 938.13, any parent under 18 years of age who appears before the  
14 court shall be represented by counsel; but no such parent may waive counsel.

15 (b) If a petition under s. 938.13 is contested, no juvenile may be placed outside  
16 his or her home unless the nonpetitioning parent is represented by counsel at the  
17 fact-finding hearing and subsequent proceedings. If the petition is not contested,  
18 the juvenile may not be placed outside his or her home unless the nonpetitioning  
19 parent is represented by counsel at the hearing at which the placement is made. A  
20 parent who is required under this paragraph to be represented by counsel may,  
21 however, waive counsel if the court is satisfied that such waiver is knowingly and  
22 voluntarily made, and the court may place the juvenile outside the home even though  
23 the parent was not represented by counsel.

24 **SECTION 3142m.** 938.23 (3) of the statutes is amended to read:

1           938.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings~~  
2 ~~under s. 938.13, at~~ At any time, upon request or on its own motion, the court may  
3 appoint counsel for the juvenile or any party, unless the juvenile or the party has or  
4 wishes to retain counsel of his or her own choosing. ~~The court may not appoint~~  
5 ~~counsel for any party other than the juvenile in a proceeding under s. 938.13.~~

6           **SECTION 3142p.** 938.23 (4) of the statutes is amended to read:

7           938.23 (4) PROVIDING COUNSEL. In any situation under this section in which a  
8 person juvenile has a right to be represented by counsel or is provided counsel at the  
9 discretion of the court and counsel is not knowingly and voluntarily waived, the court  
10 shall refer the person juvenile to the state public defender and counsel shall be  
11 appointed by the state public defender under s. 977.08 without a determination of  
12 indigency. In any situation under sub. (2) in which a parent 18 years of age or older  
13 is entitled to representation by counsel; counsel is not knowingly and voluntarily  
14 waived; and it appears that the parent is unable to afford counsel in full, or the parent  
15 so indicates; the court shall refer the parent to the authority for indigency  
16 determinations specified in s. 977.07 (1). In any other situation under this section  
17 in which a person has a right to be represented by counsel or is provided counsel at  
18 the discretion of the court, competent and independent counsel shall be provided and  
19 reimbursed in any manner suitable to the court regardless of the person's ability to  
20 pay, except that the court may not order a person who files a petition under s. 813.122  
21 or 813.125 to reimburse counsel for the juvenile who is named as the respondent in  
22 that petition.”.

23           **1101.** Page 1431, line 22: after that line insert:

24           **“SECTION 3130p.** 938.207 (1) (a) of the statutes is amended to read:

1           938.207 (1) (a) The home of a parent or guardian, except that a juvenile may  
2 not be held in the home of a parent or guardian if the parent or guardian has been  
3 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05  
4 of the 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction  
5 has not been reversed, set aside or vacated, unless the person making the custody  
6 decision determines by clear and convincing evidence that the placement would be  
7 in the best interests of the juvenile. The person making the custody decision shall  
8 consider the wishes of the juvenile in making that determination.

9           **SECTION 3130r.** 938.207 (1) (b) of the statutes is amended to read:

10           938.207 (1) (b) The home of a relative, except that a juvenile may not be held  
11 in the home of a relative if the relative has been convicted under s. 940.01 of the  
12 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional  
13 homicide, of a parent of the juvenile, and the conviction has not been reversed, set  
14 aside or vacated, unless the person making the custody decision determines by clear  
15 and convincing evidence that the placement would be in the best interests of the  
16 juvenile. The person making the custody decision shall consider the wishes of the  
17 juvenile in making that determination.”.

18           **1102.** Page 1431, line 22: after that line insert:

19           “**SECTION 3129b.** 938.17 (2) (d) of the statutes is amended to read:

20           938.17 (2) (d) If a municipal court finds that the juvenile violated a municipal  
21 ordinance other than an ordinance enacted under s. 118.163 or an ordinance that  
22 conforms to s. 125.07 (4) (a) or (b), 125.085 (3) (b), 125.09 (2), 961.573 (2), 961.574 (2)  
23 or 961.575 (2), the court shall enter any of the dispositional orders permitted under  
24 s. 938.343 that are authorized under par. (cm). If a juvenile fails to pay the forfeiture

1 imposed by the municipal court, the court may not impose a jail sentence but may  
2 suspend any license issued under ch. 29 for not less than 30 days nor more than 5  
3 years, or, unless the forfeiture was imposed for violating an ordinance unrelated to  
4 the juvenile's operation of a motor vehicle, may suspend the juvenile's operating  
5 privilege, as defined in s. 340.01 (40), for not less than 30 days nor more than 5 years.  
6 If a court suspends a license or privilege under this section, the court shall  
7 immediately take possession of the applicable license and forward it to the  
8 department that issued the license, together with the notice of suspension clearly  
9 stating that the suspension is for failure to pay a forfeiture imposed by the court. If  
10 the forfeiture is paid during the period of suspension, the court shall immediately  
11 notify the department, which shall thereupon return the license to the person.”.

12 **1103.** Page 1432, line 21: after that line insert:

13 “SECTION 3143r. 938.243 (1) (e) of the statutes is amended to read:  
14 938.243 (1) (e) The right of the juvenile to counsel under s. 938.23.”.

15 **1104.** Page 1434, line 2: after that line insert:

16 “SECTION 3148m. 938.27 (4) (b) of the statutes is amended to read:  
17 938.27 (4) (b) Advise the juvenile and any other party, if applicable, of his or  
18 her right to legal counsel regardless of ability to pay.”.

19 **1105.** Page 1435, line 2: after that line insert:

20 “SECTION 3153p. 938.34 (3) (a) of the statutes is amended to read:  
21 938.34 (3) (a) The home of a parent or other relative of the juvenile, except that  
22 the court may not designate the home of a parent or other relative of the juvenile as  
23 the juvenile's placement if the parent or other relative has been convicted under s.  
24 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree

1 intentional homicide, of a parent of the juvenile, and the conviction has not been  
2 reversed, set aside or vacated, unless the court determines by clear and convincing  
3 evidence that the placement would be in the best interests of the juvenile. The court  
4 shall consider the wishes of the juvenile in making that determination.

5 **SECTION 3153r.** 938.34 (3) (b) of the statutes is amended to read:

6 938.34 (3) (b) ~~A home which need not be~~ The home of a person who is not  
7 required to be licensed if placement is for less than 30 days, except that the court may  
8 not designate the name of a person who is not required to be licensed as the juvenile's  
9 placement if the person has been convicted under s. 940.01 of the first-degree  
10 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
11 a parent of the juvenile, and the conviction has not been reversed, set aside or  
12 vacated, unless the court determines by clear and convincing evidence that the  
13 placement would be in the best interests of the juvenile. The court shall consider the  
14 wishes of the juvenile in making that determination.”.

15 **1106.** Page 1435, line 4: delete lines 4 to 8.

16 **1107.** Page 1435, line 8: after that line insert:

17 “**SECTION 3163k.** 938.355 (3) of the statutes is renumbered 938.355 (3) (a) and  
18 amended to read:

19 938.355 (3) (a) If Except as provided in par. (b), if, after a hearing on the issue  
20 with due notice to the parent or guardian, the court finds that it would be in the best  
21 interest of the juvenile, the court may set reasonable rules of parental visitation.

22 **SECTION 3163m.** 938.355 (3) (b) of the statutes is created to read:

23 938.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant  
24 visitation under par. (a) to a parent of a juvenile if the parent has been convicted



1 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the  
2 2nd-degree intentional homicide, of the juvenile's other parent, and the conviction  
3 has not been reversed, set aside or vacated.

4 1m. Except as provided in subd. 2., if a parent who is granted visitation rights  
5 with a juvenile under par. (a) is convicted under s. 940.01 of the first-degree  
6 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
7 the juvenile's other parent, and the conviction has not been reversed, set aside or  
8 vacated, the court shall issue an order prohibiting the parent from having visitation  
9 with the juvenile on petition of the juvenile, the guardian or legal custodian of the  
10 juvenile, a person or agency bound by the dispositional order or the district attorney  
11 or corporation counsel of the county in which the dispositional order was entered, or  
12 on the court's own motion, and on notice to the parent.

13 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and  
14 convincing evidence that the visitation would be in the best interests of the juvenile.  
15 The court shall consider the wishes of the juvenile in making that determination.

16 **SECTION 3165k.** 938.357 (4d) of the statutes is created to read:

17 938.357 (4d) (a) Except as provided in par. (b), the court may not change a  
18 juvenile's placement to a placement in the home of a person who has been convicted  
19 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the  
20 2nd-degree intentional homicide, of a parent of the juvenile, if the conviction has not  
21 been reversed, set aside or vacated.

22 (am) Except as provided in par (b), if a parent in whose home a juvenile is placed  
23 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.  
24 940.05 of the 2nd-degree intentional homicide, of the juvenile's other parent, and the  
25 conviction has not been reversed, set aside or vacated, the court shall change the

1 juvenile’s placement to a placement out of the home of the parent on petition of the  
2 juvenile, the guardian or legal custodian of the juvenile, a person or agency bound  
3 by the dispositional order or the district attorney or corporation counsel of the county  
4 in which the dispositional order was entered, or on the court’s own motion, and on  
5 notice to the parent.

6 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and  
7 convincing evidence that the placement would be in the best interests of the juvenile.  
8 The court shall consider the wishes of the juvenile in making that determination.”.

9 **1108.** Page 1435, line 8: after that line insert:

10 “**SECTION 3159b.** 938.34 (8) of the statutes is amended to read:

11 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that  
12 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The  
13 maximum forfeiture that the court may impose under this subsection for a violation  
14 by a juvenile is the maximum amount of the fine that may be imposed on an adult  
15 for committing that violation or, if the violation is applicable only to a person under  
16 18 years of age, \$100. Any such order shall include a finding that the juvenile alone  
17 is financially able to pay the forfeiture and shall allow up to 12 months for payment.  
18 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order  
19 other alternatives under this section, in accordance with the conditions specified in  
20 this chapter; or the court may suspend any license issued under ch. 29 for not less  
21 than 30 days nor more than 5 years, or, unless the forfeiture was imposed for  
22 violating an ordinance unrelated to the juvenile’s operation of a motor vehicle, may  
23 suspend the juvenile’s operating privilege as defined in s. 340.01 (40), for not less  
24 than 30 days nor more than 5 years. If the court suspends any license under this

1 subsection, the clerk of the court shall immediately take possession of the suspended  
2 license and forward it to the department which issued the license, together with a  
3 notice of suspension clearly stating that the suspension is for failure to pay a  
4 forfeiture imposed by the court. If the forfeiture is paid during the period of  
5 suspension, the suspension shall be reduced to the time period which has already  
6 elapsed and the court shall immediately notify the department which shall then  
7 return the license to the juvenile. Any recovery under this subsection shall be  
8 reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r)  
9 (b).

10 **SECTION 3161b.** 938.343 (2) of the statutes is amended to read:

11 938.343 (2) Impose a forfeiture not to exceed the maximum forfeiture that may  
12 be imposed on an adult for committing that violation or, if the violation is only  
13 applicable to a person under 18 years of age, \$50. Any such order shall include a  
14 finding that the juvenile alone is financially able to pay and shall allow up to 12  
15 months for the payment. If a juvenile fails to pay the forfeiture, the court may  
16 suspend any license issued under ch. 29 or, unless the forfeiture was imposed for  
17 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may  
18 suspend the juvenile's operating privilege as defined in s. 340.01 (40), for not less  
19 than 30 days nor more than 5 years. The court shall immediately take possession  
20 of the suspended license and forward it to the department which issued the license,  
21 together with the notice of suspension clearly stating that the suspension is for  
22 failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the  
23 period of suspension, the court shall immediately notify the department, which will  
24 thereupon return the license to the person. Any recovery under this subsection shall

1 be reduced by the amount recovered as a forfeiture for the same act under s. 938.45  
2 (1r) (b).”.

3 **1109.** Page 1436, line 16: after that line insert:

4 “**SECTION 3176m.** 940.295 (1) (q) of the statutes is repealed.

5 **SECTION 3176n.** 940.295 (2) (j) of the statutes is repealed and recreated to read:

6 940.295 (2) (j) The Wisconsin School for the Deaf under s. 115.52 and the  
7 Wisconsin Center for the Blind and Visually Impaired under s. 115.525.”.

8 **1110.** Page 1436, line 23: after that line insert:

9 “**SECTION 3191br.** 945.05 (1) (intro.) of the statutes is amended to read:

10 945.05 (1) (intro.) ~~Whoever~~ Except as provided in sub. (1m), whoever  
11 manufactures, transfers commercially or possesses with intent to transfer  
12 commercially either of the following is guilty of a Class E felony:

13 **SECTION 3191bu.** 945.05 (1m) of the statutes is created to read:

14 945.05 (1m) Subsection (1) does not apply to a person who manufactures,  
15 transfers commercially or possesses with intent to transfer commercially gambling  
16 devices described in sub. (1) (a) and (b) to a nonprofit or public educational institution  
17 that provides an educational program for which it awards a bachelor’s or higher  
18 degree for the use in a casino gaming management class.”.

19 **1111.** Page 1436, line 23: after that line insert:

20 “**SECTION 3191bd.** 945.03 of the statutes is renumbered 945.03 (1m), and  
21 945.03 (1m) (intro.), as renumbered, is amended to read:

22 945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged  
23 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E  
24 felony:

1           **SECTION 3191bf.** 945.03 (2m) of the statutes is created to read:

2           945.03 **(2m)** If the violation of sub. (1m) involves the possession, operation, set  
3 up, collection of proceeds, participation in earnings or maintenance of, or involves  
4 acting as the custodian of anything of value bet or offered to be bet on, not more than  
5 5 video gambling machines on premises for which a Class "B" or "Class B" license or  
6 permit has been issued under ch. 125, the person may be penalized as follows:

7           (a) If the violation involves one video gambling machine, the person may be  
8 required to forfeit not more than \$500.

9           (b) If the violation involves 2 video gambling machines, the person may be  
10 required to forfeit not more than \$1,000.

11           (c) If the violation involves 3 video gambling machines, the person may be  
12 required to forfeit not more than \$1,500.

13           (d) If the violation involves 4 video gambling machines, the person may be  
14 required to forfeit not more than \$2,000.

15           (e) If the violation involves 5 video gambling machines, the person may be  
16 required to forfeit not more than \$2,500.

17           **SECTION 3191bh.** 945.04 of the statutes is renumbered 945.04 (1m), and 945.04  
18 (1m) (intro.), as renumbered, is amended to read:

19           945.04 **(1m)** (intro.) ~~Whoever~~ Except as provided in sub. (2m), whoever  
20 intentionally does any of the following is guilty of a Class A misdemeanor:

21           **SECTION 3191bj.** 945.04 (2m) of the statutes is created to read:

22           945.04 **(2m)** If the violation of sub. (1m) involves the set up or use of not more  
23 than 5 video gambling machines on premises for which a Class "B" or "Class B"  
24 license or permit has been issued under ch. 125, the person may be penalized as  
25 follows:

1 (a) If the violation involves one video gambling machine, the person may be  
2 required to forfeit not more than \$500.

3 (b) If the violation involves 2 video gambling machines, the person may be  
4 required to forfeit not more than \$1,000

5 (c) If the violation involves 3 video gambling machines, the person may be  
6 required to forfeit not more than \$1,500.

7 (d) If the violation involves 4 video gambling machines, the person may be  
8 required to forfeit not more than \$2,000

9 (e) If the violation involves 5 video gambling machines, the person may be  
10 required to forfeit not more than \$2,500.

11 **SECTION 3191bm.** 945.041 (11) of the statutes is created to read:

12 945.041 (11) No proceeding under this section may be commenced to revoke a  
13 Class “B” or “Class B” license or permit issued under ch. 125 to a person solely  
14 because the person knowingly permits 5 or fewer video gambling machines to be set  
15 up, kept, managed, used or conducted upon the licensed premises.

16 **SECTION 3191bn.** 945.05 (1) (intro.) of the statutes is amended to read:

17 945.05 (1) (intro.) ~~Whoever~~ Except as provided in sub. (1m), whoever  
18 manufactures, transfers commercially or possesses with intent to transfer  
19 commercially either of the following is guilty of a Class E felony:

20 **SECTION 3191bp.** 945.05 (1m) of the statutes is created to read:

21 945.05 (1m) If a violation of sub. (1) involves the commercial transfer of a video  
22 gambling machine or possession of a video gambling machine with the intent to  
23 transfer commercially, the person is subject to a Class C forfeiture.”.

24 **1112.** Page 1439, line 7: after that line insert:

1           **“SECTION 3196m.** 946.82 (4) of the statutes is amended to read:

2           946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961

3 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission

4 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),

5 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,

6 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,

7 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20

8 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,

9 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d),

10 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30,

11 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)

12 (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34,

13 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,

14 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05,

15 948.08, 948.12 and 948.30.”.

16           **1113.** Page 1439, line 11: after that line insert:

17           **“SECTION 3197c.** 948.22 (7) (bm) of the statutes is amended to read:

18           948.22 (7) (bm) Upon request, the court may modify the amount of child or

19 spousal support payments determined under par. (b) 2. if, after considering the

20 factors listed in s. 767.25 (1m) ~~or 767.51 (5)~~, regardless of the fact that the action is

21 not one for a determination of paternity or an action specified in s. 767.25 (1), the

22 court finds, by the greater weight of the credible evidence, that the use of the

23 percentage standard is unfair to the child or to either of the child’s parents.”.

24           **1114.** Page 1447, line 3: after that line insert:

1           **“SECTION 3207w.** 978.03 (1) of the statutes is amended to read:

2           978.03 (1) The district attorney of any prosecutorial unit having a population  
3 of 500,000 or more may appoint 4 deputy district attorneys and such assistant  
4 district attorneys as may be requested by the department of administration justice  
5 and authorized in accordance with s. 16.505. The district attorney shall rank the  
6 deputy district attorneys for purposes of carrying out duties under this section. The  
7 deputies, according to rank, may perform any duty of the district attorney, under the  
8 district attorney’s direction. In the absence or disability of the district attorney, the  
9 deputies, according to rank, may perform any act required by law to be performed  
10 by the district attorney. Any such deputy must have practiced law in this state for  
11 at least 2 years prior to appointment under this section.

12           **SECTION 3207x.** 978.03 (1m) of the statutes is amended to read:

13           978.03 (1m) The district attorney of any prosecutorial unit having a population  
14 of 200,000 or more but not more than 499,999 may appoint 3 deputy district  
15 attorneys and such assistant district attorneys as may be requested by the  
16 department of administration justice and authorized in accordance with s. 16.505.  
17 The district attorney shall rank the deputy district attorneys for purposes of carrying  
18 out duties under this section. The deputies, according to rank, may perform any duty  
19 of the district attorney, under the district attorney’s direction. In the absence or  
20 disability of the district attorney, the deputies, according to rank, may perform any  
21 act required by law to be performed by the district attorney. Any such deputy must  
22 have practiced law in this state for at least 2 years prior to appointment under this  
23 section.

24           **SECTION 3207y.** 978.03 (2) of the statutes is amended to read:



1           978.03 (2) The district attorney of any prosecutorial unit having a population  
2 of 100,000 or more but not more than 199,999 may appoint one deputy district  
3 attorney and such assistant district attorneys as may be requested by the  
4 department of ~~administration~~ justice and authorized in accordance with s. 16.505.  
5 The deputy may perform any duty of the district attorney, under the district  
6 attorney's direction. In the absence or disability of the district attorney, the deputy  
7 may perform any act required by law to be performed by the district attorney. The  
8 deputy must have practiced law in this state for at least 2 years prior to appointment  
9 under this section.”.

10           **1115.** Page 1447, line 10: delete “administration” and substitute  
11 “~~administration~~ justice”.

12           **1116.** Page 1447, line 15: delete “administration” and substitute  
13 “~~administration~~ justice and”.

14           **1117.** Page 1447, line 21: delete “administration” and substitute “justice”.

15           **1118.** Page 1448, line 4: delete “administration” and substitute “justice”.

16           **1119.** Page 1449, line 6: after that line insert:

17           “**SECTION 3210L.** 978.045 (1g) of the statutes is amended to read:

18           978.045 (1g) A court on its own motion may appoint a special prosecutor under  
19 sub. (1r) or a district attorney may request a court to appoint a special prosecutor  
20 under that subsection. Before a court appoints a special prosecutor on its own motion  
21 or at the request of a district attorney for an appointment that exceeds 6 hours per  
22 case, the court or district attorney shall request assistance from a district attorney,  
23 deputy district attorney or assistant district attorney from other prosecutorial units  
24 or an assistant attorney general. A district attorney requesting the appointment of

1 a special prosecutor, or a court if the court is appointing a special prosecutor on its  
2 own motion, shall notify the department of ~~administration~~ justice, on a form  
3 provided by that department, of the district attorney’s or the court’s inability to  
4 obtain assistance from another prosecutorial unit or from an assistant attorney  
5 general.

6 **SECTION 3210m.** 978.045 (2) (b) of the statutes is amended to read:

7 978.045 (2) (b) The department of ~~administration~~ justice shall pay the  
8 compensation ordered by the court from the appropriation under s. 20.475 (1) (d).”.

9 **1120.** Page 1449, line 17: after that line insert:

10 “**SECTION 3211k.** 978.11 of the statutes is amended to read:

11 **978.11 Budget.** The department of ~~administration~~ justice shall prepare the  
12 budget of the prosecution system and submit it in accordance with s. 16.42.”.

13 **1121.** Page 1449, line 24: after that line insert:

14 “**SECTION 3211q.** 978.12 (5) (c) 1. of the statutes is amended to read:

15 978.12 (5) (c) 1. The salaries authorized under this section for the district  
16 attorney and the state employes of the office of district attorney shall be paid by the  
17 state treasurer to the county treasurer pursuant to a voucher submitted by the  
18 district attorney to the department of ~~administration~~ justice. The county treasurer  
19 shall pay the amounts directly to the district attorney and state employes of the office  
20 of district attorney and the amounts paid shall be subject to the retirement system  
21 established under chapter 201, laws of 1937.”.

22 **1122.** Page 1452, line 6: delete “administration” and substitute  
23 “~~administration~~ justice”.

1           **1123.** Page 1452, line 17: delete “secretary of administration” and substitute  
2           “~~secretary of administration~~ department of justice”.

3           **1124.** Page 1453, line 3: delete “administration” and substitute “justice”.

4           **1125.** Page 1462, line 24: after that line insert:

5           “**SECTION 3261dh.** 1997 Wisconsin Act 27, sections 4338c, 4338e, 4338g and  
6           4338i are repealed.

7           “**SECTION 3261d.** 1997 Wisconsin Act 27, section 43k is repealed.

8           **SECTION 3261dc.** 1997 Wisconsin Act 27, section 59d is repealed.

9           **SECTION 3261dd.** 1997 Wisconsin Act 27, section 119d is repealed.

10          **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

11          **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

12          **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

13          **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

14          **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

15          **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

16          **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

17          **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

18          **1126.** Page 1463, line 21: delete “amended to read:” and substitute  
19          “repealed.”.

20          **1127.** Page 1463, line 22: delete the material beginning with that line and  
21          ending with page 1464, line 3.

22          **1128.** Page 1465, line 20: delete the material beginning with that line and  
23          ending with page 1467, line 6.

1           **1129.** Page 1467, line 8: delete the material beginning with that line and  
2 ending with page 1468, line 17 and substitute:

3           “(1mb) AUTHORIZED POSITIONS. The authorized FTE positions for the  
4 department of administration, funded from the appropriation under section 20.505  
5 (4) (o) of the statutes, are increased by 1.0 FED position to administer learn and serve  
6 grants.”.

7           **1130.** Page 1468, line 17: after that line insert:

8           “(1d) TRANSFER OF OFFICE OF STATE PROSECUTOR.

9           (a) *Positions and employes.*

10           1. On the effective date of this subdivision, all full-time equivalent positions  
11 in the department of administration having duties primarily related to the general  
12 program operations of the prosecution system, as determined by the secretary of  
13 administration, are transferred to the department of justice.

14           2. All incumbent employes holding positions specified in subdivision 1. are  
15 transferred on the effective date of this subdivision to the department of justice.

16           3. ‘Employes transferred under subdivision 2. have all the rights and the same  
17 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
18 department of justice that they enjoyed in the department of administration  
19 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
20 no employe so transferred who has attained permanent status in class is required to  
21 serve a probationary period.

22           (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
23 liabilities of the department of administration primarily related to the general

1 program operations of the prosecution system, as determined by the secretary of  
2 administration, shall become the assets and liabilities of the department of justice.

3 (c) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of administration  
5 that is primarily related to the general program operations of the prosecution  
6 system, as determined by the secretary of administration, is transferred to the  
7 department of justice.

8 (d) *Contracts.* All contracts entered into by the department of administration  
9 in effect on the effective date of this paragraph that are primarily related to the  
10 general program operations of the prosecution system, as determined by the  
11 secretary of administration, remain in effect and are transferred to the department  
12 of justice. The department of justice shall carry out any obligations under such a  
13 contract until the contract is modified or rescinded by the department of justice to  
14 the extent allowed under the contract.

15 (e) *Rules and orders.* All rules promulgated by the department of  
16 administration primarily related to the general program operations of the  
17 prosecution system that are in effect on the effective date of this paragraph shall  
18 become rules of the department of justice and shall remain in effect until their  
19 specified expiration dates or until amended or repealed by the department of justice.  
20 All orders issued by the department of administration primarily related to the  
21 general program operations of the prosecution system that are in effect on the  
22 effective date of this paragraph shall become orders of the department of justice and  
23 shall remain in effect until their specified expiration dates or until modified or  
24 rescinded by the department of justice.

1           (f) *Pending matters.* Any matter pending with the department of  
2 administration on the effective date of this paragraph that is primarily related to the  
3 general program operations of the prosecution system, as determined by the  
4 secretary of administration, is transferred to the department of justice and all  
5 materials submitted to or actions taken by the department of administration with  
6 respect to the pending matter are considered as having been submitted to or taken  
7 by the department of justice.”.

8           **1131.** Page 1468, line 17: after that line insert:

9           “(1zt) INITIAL APPOINTMENTS TO COUNCIL ON UTILITY PUBLIC BENEFITS.  
10 Notwithstanding section 15.107 (17) (intro.) of the statutes, as created by this act,  
11 the initial members of the council on utility public benefits shall be appointed for the  
12 following terms:

13           (a) One of the members under section 15.107 (17) (a), (b) and (d) of the statutes,  
14 as created by this act, for terms expiring on July 1, 2001.

15           (b) One of the members under section 15.107 (17) (a) of the statutes, as created  
16 by this act, and the members under section 15.107 (17) (c), (e) and (f) of the statutes,  
17 as created by this act, for terms expiring on July 1, 2002.

18           (c) One of the members under section 15.107 (17) (b) and (d) of the statutes, as  
19 created by this act, and the members under section 15.107 (17) (g) and (h) of the  
20 statutes, as created by this act, for terms expiring on July 1, 2003.

21           (1zu) UTILITY PUBLIC BENEFITS RULES.

22           (a) Using the procedure under section 227.24 of the statutes, the department  
23 of administration shall promulgate the rules required under section 16.957 (2) (c)  
24 and (4) (b) of the statutes, as created by this act, for the period before the effective

1 date of the permanent rules promulgated under that section, but not to exceed the  
2 period authorized under section 227.24 (1) (c) and (2) of the statutes.  
3 Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not  
4 required to make a finding of emergency.

5 (b) The department of administration shall submit in proposed form the rules  
6 required under section 16.957 (2) (c) and (4) (b) of the statutes, as created by this act,  
7 to the legislative council staff under section 227.15 (1) of the statutes no later than  
8 the first day of the 6th month beginning after the effective date of this paragraph.”.

9 **1132.** Page 1469, line 9: delete lines 9 to 14.

10 **1133.** Page 1469, line 14: after that line insert:

11 “(3m) DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections  
12 978.03, 978.04 and 978.042 of the statutes, as affected by this act, during the  
13 1999-2001 fiscal biennium the department of administration shall reduce  
14 Waukesha County’s allocation of FTE GPR assistant district attorney positions  
15 funded from the appropriation account under section 20.475 (1) (d) of the statutes by  
16 the first 3.0 positions to become vacant on or after the effective date of this  
17 subsection. The positions by which Waukesha County’s allocation is reduced under  
18 this subsection shall be reallocated as follows:

19 (a) Of the first position or portion thereof to become vacant, 0.5 position shall  
20 be reallocated to Portage County.

21 (b) Of the next position or portion thereof to become vacant, 0.5 position shall  
22 be reallocated to Kenosha County.

23 (c) Of the remaining positions or portion thereof to become vacant, 2.0 positions  
24 shall be reallocated to Dane County.”.

1           **1134.** Page 1471, line 12: delete the material beginning with that line and  
2 ending with page 1472, line 5.

3           **1135.** Page 1476, line 14: delete lines 14 to 20.

4           **1136.** Page 1479, line 22: after “aid” insert “credit”.

5           **1137.** Page 1479, line 24: after “aid” insert “credits”.

6           **1138.** Page 1480, line 3: after “act,” insert “and must also have in effect  
7 zoning ordinances and subdivision regulations, as described in section 66.0295 (3)  
8 (h), (j), (k) and (L) of the statutes, as created by this act, that are consistent with the  
9 comprehensive plan.”.

10           **1139.** Page 1480, line 10: after that line insert:

11           “(c) The proposal shall specify that a city, village, town or county shall receive  
12 one aid credit for each new housing unit that was sold or rented, on lots that are no  
13 more than one-quarter acre, in the year before the year in which the grant  
14 application is made. The proposal shall also specify that a city, village, town or  
15 county shall receive one credit for each new housing unit that was sold at no more  
16 than 80% of the median sale price for new homes in the county in which the city,  
17 village or town is located or primarily located in the year before the year in which the  
18 grant application is made. Grants shall be awarded based on the number of credits  
19 that a city, village, town or county receives in the year to which its application  
20 relates.”.

21           **1140.** Page 1480, line 25: after that line insert:

22           “(20w) AUTHORIZED POSITIONS. The authorized FTE positions for the  
23 department of administration, funded from the appropriation under section 20.505



1 (1) (kL) of the statutes, are decreased by 1.0 PR information specialist network  
2 consultant position.”.

3 **1141.** Page 1481, line 6: after that line insert:

4 “(1m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER  
5 COMPLAINTS. Not later than the first day of the 13th month after the effective date  
6 of this subsection, the department of agriculture, trade and consumer protection  
7 shall enter into a memorandum of understanding with the department of justice and  
8 the public service commission for the purpose of coordinating each party’s efforts to  
9 respond to and address consumer complaints regarding telecommunication  
10 services.”.

11 **1142.** Page 1481, line 25: after that line insert:

12 “(3z) AQUACULTURE POSITION. The authorized FTE positions for the department  
13 of agriculture, trade and consumer protection are increased by 1.0 PR position to be  
14 funded from the appropriation under section 20.115 (4) (k) of the statutes, as created  
15 by this act, to coordinate aquaculture activities and research.”.

16 **1143.** Page 1482, line 3: substitute “\$150,000” for “\$50,000”.

17 **1144.** Page 1482, line 7: after that line insert:

18 “(2w) PORTAGE COUNTY ARTS ALLIANCE. From the appropriation under section  
19 20.215 (1) (fm) of the statutes, as created by this act, the arts board shall award a  
20 grant of \$50,000 in the 1999–2000 fiscal year to the city of Stevens Point arts council  
21 for development of the Portage County Arts Alliance if the arts council provides at  
22 least \$50,000 in matching funds.”.

23 **1145.** Page 1484, line 19: increase the dollar amount by \$2,925,000 and  
24 adjust the appropriate totals accordingly.





1           **1154.** Page 1499, line 6: before that line insert:

2           “(1z) 1997-99 STATE BUILDING PROGRAM DELETIONS. In 1997 Wisconsin Act 27,  
3 section 9107 (1) (a), under projects financed by general fund supported borrowing,  
4 the 1997-99 state building program project identified as Black Point Estate site  
5 improvements — Lake Geneva is deleted and the appropriate totals are decreased  
6 accordingly.”.

7           **1155.** Page 1500, line 12: after that line insert:

8           “(6m) MILWAUKEE POLICE ATHLETIC LEAGUE YOUTH ACTIVITIES CENTER.  
9 Notwithstanding section 13.48 (34) of the statutes, as created by this act, the  
10 building commission shall not make a grant to the Milwaukee Police Athletic League  
11 for the youth activities center project enumerated in subsection (1) (km) under  
12 section 13.48 (34) of the statutes, as created by this act, unless the department of  
13 administration has reviewed and approved the plans for the project.  
14 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of  
15 administration shall not supervise any services or work or let any contract for the  
16 project. Section 16.87 of the statutes does not apply to the project.”.

17           **1156.** Page 1500, line 12: after that line insert:

18           “(6g) SWISS CULTURAL CENTER. Notwithstanding section 13.48 (33) of the  
19 statutes, as created by this act, the building commission shall not make a grant to  
20 the organization known as the Swiss Cultural Center for the Swiss cultural center  
21 project enumerated in subsection (1) (Lm) under section 13.48 (33) of the statutes,  
22 as created by this act, unless the department of administration has reviewed and  
23 approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855  
24 (1) of the statutes, the department of administration shall not supervise any services

1 or work or let any contract for the project. Section 16.87 of the statutes does not apply  
2 to the project.”.

3 **1157.** Page 1500, line 13: delete “The” and substitute “Subject to approval  
4 under subsection (7tt), the”.

5 **1158.** Page 1500, line 21: after that line insert:

6 “(7tt) HIGHVIEW BUILDING CONVERSION APPROVAL. Notwithstanding section 13.48  
7 (10) (a) of the statutes, the building commission shall not approve construction work  
8 at the Highview building specified in subsection (7) for the purpose of converting that  
9 building to a correctional facility until the project is submitted to the electors of  
10 Chippewa County at a referendum. For this purpose, the building commission shall  
11 direct the county clerk of Chippewa County to place the question of approval of  
12 conversion of the building on the ballot at the next spring or general election  
13 occurring not sooner than 45 days after the directive, or at a special election to be held  
14 on a date specified by the commission not sooner than 45 days after the directive. The  
15 question to be submitted shall be: “Shall the State of Wisconsin convert the Highview  
16 building located at the Northern Wisconsin Center for the Developmentally Disabled  
17 to a medium security correctional institution?”. If the question is approved by a  
18 majority of the electors voting in the referendum, the building commission may  
19 approve construction of the project specified in subsection (7). If the question is not  
20 so approved, the building commission shall not approve construction of the project  
21 specified in subsection (7) until the question is so approved.”.

22 **1159.** Page 1501, line 24: after that line insert:

23 “(2mm) CIRCUIT COURT BRANCHES, MILWAUKEE COUNTY. The initial election for  
24 circuit judge for branches 48, 49 and 50 of the circuit court for Milwaukee County

1 shall be at the spring election of 2001 for terms commencing August 1, 2001, and  
2 ending July 31, 2007.

3 (2mn) CIRCUIT JUDGE POSITIONS, MILWAUKEE COUNTY. The authorized FTE  
4 positions for the circuit courts are increased by 3.0 GPR circuit judge positions on  
5 August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of  
6 the statutes, to provide one additional circuit court judge for each of the circuit court  
7 branches created by this act.

8 (2mp) COURT REPORTER POSITIONS, MILWAUKEE COUNTY. The authorized FTE  
9 positions for the circuit courts are increased by 6.0 GPR court reporter positions on  
10 August 1, 2001, to be funded from the appropriation under section 20.625 (1) (a) of  
11 the statutes, to provide two additional court reporters for each of the circuit court  
12 branches created in this act.”.

13 **1160.** Page 1501, line 24: after that line insert:

14 “(2g) SOLICITATION OF HOMICIDE OF PARENT AS TERMINATION OF PARENTAL RIGHTS  
15 GROUND. The treatment of section 48.415 (8) of the statutes first applies to petitions  
16 for termination of parental rights under section 48.42 (1) of the statutes filed on the  
17 effective date of this subsection, but does not preclude consideration of a conviction  
18 under section 939.30 of the statutes obtained before the effective date of this  
19 subsection in determining whether to terminate, or to find grounds to terminate, the  
20 parental rights of a person under section 48.415 (8) of the statutes, as affected by this  
21 act.”.

22 **1161.** Page 1502, line 1: delete lines 1 to 4.

23 **1162.** Page 1502, line 6: after “(2m)” insert “and (3) (b)”.

1           **1163.** Page 1502, line 14: delete “of the statutes.” and substitute “, 1997  
2 stats.”.

3           **1164.** Page 1502, line 14: after that line insert:

4           “(3j) DEPARTMENT OF COMMERCE ENFORCEMENT OF ONE- AND 2-FAMILY DWELLING  
5 CODE IN CERTAIN MUNICIPALITIES. Notwithstanding section 101.651 (3) (b) of the  
6 statutes, as created by this act, if the department of commerce enters into a contract  
7 with a municipality before July 1, 2000, to provide inspection services in the  
8 municipality under section 101.651 (3) (b) of the statutes, as created by this act, the  
9 department shall begin providing the inspection services under the contract no later  
10 than July 1, 2000.”.

11           **1165.** Page 1503, line 4: delete the material beginning with that line and  
12 ending with page 1505, line 2, and substitute:

13           “(3g) RULE MAKING FOR PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

14           (a) The department of commerce shall submit in proposed form the rules  
15 required under section 101.143 (2) (h), (i) and (j) and (2e) (a) of the statutes, as created  
16 by this act, and the rules to implement section 101.143 (4) (cm) 1. of the statutes, as  
17 affected by this act, to the legislative council staff under section 227.15 (1) of the  
18 statutes no later than the first day of the 3rd month beginning after the effective date  
19 of this paragraph.

20           (b) Using the procedure under section 227.24 of the statutes, the department  
21 of commerce shall promulgate the rules required under section 101.143 (2) (h), (i) and  
22 (j) and (2e) (a) of the statutes, as created by this act, and shall promulgate rules to  
23 implement section 101.143 (4) (cm) 1. of the statutes, as affected by this act, for the  
24 period before the effective date of the rules submitted under paragraph (a), but not

1 to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.  
2 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department  
3 is not required to provide evidence that promulgating rules under this paragraph is  
4 necessary for the preservation of the public peace, health, safety or welfare and is not  
5 required to provide a finding of emergency for rules promulgated under this  
6 paragraph. The department shall promulgate rules under this paragraph no later  
7 than the 30th day after the effective date of this paragraph.

8 (c) The department of natural resources shall submit in proposed form any  
9 changes in its rules necessary to implement this act to the legislative council staff  
10 under section 227.15 (1) of the statutes no later than the first day of the 6th month  
11 beginning after the effective date of this paragraph.”.

12 **1166.** Page 1506, line 10: delete “\$1,000,000” and substitute “\$1,500,000”.

13 **1167.** Page 1507, line 1: delete “\$500,000” and substitute “\$750,000”.

14 **1168.** Page 1507, line 12: after that line insert:

15 “(7v) GRANTS TO CAP SERVICES, INC. From the appropriation under section  
16 20.143 (1) (fg) of the statutes, as affected by this act, the department of commerce  
17 shall make a grant of \$12,500 in each of fiscal years 1999–2000 and 2000–01 to CAP  
18 Services, Inc., for providing technical assistance and management services to small  
19 businesses. The grants under this subsection shall be in addition to any grants  
20 awarded to CAP Services, Inc., under section 560.13 of the statutes, as affected by  
21 this act. Within 6 months after spending the full amount of each grant under this  
22 subsection, CAP Services, Inc., shall submit a report to the department of commerce  
23 detailing how the grant proceeds were used.”.

24 **1169.** Page 1507, line 12: after that line insert:



1           “(7h) GRANT FOR SWISS CULTURAL CENTER.

2           (a) Subject to paragraph (b), from the appropriation under section 20.143 (1)  
3 (km) of the statutes, as created by this act, the department of commerce shall make  
4 a grant in fiscal biennium 1999-2001 to an organization known as the Swiss Cultural  
5 Center for construction of a Swiss cultural center in the village of New Glarus.

6           (b) The amount of the grant under paragraph (a) may not exceed \$1,000,000.  
7 For every dollar received from the state for the project under paragraph (a), the  
8 organization shall provide \$2 in matching funds for the project from a source other  
9 than the state.

10          (c) Within 6 months after spending the full amount of the grant under  
11 paragraph (a), the organization shall submit to the department of commerce a report  
12 detailing how the grant proceeds were used.”.

13           **1170.** Page 1507, line 12: after that line insert:

14           “(8gm) GRANT FOR BROWNFIELDS CLEANUP AND PARK.

15           (a) In this subsection:

- 16           1. “Brownfields” has the meaning given in section 560.13 (1) (a) of the statutes.  
17           2. “Department” means the department of commerce.  
18           3. “Secretary” means the secretary of commerce.

19           (b) Notwithstanding section 560.13 of the statutes, as affected by this act, from  
20 the appropriation under section 20.143 (1) (qm) of the statutes, as affected by this act,  
21 the department shall make a grant of \$100,000 to a person for the cleanup of a  
22 brownfields site in the city of Kenosha and for development of the cleaned-up site  
23 as a park if all of the following apply:

1           1. The person submits a plan to the department detailing the proposed use of  
2 the grant and the secretary approves the plan.

3           2. The person enters into a written agreement with the department that  
4 specifies the conditions for use of the grant proceeds, including reporting and  
5 auditing requirements.

6           3. The person agrees in writing to submit to the department the report required  
7 under paragraph (c) by the time required under paragraph (c).

8           (c) If a person receives a grant under this subsection, the person shall submit  
9 to the department, within 6 months after spending the full amount of the grant, a  
10 report detailing how the grant proceeds were used.

11           (d) The department may not pay grant proceeds under this subsection after  
12 June 30, 2001.”.

13           **1171.** Page 1507, line 12: after that line insert:

14           “(8e) COMMUNITY DEVELOPMENT BLOCK GRANT FOR DOMESTIC VIOLENCE SHELTER.  
15 The department of commerce shall make a grant of \$250,000 in fiscal year  
16 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to a  
17 county in which a domestic violence shelter is being constructed by the Young  
18 Women’s Christian Association in a city that is located in the county and that has a  
19 population greater than 52,000 but less than 60,000. The county must use the grant  
20 proceeds to provide financial assistance to the Young Women’s Christian Association  
21 for the construction of the domestic violence shelter. Within 6 months after spending  
22 the full amount of the grant, the county shall submit to the department of commerce  
23 a report detailing how the grant proceeds were spent.”.

24           **1172.** Page 1507, line 12: after that line insert:

1           “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

2           (a) In this subsection, “board” means the recycling market development board.

3           (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
4 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

5           1. The commission submits a plan to the board detailing the proposed use of  
6 the grant and the board approves the plan.

7           2. The commission enters into a written agreement with the board that  
8 specifies the conditions for use of the grant proceeds, including reporting and  
9 auditing requirements.

10           3. The commission agrees in writing to submit to the board the report required  
11 under paragraph (d) 2. by the time required under paragraph (d) 2.

12           (c) If the board awards a grant under this subsection, the department of  
13 commerce shall pay the grant proceeds from the appropriation under section 20.143  
14 (1) (tm) of the statutes, as affected by this act.

15           (d) If the commission receives a grant under this subsection, the commission  
16 shall do all of the following:

17           1. Use the grant proceeds to determine the feasibility of creating sludge-based  
18 products and of marketing those products and to develop markets for the biosolid  
19 materials being produced from waste products by the commission.

20           2. Within 6 months after spending the full amount of the grant, submit to the  
21 board a report detailing how the grant proceeds were used.

22           (e) The board may not award and the department may not pay grant proceeds  
23 under this subsection after June 30, 2001.”.

24           **1173.** Page 1507, line 12: after that line insert:

1           “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

2           (a) The authorized FTE positions for the department of commerce, funded from  
3 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0  
4 SEG project positions for staff for the recycling market development board.

5           (b) The authorized FTE positions for the department of commerce, funded from  
6 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0  
7 SEG positions for a loan portfolio manager to manage past and future financial  
8 assistance awarded by the recycling market development board and for a commodity  
9 specialist to develop and direct strategy for recycling market development.”.

10           **1174.** Page 1507, line 14: delete the material beginning with that line and  
11 ending with page 1508, line 12 and substitute:

12           “(2fm) PRIVATE BUSINESS PRISON EMPLOYMENT CONTRACTS.

13           (a) In this subsection, “prison contract” means a contract between the  
14 department of corrections and a private business under section 303.01 (2) (em), 1997  
15 stats.

16           (b) Notwithstanding section 303.01 (2) (em), 1997 stats., beginning on the  
17 effective date of this subsection, the department of corrections may not enter into,  
18 renew or extend a prison contract.

19           (c) The department of corrections shall take all steps necessary, consistent with  
20 the terms of the contract, to terminate each prison contract no later than the 210th  
21 day after the day of publication.”.

22           **1175.** Page 1509, line 23: delete the material beginning with that line and  
23 ending with page 1511, line 12.

24           **1176.** Page 1511, line 12: after that line insert:

1           “(6q) TRANSFERRING PRISONERS TO COUNTY FACILITIES FROM OUT-OF-STATE JAILS  
2           AND PRISONS.

3           (a) *Solicitation and acceptance of proposals.* Before October 31, 2000, the  
4           department of corrections shall solicit proposals from counties for contracts, to  
5           commence during the first quarter of calendar year 2001, under which prisoners who  
6           are confined in other states under section 301.21 of the statutes may be returned to  
7           Wisconsin and confined in a county jail or house of correction. If one or more counties  
8           propose to enter into a contract with the department that meets the requirements  
9           of this subsection, and the number of prisoners who could be transferred under the  
10          proposed contracts is 1,000 or more, the department shall reduce by 1,000 the  
11          number of Wisconsin prisoners confined in other states under section 301.21 of the  
12          statutes by entering into one or more such contracts, consistent with the competitive  
13          process it has established under paragraph (d). If the proposed contracts meet the  
14          requirements of this subsection, but the number of prisoners who could be  
15          transferred under the proposed contracts is less than 1,000, the department shall  
16          enter into all such proposed contracts and shall reduce the number of prisoners  
17          confined in their states under section 301.21 of the statutes by the number of  
18          prisoners who are to be transferred under the contracts.

19          (b) *Contract requirements.* Each contract entered into by the department under  
20          this subsection shall include a termination date, shall identify the regulations and  
21          rules of the department and of the county jail or house of correction to which the  
22          prisoners will be subject and shall contain provisions regarding all of the following:

23                 1. Prisoner participation in employment programs, the disposition or crediting  
24                 of prisoner earnings and the crediting of proceeds from or disposal of any products  
25                 resulting from prisoner employment.

1           2. Delivery and retaking of prisoners.

2           3. Regular reporting by the county concerning the prisoners confined under the  
3 contract.

4           4. Any other matters that are necessary and appropriate to fix the obligations,  
5 responsibilities and rights of the department and the county.

6           (c) *Standard of care.* Prisoners confined by a county under this subsection shall  
7 be subject to the same standards of reasonable and humane care as the prisoners  
8 would receive in an appropriate state correctional institution.

9           (d) *Procedures.* 1. The department shall establish a competitive process,  
10 subject to approval by the secretary of administration, to govern the solicitation of  
11 proposals and the awarding of contracts under this subsection. Notwithstanding  
12 section 227.10 (1) of the statutes, the procedures governing the solicitation of  
13 proposals and the awarding of contracts need not be promulgated as rules under  
14 chapter 227 of the statutes.

15           2. Sections 16.75 and 301.08 (2) of the statutes do not apply to contracts entered  
16 into under this subsection.

17           (e) *Limit on payments under contracts.* The department may not enter into a  
18 contract for confining prisoners under this subsection that requires it to pay a county  
19 more than \$57 per prisoner per day, excluding the cost of transporting prisoners, the  
20 cost of prisoner medical care and any other expenses as determined by the  
21 department.

22           (f) *Severability.* The provisions of any contract entered into under this  
23 subsection are severable. If any provision of such a contract is invalid, or if the  
24 application of a provision of the contract to any person or circumstance is invalid, the

1       invalidity does not affect other provisions or applications which can be given effect  
2       without the invalid provision or application.”.

3               **1177.** Page 1511, line 12: after that line insert:

4               “(6f) COMPUTER RECYCLING PROGRAM. The authorized FTE positions for the  
5       department of corrections are increased by 4.0 SEG project positions for the period  
6       ending on June 30, 2001, to be funded from the appropriation under section 20.410  
7       (1) (qm) of the statutes, as created by this act, for the purpose of the department’s  
8       computer recycling program.”.

9               **1178.** Page 1511, line 17: after that line insert:

10              “(1m) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. Notwithstanding the  
11       length of terms specified for the members of the private employer health care  
12       coverage board under section 15.165 (5) of the statutes, as created by this act, the  
13       initial members shall be appointed for the following terms:

14              (a) The members specified under section 15.165 (5) (a) 1., 3. and 7. of the  
15       statutes, as created by this act, for terms expiring on May 1, 2002.

16              (b) The members specified under section 15.165 (5) (a) 2., 5. and 8. of the  
17       statutes, as created by this act, for terms expiring on May 1, 2003.

18              (c) The members specified under section 15.165 (5) (a) 4. and 6. of the statutes,  
19       as created by this act, for terms expiring on May 1, 2004.

20              (2m) POSITION AUTHORIZATIONS FOR THE DEPARTMENT OF EMPLOYEE TRUST FUNDS.  
21       The authorized FTE positions for the department of employee trust funds are  
22       increased by 3.5 GPR positions on the effective date of this subsection, to be funded  
23       from the appropriation under section 20.515 (2) (a) of the statutes, as created by this  
24       act, for the purpose of designing and contracting for administrative services for the

1 private employer health care coverage program under subchapter X of chapter 40 of  
2 the statutes, as created by this act.”.

3 **1179.** Page 1515, line 2: delete “2” and substitute “6”.

4 **1180.** Page 1518, line 14: after that line insert:

5 “(8gm) DNA PROBE MACHINE. From the appropriation under section 20.435 (1)  
6 (a) of the statutes, the department of health and human services shall allocate  
7 \$250,000 during the fiscal year 1999–2000 to the City of Milwaukee for the purchase  
8 of a DNA probe machine.”.

9 **1181.** Page 1519, line 13: delete that line and substitute:

10 “(8mx) HEALTH CARE INFORMATION PROPOSAL.

11 (a) By June 30, 2001, the department of”.

12 **1182.** Page 1519, line 19: delete “modify any”.

13 **1183.** Page 1519, line 20: delete “proposal received and may”.

14 **1184.** Page 1520, line 1: on lines 1 and 2, delete “including any proposed  
15 modifications of the department of administration” and substitute “as authorized  
16 under current law”.

17 **1185.** Page 1520, line 6: delete “including any proposed modifications of the  
18 department of administration,”.

19 **1186.** Page 1520, line 7: after “committee” insert “and as authorized under  
20 current law”.

21 **1187.** Page 1520, line 8: delete lines 8 to 16.

22 **1188.** Page 1521, line 14: after “increase” insert “, beginning July 1, 1999,”.

23 **1189.** Page 1521, line 24: delete “indicated by the facility’s 1998”.



1           **1190.** Page 1521, line 25: delete “cost reports” and substitute “determined by  
2 the department”.

3           **1191.** Page 1522, line 5: delete “examine facility cost reports covering”.

4           **1192.** Page 1522, line 6: delete lines 6 to 8.

5           **1193.** Page 1522, line 9: delete “during state fiscal year 1998–99” and  
6 substitute “prepare a supplemental application form for completion by facilities in  
7 applying for the supplement”.

8           **1194.** Page 1522, line 11: delete “over the base year” and substitute “during  
9 the period after June 30, 1999, and before July 1, 2000,”.

10           **1195.** Page 1523, line 17: on lines 17 and 20, delete “1997, to December 31,  
11 1998” and substitute “1996, to December 31, 1997”.

12           **1196.** Page 1525, line 21: delete lines 21 to 25.

13           **1197.** Page 1526, line 1: delete lines 1 to 5 and substitute:

14           “(11t) KINSHIP CARE ADMINISTRATION. The authorized FTE positions for the  
15 department of health and family services are increased by 1.0 PR position on October  
16 1, 1999, to be funded from the appropriation under section 20.435 (3) (kx) of the  
17 statutes, for the purpose of providing increased oversight of the kinship care program  
18 under section 48.57 (3m) to (3t) of the statutes, as affected by this act. The 1.0 FTE  
19 PR position shall provide program oversight and monitoring, serve as a liaison to the  
20 department of workforce development and the bureau of Milwaukee child welfare  
21 services in the department of health and family services and develop policies and  
22 procedures relating to the kinship care program.”.

23           **1198.** Page 1526, line 5: after that line insert:

1           “(14c) CONSOLIDATED PUBLIC HEALTH CONTRACTS. The department of health and  
2 family services shall submit in proposed form the rules required under section 46.036  
3 (8) of the statutes, as created by this act, to the legislative council staff under section  
4 227.15 (1) of the statutes no later than November 1, 1999.”.

5           **1199.** Page 1526, line 5: after that line insert:

6           “(12m) GRANT FOR ST. CLARE HEALTH MISSION. The department of health and  
7 family services shall award a grant of \$50,000 in fiscal year 1999–2000 from the  
8 amount appropriated under section 20.435 (4) (gp) of the statutes to Franciscan  
9 Skemp Health Care, Inc., for health care and disease management services provided  
10 by the St. Clare Health Mission.”.

11           **1200.** Page 1526, line 5: after that line insert:

12           “(11h) SUPPLEMENT; IN-HOME PERSONAL CARE SERVICES. The department of health  
13 and family services shall in state fiscal year 2000–01 supplement hourly  
14 reimbursement rates under section 49.45 (42) of the statutes for workers providing  
15 in-home personal care services to medical assistance recipients by \$.50 or in an  
16 amount not to exceed \$3,803,700, whichever is less.”.

17           **1201.** Page 1526, line 5: after that line insert:

18           “(13n) SCHOOL MEDICAL SERVICES UNDER MEDICAL ASSISTANCE.

19           (a) In state fiscal years 1999–2000 and 2000–01, the department of health and  
20 family services shall, under section 49.45 (39) (b) of the statutes, reimburse a school  
21 district and a cooperative educational service agency and shall reimburse the  
22 department of public instruction for the Wisconsin School for the Visually  
23 Handicapped and the Wisconsin School for the Deaf, for 90% of the federal share  
24 received for school-based services under the medical assistance program in excess

1 of \$16,100,000. The reimbursement shall be based on the proportion of total  
2 school-based services for the school year that was provided by each school district,  
3 cooperative educational service agency, the Wisconsin School for the Visually  
4 Handicapped and the Wisconsin School for the Deaf.

5 (b) The department of health and family services shall submit, as part of its  
6 2001-03 biennial budget request, a proposal to the department of administration for  
7 fiscal years after state fiscal year 2000-01, to increase the percentage of the federal  
8 share received for school-based services under the medical assistance program by  
9 which reimbursement is made under section 49.45 (39) (b) of the statutes to reflect  
10 the total percentage of the federal share for which school districts, cooperative  
11 educational service agencies and the department of public instruction on behalf of  
12 the Wisconsin School for the Visually Handicapped and the Wisconsin School for the  
13 Deaf were reimbursed in state fiscal year 1999-2000.”.

14 **1202.** Page 1526, line 5: after that line insert:

15 “(12x) INITIAL APPOINTMENTS OF INDEPENDENT REVIEW BOARD. Notwithstanding  
16 the length of terms specified in section 15.195 (9) (intro.) of the statutes, as created  
17 by this act, the initial members of the independent review board shall be appointed  
18 by the first day of the 4th month beginning after the effective date of this subsection  
19 for the following terms:

20 (a) The purchaser of health care, for a term expiring on May 1, 2001.

21 (b) The medical ethicist and the privacy expert, for terms expiring on May 1,  
22 2003.

23 (c) The statistician or researcher, for a term expiring on May 1, 2005.”.

24 **1203.** Page 1526, line 6: after that line insert:

1           “(1x) GRANT TO PORTAGE COUNTY HISTORICAL SOCIETY. In the 1999–2001 fiscal  
2 biennium, the historical society shall award a grant to the Portage County historical  
3 society for continuation of the Plover Heritage Park restoration project. The amount  
4 of the grant shall be equal to the amount of local contributions toward the project,  
5 not to exceed \$50,000. The historical society shall award the grant from the  
6 appropriation under section 20.245 (3) (b) of the statutes, as created by this act.”.

7           **1204.** Page 1527, line 15: after that line insert:

8           “(3c) REIMBURSEMENT TO MILWAUKEE COUNTY FOR COMPUTER PURCHASE. From the  
9 appropriation under section 20.475 (1) (f) of the statutes, as created by this act, the  
10 department of justice shall reimburse Milwaukee County \$12,000 in fiscal year  
11 1999–2000 for the cost of purchasing computers to be used by prosecutors in the  
12 district attorney’s office handling cases involving the unlawful possession or use of  
13 firearms and by the clerks providing clerical services to those prosecutors.

14           (4c) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

15           (a) In any case in which the district attorney files a sexually violent person  
16 petition under section 980.02 (1) (b) of the statutes on or after the effective date of  
17 this paragraph but before July 1, 2001, the district attorney shall maintain a record  
18 of the amount of time spent by the district attorney and by any deputy district  
19 attorneys or assistant district attorneys doing all of the following:

20           1. Prosecuting the petition through trial under section 980.05 of the statutes  
21 and, if applicable, commitment of the person subject to the petition under section  
22 980.06 of the statutes, as affected by this act.

23           2. If applicable, representing the state on petitions brought by the person who  
24 is the subject of the petition for supervised release under section 980.08 of the

1 statutes, as affected by this act, or for discharge under section 980.09 or 980.10 of the  
2 statutes.

3 (b) Annually, on a date specified by the department of justice, the district  
4 attorney shall submit to the department of justice a report summarizing the records  
5 under paragraph (a) covering the preceding 12-month period. The department of  
6 justice shall maintain the information submitted under this paragraph by district  
7 attorneys.”.

8 **1205.** Page 1527, line 15: after that line insert:

9 “(2m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER  
10 COMPLAINTS. Not later than the first day of the 13th month after the effective date  
11 of this subsection, the department of justice shall enter into a memorandum of  
12 understanding with the department of agriculture, trade and consumer protection  
13 and the public service commission for the purpose of coordinating each party’s efforts  
14 to respond to and address consumer complaints regarding telecommunication  
15 services.”.

16 **1206.** Page 1529, line 21: delete the material beginning with that line and  
17 ending with page 1530, line 2.

18 **1207.** Page 1530, line 23: substitute “2001” for “2000”.

19 **1208.** Page 1530, line 23: after that line insert:

20 “(4c) GRADUATE MEDICAL EDUCATION STUDY. The joint legislative council is  
21 requested to conduct a study to assess the feasibility of establishing a trust fund for  
22 graduate medical education to provide a broadly based funding source, including  
23 state, federal and private funds, to support the training of providers that serve  
24 medical assistance recipients or practice in areas of the state that have a shortage

1 of health care providers. If the joint legislative council conducts the study, it shall  
2 report its findings, conclusions and recommendations to the legislature in the  
3 manner provided under section 13.172 (2) of the statutes by January 1, 2001.”.

4 **1209.** Page 1531, line 11: after that line insert:

5 “(2e) BADGER CHALLENGE PROGRAM. The authorized FTE positions for the  
6 department of military affairs are increased by 0.90 GPR position, to be funded from  
7 the appropriation under section 20.465 (4) (b) of the statutes, and 0.10 PR position,  
8 to be funded from the appropriation under section 20.465 (4) (k) of the statutes, for  
9 a mentorship coordinator in the Badger Challenge program. In 2000–01 the  
10 authorized FTE positions for the department of military affairs are decreased by 0.15  
11 GPR position and increased by 0.15 PR position to reflect modified funding of the  
12 mentorship coordinator position.”.

13 **1210.** Page 1531, line 22: after that line insert:

14 “(1c) NONPOINT SOURCE WATER POLLUTION ABATEMENT FUNDING.

15 (a) *South Fork of the Hay River.* The department of natural resources shall  
16 allocate for the South Fork of the Hay River priority watershed project, under section  
17 281.65 of the statutes, at least \$102,500 in 1999 and at least \$153,700 in 2000.

18 (b) *Spring Valley.* Notwithstanding section 281.65 (4c) (c) of the statutes, the  
19 department of natural resources shall allocate to the village of Spring Valley for a  
20 nonpoint source water pollution abatement project, under section 281.65 (4c) of the  
21 statutes, \$103,000 in the 1999–2001 fiscal biennium.”.

22 **1211.** Page 1532, line 7: after that line insert:

23 “(2e) STUDY OF LANDFILL REMEDIATION. The department of natural resources  
24 shall enter into a contract for a study of the landfill cleanup issue in this state. The

1 study shall identify all closed landfills owned by cities, villages, towns and counties  
2 and estimate the cost of remedial action at all of those landfills. The department of  
3 natural resources shall also identify potential mechanisms for funding that remedial  
4 action, including mechanisms used successfully in other states. The department  
5 shall report the results of the study to the legislature in the manner provided under  
6 section 13.172 (2) of the statutes no later than January 1, 2001.”.

7 **1212.** Page 1532, line 7: after that line insert:

8 “(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42  
9 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes  
10 for purposes of the 2001–03 biennial budget bill, the department of natural resources  
11 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of  
12 the statutes that is \$325,000 less than the total amount appropriated under section  
13 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any  
14 information relating to any increase or decrease in the dollar amount for that  
15 appropriation for the 2001–03 fiscal biennium.”.

16 **1213.** Page 1533, line 21: delete lines 21 to 25.

17 **1214.** Page 1534, line 11: after that line insert:

18 “(4g) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE.  
19 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this  
20 subsection, there is lapsed to the recycling fund, from the appropriation account to  
21 the department of natural resources under section 20.370 (6) (br) of the statutes, as  
22 affected by this act, an amount equal to the unencumbered balance in that  
23 appropriation account on June 30, 1999, less \$500,000.”.

1           **1215.** Page 1537, line 21: delete the material beginning with that line and  
2 ending with page 1538, line 15.

3           **1216.** Page 1539, line 25: after that line insert:

4           “(9f) RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the appropriation under  
5 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of  
6 natural resources shall provide \$350,000 to the city of Janesville for a project to  
7 develop the riverfront parkway that includes the development of a marina with a  
8 boat launch and transient boat slips. The amount expended under this subsection  
9 shall be considered an expenditure for an inland water project under section 30.92  
10 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 4., 7. or 8. of the  
11 statutes, the project specified under this subsection qualifies as a recreational  
12 boating project for the purpose of expending moneys under this subsection.  
13 Notwithstanding section 30.92 (4) (b) 2. of the statutes, the city of Janesville need not  
14 contribute any moneys to match the amount expended from the appropriation under  
15 section 20.370 (5) (cq) 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, 2001.”.

18           **1217.** Page 1539, line 25: after that line insert:

19           “(9g) MILWAUKEE HARBOR PROJECT. From the appropriation under section 20.370  
20 (5) (cq) of the statutes, as affected by this act, the department of natural resources  
21 shall provide to Milwaukee County funding for a dredging project of a navigable  
22 channel on Lake Michigan within Milwaukee harbor. Milwaukee County and the  
23 department shall contribute funding for the project. The department shall  
24 contribute funding for the project equal to 50% of the project’s cost or \$212,000,



1       whichever is less. Milwaukee County's contribution may be in matching funds or  
2       may be in-kind contributions or both. The amount expended under this subsection  
3       shall be considered an expenditure for a Great Lakes project as provided in section  
4       30.92 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 7. or 8. of the  
5       statutes, the dredging project specified under this subsection qualifies as a  
6       recreational boating project for the purpose of expending moneys under this  
7       subsection. The project need not be placed on the priority list under section 30.92 (3)  
8       (a) of the statutes. This subsection does not apply after June 30, 2000.”

9               **1218.** Page 1539, line 25: after that line insert:

10              “(9s) KEMPER CENTER EROSION CONTROL STUDY. From the appropriation under  
11              section 20.370 (5) (cq) of the statutes, as affected by this act, the department of  
12              natural resources shall provide to Kenosha County \$50,000 for an erosion control  
13              study under section 30.92 (2) of the statutes of a park owned by Kenosha County that  
14              is located on the shores of Lake Michigan in the city of Kenosha and that is known  
15              as Kemper Center. Notwithstanding section 30.92 (4) (b) 2. of the statutes, Kenosha  
16              County need not contribute any moneys to match the amount expended from the  
17              appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. The  
18              Wisconsin waterways commission need not approve the study under section 30.92  
19              (2) (a) of the statutes. This subsection does not apply after June 30, 2000.”

20              **1219.** Page 1541, line 10: after that line insert:

21              “(11d) SCENIC DEVELOPMENT ALONG ST. CROIX. From the appropriation under  
22              section 20.370 (5) (bw) of the statutes, the department of natural resources in fiscal  
23              year 1999-2000 shall provide an urban forestry grant of \$10,000 to the city of Hudson  
24              for scenic development along the St. Croix River adjacent to the wastewater

1 treatment plant that is located on STH 35. The scenic development is considered to  
2 be a tree project for purposes of section 23.097 of the statutes. The city of Hudson  
3 does not need to contribute any matching funding for this grant.”.

4 **1220.** Page 1541, line 10: after that line insert:

5 “(11g) FORESTRY DIVISION POSITION. The authorized FTE positions for the  
6 department of natural resources are increased by 1.0 SEG position, to be funded from  
7 the appropriation under section 20.370 (1) (mu) of the statutes for the purpose of the  
8 administration of the division of forestry in the department of natural resources.”.

9 **1221.** Page 1541, line 10: after that line insert:

10 “(11nc) TRANSFER OF PUBLIC INTERVENOR.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
12 liabilities of the department of natural resources that on October 1, 1997, were  
13 primarily related to the functions of the public intervenor, as determined by the  
14 secretary of administration, shall become the assets and liabilities of the department  
15 of justice.

16 (b) *Tangible personal property.* On the effective date of this paragraph, all  
17 tangible personal property, including records, of the department of natural resources  
18 that on October 1, 1997, was primarily related to the functions of the public  
19 intervenor, as determined by the secretary of administration, is transferred to the  
20 department of justice.

21 (c) *Contracts.* All contracts entered into by the department of natural resources  
22 in effect on the effective date of this paragraph that are primarily related to the  
23 functions of the public intervenor, as determined by the secretary of administration,  
24 remain in effect and are transferred to the department of justice. The department

1 of justice shall carry out any such contractual obligations unless modified or  
2 rescinded by the department of justice to the extent allowed under the contract.

3 (d) *Rules and orders.* All rules promulgated by the department of natural  
4 resources in effect on the effective date of this paragraph that are primarily related  
5 to the functions of the public intervenor, as determined by the secretary of  
6 administration, remain in effect until their specified expiration dates or until  
7 amended or repealed by the department of justice. All orders issued by the  
8 department of natural resources in effect on the effective date of this paragraph that  
9 are primarily related to the functions of the public intervenor, as determined by the  
10 secretary of administration, remain in effect until their specified expiration dates or  
11 until modified or rescinded by the department of justice.

12 (e) *Pending matters.* Any matter pending with the department of natural  
13 resources on the effective date of this paragraph that is primarily related to the  
14 functions of the public intervenor, as determined by the secretary of administration,  
15 is transferred to the department of justice and all materials submitted to or actions  
16 taken by the department of natural resources with respect to the pending matter are  
17 considered as having been submitted to or taken by the department of justice.”.

18 **1222.** Page 1542, line 9: delete lines 9 to 13.

19 **1223.** Page 1542, line 13: after that line insert:

20 “(2c) TRANSITION PLAN; WISCONSIN CENTER FOR THE BLIND AND VISUALLY IMPAIRED.

21 The state superintendent of public instruction shall prepare a transition plan that  
22 sets forth specific funding and staffing recommendations for the operation of the  
23 Wisconsin Center for the Blind and Visually Impaired and describe the appropriate  
24 steps for phasing in the appropriate program modifications. The state

1 superintendent shall consult with the blind and visual impairment education council  
2 in the preparation of the plan. The blind and visual impairment education council  
3 shall review the plan. The state superintendent shall submit the plan to the  
4 governor no later than the first day of the 7th month beginning after the effective  
5 date of this subsection. The state superintendent shall also simultaneously submit  
6 a copy of the plan to the legislature in the manner provided under section 13.172 (2)  
7 of the statutes.

8 (2cc) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. Notwithstanding the  
9 length of term specified in section 15.377 (1) (c) of the statutes, as affected by this act,  
10 the initial members of the blind and visual impairment education council appointed  
11 under section 15.377 (1) (c) 4. and 7. of the statutes, as affected by this act, one of the  
12 members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this  
13 act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as  
14 affected by this act, one of the members appointed under section 15.377 (1) (c) 3. of  
15 the statutes, as affected by this act, and one of the members appointed under section  
16 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring  
17 on July 1, 2000; the initial members appointed under section 15.377 (1) (c) 5. and 8.  
18 of the statutes, as affected by this act, one of the members appointed under section  
19 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed  
20 under section 15.377 (1) (c) 2. of the statutes, as affected by this act, one of the  
21 members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this  
22 act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes,  
23 as affected by this act, shall serve for terms expiring on July 1, 2001, and the initial  
24 member appointed under section 15.377 (1) (c) 6. of the statutes, as affected by this  
25 act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as

1 affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of  
2 the statutes, as affected by this act, one of the members appointed under section  
3 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members  
4 appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall  
5 serve for terms expiring on July 1, 2002.”.

6 **1224.** Page 1544, line 8: after that line insert:

7 “(2mg) HOSPITAL RATE SETTING.

8 (a) By December 1, 1999, the public service commission shall submit, under  
9 section 16.515 of the statutes, a request to supplement the appropriation under  
10 section 20.155 (3) (gm) of the statutes, as created by this act, that details a proposed  
11 budget for activities of the public service commission under subchapter II of chapter  
12 196 of the statutes, as created by this act.

13 (b) The public service commission shall submit proposed rules required under  
14 section 196.992 (1) of the statutes, as created by this act, to the legislative council  
15 staff for review under section 227.15 (1) of the statutes no later than July 1, 2000.  
16 These rules may not take effect before January 1, 2001.

17 (c) By December 1, 1999, the public service commission shall do all of the  
18 following:

19 1. Estimate the total amount of revenue required for fiscal year 1999–2000 for  
20 administration by the commission of subchapter II of chapter 196 of the statutes, as  
21 created by this act.

22 2. Assess the estimated total amount under subdivision 1. to hospitals, as  
23 defined in section 150.01 (12) of the statutes in proportion to each hospital’s  
24 respective net income, as defined in section 196.996 (1) (e) of the statutes, as created

1 by this act, during the hospital's most recently concluded entire fiscal year, except  
2 that the public service commission may not assess a hospital that has a net income  
3 of 3% or less over the net income for the hospital's next most recently concluded entire  
4 fiscal year.

5 3. Credit all payments of assessments to the appropriation under section  
6 20.155 (3) (gm) of the statutes, as created by this act.

7 (d) Every hospital that is assessed under paragraph (c) 2. shall, by February  
8 1, 2000, pay the entire amount assessed the hospital.”.

9 **1225.** Page 1544, line 8: after that line insert:

10 “(5m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER  
11 COMPLAINTS. Not later than the first day of the 13th month after the effective date  
12 of this subsection, the public service commission shall enter into a memorandum of  
13 understanding with the department of agriculture, trade and consumer protection  
14 and the department of justice for the purpose of coordinating each party's efforts to  
15 respond to and address consumer complaints regarding telecommunication  
16 services.”.

17 **1226.** Page 1544, line 8: after that line insert:

18 “(2zt) RENEWABLE RESOURCES RULES.

19 (a) Using the procedure under section 227.24 of the statutes, the public service  
20 commission shall promulgate the rules required under section 196.378 (3) (a) of the  
21 statutes, as created by this act, for the period before the effective date of the  
22 permanent rules promulgated under that section, but not to exceed the period  
23 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding

1 section 227.24 (1) and (3) of the statutes, the commission is not required to make a  
2 finding of emergency.

3 (b) The public service commission shall submit in proposed form the rules  
4 required under section 196.378 (3) (a) of the statutes, as created by this act, to the  
5 legislative council staff under section 227.15 (1) of the statutes no later than the first  
6 day of the 6th month beginning after the effective date of this paragraph.”.

7 **1227.** Page 1545, line 5: delete “(r)” and substitute “(b)”.

8 **1228.** Page 1545, line 18: after that line insert:

9 “(3b) REAL ESTATE TRANSFER FORM.

10 (a) The department of revenue shall identify nonessential items on the real  
11 estate transfer form and, based on that identification, develop a simplified real estate  
12 transfer form.

13 (b) By January 1, 2000, the department of revenue shall submit the simplified  
14 real estate transfer form developed under paragraph (a) to the cochairpersons of the  
15 joint committee on finance. If the cochairpersons of the committee do not notify the  
16 department within 14 working days after the date of the form’s submittal that the  
17 committee has scheduled a meeting for the purpose of reviewing the form, the form  
18 may be implemented as proposed by the department. If, within 14 working days after  
19 the date of the form’s submittal, the cochairpersons of the committee notify the  
20 department that the committee has scheduled a meeting for the purpose of reviewing  
21 the proposed form, the form may be implemented only upon approval of the  
22 committee.”.

23 **1229.** Page 1545, line 18: after that line insert:

24 “(3mv) SHARED REVENUE DISTRIBUTION.

1 (a) Notwithstanding section 79.03 of the statutes, for the year 2000, the  
2 department of revenue shall calculate the shared revenue payments under section  
3 79.03 (4) of the statutes, as affected by this act, based on the total shared revenue  
4 distribution to municipalities of \$761,478,000 and the total shared revenue  
5 distribution to counties of \$168,981,800. The department of revenue shall then  
6 increase the shared revenue payments for all municipalities and counties by a  
7 uniform percentage so that the total amount of shared revenue payments under  
8 section 79.03 (4) of the statutes distributed to municipalities is \$791,937,100 in the  
9 year 2000 and the total amount of shared revenue payments under section 79.03 (4)  
10 of the statutes distributed to counties is \$175, 741,100.

11 (b) For purposes of calculating the shared revenue distribution to  
12 municipalities and counties in 2001, the base amount for determining the minimum  
13 and maximum entitlement under section 79.03 (3c) of the statutes is the total shared  
14 revenue distribution in the year 2000 as determined under paragraph (a), less the  
15 utility aid payments under section 79.04 of the statutes.”

16 **1230.** Page 1545, line 18: after that line insert:

17 “(3e) LOTTERY GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The  
18 authorized FTE positions for the department of revenue are increased by 110.5 GPR  
19 positions on July 1, 2000, to be funded from the appropriation under section 20.566  
20 (8) (a) of the statutes, as created by this act, for the purpose of conducting general  
21 program operations for the lottery.”

22 **1231.** Page 1546, line 9: after that line insert:

23 “(2ct) MILWAUKEE ENTERPRISE CENTER. In the 1999–2000 and 2000–01 fiscal  
24 years, the state technical college system board shall pay the amount appropriated



1 to the board under section 20.292 (1) (ec) of the statutes, as created by this act, to the  
2 Milwaukee Enterprise Center in the city of Milwaukee to renovate the center’s  
3 training center and conference rooms.”.

4 **1232.** Page 1549, line 6: after that line insert:

5 “(2c) GRANTS FOR FORT FOLLE AVOINE. From the appropriation under section  
6 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall  
7 make a grant of \$100,000 in fiscal year 1999–2000 and a grant of \$100,000 in fiscal  
8 year 2000–01 to the Burnett County Historical Society for educational  
9 programming, marketing and advertising costs for Fort Folle Avoine. Within 6  
10 months after spending the full amount of each grant, the Burnett County Historical  
11 Society shall submit a report to the department of tourism detailing the use of the  
12 grant proceeds.”.

13 **1233.** Page 1549, line 6: after that line insert:

14 “(3e) GRANT TO ST. CROIX VALLEY TOURISM ALLIANCE. From the appropriation  
15 under section 20.380 (1) (kg) of the statutes, as created by this act, the department  
16 of tourism shall make a grant of \$50,000 in fiscal year 1999–2000 to the St. Croix  
17 Valley Tourism Alliance. Within 6 months after spending the full amount of the  
18 grant, the St. Croix Valley Tourism Alliance shall submit a report to the department  
19 of tourism detailing the use of the grant proceeds.”.

20 **1234.** Page 1549, line 6: after that line insert:

21 “(2rs) GRANTS FOR INTERNET REFERRAL SYSTEM.

22 (a) In this subsection, “eligible recipient” means any of the following:

- 23 1. A county.  
24 2. A consortium.

1 (b) The department of tourism shall award 2 grants of \$25,000 each in the  
2 1999–2001 biennium from the appropriation under section 20.380 (1) (c) of the  
3 statutes, as created by this act, to 2 eligible recipients. A grant recipient must use  
4 the grant proceeds to establish and maintain on the Internet a tourism-related  
5 business referral system. In awarding the grants, the department shall consider all  
6 of the following:

7 1. Whether a grant applicant has a financial need for the assistance.

8 2. Whether a grant applicant will use the services of a Wisconsin-based  
9 company that establishes Internet referral systems.

10 (c) Within 6 months after spending the full amount of the grant, a grant  
11 recipient shall submit to the department of tourism a report detailing how the grant  
12 proceeds were used.”.

13 **1235.** Page 1551, line 7: before “Green” insert “Beloit, the city of”.

14 **1236.** Page 1554, line 1: delete the material beginning with “allocate” and  
15 ending with “installation of” on line 3, and substitute “install”.

16 **1237.** Page 1554, line 12: after that line insert:

17 “(10f) CORRIDOR STUDY FOR USH 8. The department of transportation shall  
18 conduct a corridor study of USH 8 in Barron, Polk, Price and Rusk counties and  
19 report the results to the county boards of those counties no later than June 30, 2001.”.

20 **1238.** Page 1554, line 12: after that line insert:

21 “(10t) TRAFFIC SIGNAL ON STH 32 IN SOUTH MILWAUKEE. The department of  
22 transportation shall install traffic signals at the intersection of STH 32 and  
23 Columbia Avenue in South Milwaukee in Milwaukee County.”.

24 **1239.** Page 1554, line 12: after that line insert:

1           “(10n) NOISE ATTENUATION BARRIERS IN MILWAUKEE COUNTY. The department of  
2 transportation shall install noise attenuation barriers along the west side of highway  
3 I 94 from Grange Avenue south to Ramsey Avenue in Milwaukee County. The  
4 department of transportation shall allocate amounts from the appropriations under  
5 section 20.395 (3) (cq), (cv) and (cx) of the statutes, as affected by this act, to pay for  
6 the installation required under this subsection.”.

7           **1240.** Page 1554, line 12: after that line insert:

8           “(10d) TRAFFIC CONTROL SIGNAL IN ROCK COUNTY. The department of  
9 transportation shall install traffic control signals at the intersection of USH 51 and  
10 Townline Road located in Rock County and shall award the contract to install the  
11 traffic controls signals no later than April 1, 2001.”.

12           **1241.** Page 1555, line 24: delete “The board of regents of the” and substitute:

13           “(a) The board of regents of the”.

14           **1242.** Page 1556, line 4: delete “for the purpose of retaining the person” and  
15 substitute “to recognize competitive factors”.

16           **1243.** Page 1556, line 5: delete “(a)” and substitute “1.”.

17           **1244.** Page 1556, line 7: delete “(b)” and substitute “2.”.

18           **1245.** Page 1556, line 9: delete “(c)” and substitute “3.”.

19           **1246.** Page 1556, line 11: delete “(d)” and substitute “4.”.

20           **1247.** Page 1556, line 12: after that line insert:

21           “(b) No later than October 1, 2000, the board of regents of the University of  
22 Wisconsin System shall report to the joint committee on finance concerning the  
23 amounts of any salary increases granted from funding specified under paragraph (a)

1 to recognize competitive factors, and the institutions at which they are granted, for  
2 the 12-month period ending on the preceding June 30.

3 (c) No later than October 1, 2001, the board of regents of the University of  
4 Wisconsin System shall report to the joint committee on finance concerning the  
5 amounts of any salary increases granted from funding specified under paragraph (a)  
6 to recognize competitive factors, and the institutions at which they are granted, for  
7 the 12-month period ending on the preceding June 30.”.

8 **1248.** Page 1556, line 13: delete lines 13 to 22.

9 **1249.** Page 1557, line 21: delete “\$250,000” and substitute “\$400,000”.

10 **1250.** Page 1558, line 13: after that line insert:

11 “(3t) POSITION AUTHORIZATION.

12 (a) Notwithstanding section 16.505 (1) of the statutes, during the 1999–2001  
13 fiscal biennium, the board of regents of the University of Wisconsin System may  
14 propose to increase its authorized FTE positions that are funded, in whole or in part,  
15 with general purpose revenues by not more than 1% above the level authorized for  
16 the board under section 16.505 (1) of the statutes. The board shall submit any  
17 proposal under this subsection to the secretaries of administration and employment  
18 relations for approval, together with its methodology for accounting for the cost of  
19 funding these positions. The secretaries of administration and employment  
20 relations may only approve a proposal if the incremental costs for these positions, as  
21 determined by the secretaries of administration and employment relations, are not  
22 to be included in any subsequent request submitted by the board under section 16.42  
23 (1) of the statutes, as affected by this act. If the secretaries of administration and  
24 employment relations jointly approve the proposal, the positions are authorized.

1 (b) During the 1999-2001 fiscal biennium, the board may not include in any  
2 certification to the department of administration under section 20.928 (1) of the  
3 statutes any sum to pay any costs of a position authorized under this subsection.

4 (c) No later than the last day of the month following completion of each calendar  
5 quarter during the 1999-2001 fiscal biennium, the board shall report to the  
6 secretaries of administration and employment relations concerning the number of  
7 authorized positions under this subsection that have been filled by the board during  
8 the preceding calendar quarter and the source of funding for each such position.”.

9 **1251.** Page 1558, line 13: after that line insert:

10 “(3n) GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES.  
11 Notwithstanding section 16.50 (1) (a) and (2) of the statutes, the secretary of  
12 administration shall require submission of expenditure estimates from the board of  
13 regents of the University of Wisconsin System for the Gaylord Nelson chair of  
14 integrated environmental studies and shall not approve any expenditure estimates  
15 for the Gaylord Nelson chair of integrated environmental studies in the 1999-2000  
16 fiscal biennium unless the board of regents receives a \$1,000,000 match in private  
17 funds.”.

18 **1252.** Page 1558, line 23: after that line insert:

19 “(4g) TRANSFER CREDITS; REPORT. By July 1, 2000, the president of the University  
20 of Wisconsin System and the director of the technical college system shall submit a  
21 report to the legislature under section 13.172 (2) of the statutes on efforts made to  
22 coordinate transfer of credits from the technical college system to the University of  
23 Wisconsin System, including a plan to coordinate the transfer of credits for  
24 additional programs, and a timetable for implementation of the plan.”.

1           **1253.** Page 1559, line 10: delete “(vL)” and substitute “(z)”.

2           **1254.** Page 1559, line 12: delete “(vL)” and substitute “(z)”.

3           **1255.** Page 1559, line 25: after that line insert:

4           “(gm) The New Concept Self-Development Center in Milwaukee, \$250,000 in  
5 each fiscal year of the 1999–2001 biennium.”.

6           **1256.** Page 1560, line 1: delete lines 1 to 25.

7           **1257.** Page 1561, line 1: delete lines 1 to 21.

8           **1258.** Page 1562, line 22: delete the material beginning with that line and  
9 ending with page 1563, line 3, and substitute:

10           “(2nx) REORGANIZATION OF THE DIVISION OF VOCATIONAL REHABILITATION. Not later  
11 than June 30, 2001, the division of vocational rehabilitation shall submit to the  
12 secretary of workforce development a plan to reorganize the division. The plan shall  
13 include a reduction in the number of program assistant supervisors and an increase  
14 in the number of program assistants to provide support for rehabilitation counselors.  
15 The plan shall also include a provision to convert, at the division’s discretion and  
16 based on local management and labor input, vacant program assistant supervisor  
17 positions to rehabilitation counselor positions or other direct service positions in  
18 areas with high caseloads.”.

19           **1259.** Page 1566, line 10: delete lines 10 to 17.

20           **1260.** Page 1566, line 17: after that line insert:

21           “(3mm) CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS. No later than  
22 September 1, 1999, the department of workforce development shall identify all  
23 existing general purpose revenues that may be used to match federal child care and

1 development block grant funds. The department shall prepare a plan to maximize  
2 federal funding for child care and shall submit the plan to the secretary of the federal  
3 department of health and human services no later than October 1, 1999. No later  
4 than 60 days after the secretary of the federal department of health and human  
5 services approves the plan, the department shall submit to the joint committee on  
6 finance a plan for expanding child care.”.

7 **1261.** Page 1566, line 17: after that line insert:

8 “(4g) POSITION DECREASE. The authorized FTE positions for the department of  
9 workforce development funded from the appropriation under section 20.445 (3) (n)  
10 of the statutes are decreased by 1.0 FED position on the effective date of this  
11 subsection.”.

12 **1262.** Page 1566, line 17: after that line insert:

13 “(4c) WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. Not later than the first  
14 day of the 2nd month beginning after the effective date of this subsection, the  
15 department of workforce development shall develop and distribute to all Wisconsin  
16 works agencies the single-page description of all of the benefits and services that a  
17 Wisconsin works agency may provide to individuals seeking assistance from the  
18 Wisconsin works agencies, as required under section 49.143 (2) (es) of the statutes,  
19 as created by this act.”.

20 **1263.** Page 1566, line 17: after that line insert:

21 “(mx) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 1997 stats., a  
22 lien that exists under section 109.09 (2) (a), 1997 stats., on the day before the effective  
23 date of this subsection takes precedence over all other debts, judgments, decrees,  
24 liens or mortgages against an employer that originated before that lien took effect,

1 except a lien of a financial institution, as defined in section 69.30 (1) (b) of the  
2 statutes, or a lien under section 292.31 (8) (i) or 292.81 of the statutes.”.

3 **1264.** Page 1566, line 17: after that line insert:

4 “(4e) WISCONSIN WORKS AGENCY CONTRACTS..

5 (a) Notwithstanding section 49.143 (1) (a) and (am) 1. and 2. of the statutes, as  
6 affected by this act, the department of workforce development shall contract with  
7 each Wisconsin works agency that elects to enter into the contract but that has not  
8 met the performance standards established by the department of workforce  
9 development for contracts with a term ending on December 31, 1999, if the Wisconsin  
10 works agency submits to the department not later than August 17, 1999, a plan for  
11 the administration of Wisconsin works. The contracts shall be for a term beginning  
12 January 1, 2000, and ending December 31, 2000, and shall be for an amount that is  
13 one-half of the amount that the Wisconsin works agency would have received under  
14 a 2-year contract. Notwithstanding section 49.143 (3g) of the statutes, as created  
15 by this act, and SECTION 9357 (6e) of this act, the department may not distribute a  
16 performance bonus under a contract entered into under this paragraph.

17 (b) Notwithstanding section 49.143 (1) (am) 1. of the statutes, as affected by this  
18 act, the contract period for a contract to administer Wisconsin works beginning  
19 January 1, 2001, shall be for one year and shall be for an amount that is equal to  
20 one-half of the amount that the contractor would have received under a 2-year  
21 contract.

22 (c) Notwithstanding section 49.143 (1) (a) of the statutes, beginning on the  
23 effective date of this subsection, the department may not enter into a contract with  
24 any person for the administration of Wisconsin works until after the rules required



1 under section 49.143 (3) of the statutes, as affected by this act, have been  
2 promulgated as emergency rules under subsection (4ee).

3 (4ee) PERFORMANCE STANDARDS; EMERGENCY RULES. No later than 30 days after  
4 the effective date of this subsection, the department of workforce development shall  
5 promulgate the rules required under section 49.143 (3) of the statutes, as affected by  
6 this act, for the period before the effective date of the permanent rules promulgated  
7 under section 49.143 (3) of the statutes, as affected by this act, but not to exceed the  
8 period authorized under section 227.24 (1) (c) and (2) of the statutes.  
9 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department  
10 is not required to provide evidence that promulgating a rule under this subsection  
11 as an emergency rule is necessary for the preservation of the public peace, health,  
12 safety or welfare and is not required to provide a finding of emergency for a rule  
13 promulgated under this subsection. Prior to promulgating the rules under this  
14 subsection, the department shall consult with the appropriate standing committees  
15 of the legislature.”.

16 **1265.** Page 1566, line 17: after that line insert:

17 “(4y) STUDY ON THE GUARDIAN AD LITEM SYSTEM.

18 (a) The joint legislative council is requested to establish a committee to study  
19 reforming the guardian ad litem system as it applies to actions affecting the family.  
20 The committee shall include legislators, attorneys, judges, court commissioners,  
21 mental health professionals and other individuals representing the public interest.  
22 The study shall include an examination of at least all of the following:

23 1. The appointment of guardians ad litem, including whether the appointment  
24 of a guardian ad litem should be required in every case in which legal custody or

1 physical placement of a child is contested and whether professionals with specialized  
2 training and expertise in the emotional and developmental phases and needs of  
3 children, such as child psychologists, child psychiatrists and child therapists, should  
4 be appointed to act as guardians ad litem.

5 2. The role of the guardian ad litem.

6 3. Supervision of guardians ad litem.

7 4. Training of guardians ad litem.

8 5. Compensation of guardians ad litem.

9 (b) If a committee is established, the committee shall prepare a report with its  
10 recommendations and shall petition the supreme court to consider rules for the  
11 reform of the guardian ad litem system on the basis of the recommendations.”.

12 **1266.** Page 1567, line 21: after that line insert:

13 “(4g) ZONING VARIANCE. If all of the following conditions apply, no city, village,  
14 town or county zoning ordinance, which requires that an improved road be created  
15 to subdivide a parcel of property, applies to any parcel of property, the owner of which  
16 proposes to subdivide the property:

17 (a) The property is located in a county that was created in 1850 and borders one  
18 of the Great Lakes.

19 (b) The property is not more than 5 miles from the border of another state.

20 (c) The property borders a lake.

21 (d) The owner of the property files a plan of subdivision with the appropriate  
22 zoning authorities before January 1, 2000, and that plan provides for the addition  
23 of one additional home to the parcel.”.

24 **1267.** Page 1568, line 10: delete “throughout the school district”.

1           **1268.** Page 1570, line 16: after that line insert:

2           “(11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the  
3 statutes, as created by this act, 4 of the initial members of the tobacco control board  
4 appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act,  
5 shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco  
6 control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as  
7 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial  
8 members of the health trust board appointed under section 15.195 (1) (a) 5. to 12. of  
9 the statutes, as created by this act, shall serve for a term expiring on May 1, 2001.”.

10           **1269.** Page 1570, line 16: after that line insert:

11           “(9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for  
12 the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG  
13 other position to be funded from the appropriation under section 20.436 (1) (tb) of the  
14 statutes, as created by this act.”.

15           **1270.** Page 1576, line 16: after that line insert:

16           “(1g) COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. In the schedule under  
17 section 20.005 (3) of the statutes for the appropriation to the legislative audit bureau  
18 under section 20.765 (3) (c) of the statutes, as affected by the acts of 1999, the dollar  
19 amount is increased by \$41,700 for fiscal year 1999–00 and the dollar amount is  
20 increased by \$41,700 for fiscal year 2000–01 to increase the authorized FTE positions  
21 for the bureau by 1.0 GPR auditor position.”.

22           **1271.** Page 1577, line 5: after that line insert:

1           “(1g) TRANSFER TO THE ENVIRONMENTAL FUND. On the effective date of this  
2 subsection, there is transferred \$320,000 from the general fund to the environmental  
3 fund.”.

4           **1272.** Page 1582, line 1: delete lines 1 to 5.

5           **1273.** Page 1584, line 24: delete lines 24 and 25.

6           **1274.** Page 1585, line 1: after that line insert:

7           “(2g) UNCLAIMED PRIZES. The treatment of sections 562.065 (4) of the statutes  
8 first applies to prizes that are unclaimed on the 90th day after the end of the 2000  
9 racing season.”.

10          **1275.** Page 1585, line 16: after that line insert:

11          “(3g) POULTRY DISEASE CONTROL. The creation of section 95.53 of the statutes by  
12 this act first applies to a person whose facility reaches the size of 1,000 or more  
13 animal units, as defined in section 93.53 (1) (b) of the statutes, on the effective date  
14 of this subsection.”.

15          **1276.** Page 1586, line 16: after that line insert:

16          “(6g) CONSENT DECREES. The treatment of section 48.32 (2) (a) of the statutes  
17 first applies to consent decrees entered into on the effective date of this subsection.”.

18          **1277.** Page 1586, line 16: after that line insert:

19          “(4t) PLACEMENT OR VISITATION WITH A PARENT WHO KILLS A PARENT. The treatment  
20 of sections 48.207 (1) (a) and (b), 48.345 (3) (a) and (b), 48.357 (4d), 48.42 (1m) (b),  
21 (c) and (e), 48.925 (1) (intro.) and (1m), 767.245 (1), (1m) and (6), 767.247, 767.325  
22 (4m), 880.155 (2), (3m) and (4m), 880.157, 938.207 (1) (a) and (b), 938.34 (3) (a) and  
23 (b) and 938.357 (4d) of the statutes, the renumbering and amendment of sections  
24 48.355 (3), 48.428 (6) and 938.355 (3) of the statutes and the creation of sections

1 48.355 (3) (b), 48.428 (6) (b) and 938.355 (3) (b) of the statutes first apply to orders  
2 for visitation or physical placement, and to orders modifying or revising visitation  
3 or physical placement orders, that are granted on the effective date of this  
4 subsection; to petitions to restrain and enjoin visitation and contact with a child that  
5 are filed on the effective date of this subsection; and to orders of the juvenile court  
6 placing a child in or removing a child from the home of a parent, guardian or relative  
7 or granting or prohibiting parental visitation granted on the effective date of this  
8 subsection; regardless of when the conviction of first-degree or 2nd-degree  
9 intentional homicide occurred.”.

10 **1278.** Page 1587, line 5: delete lines 5 to 21 and substitute:

11 “(4g) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The treatment of section  
12 101.143 (2e) (b), (3) (cg), (cp), (cs) and (g) and (4) (c) 10. and 11. of the statutes first  
13 applies to a discharge with respect to which activities under section 101.143 (3) (c)  
14 3. or (g) of the statutes are begun on the effective date of this subsection.”.

15 **1279.** Page 1587, line 22: delete the material beginning with that line and  
16 ending with page 1588, line 2.

17 **1280.** Page 1588, line 6: after that line insert:

18 “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under  
19 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this  
20 subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (3) and (3m) of the  
21 statutes first applies to that contract after the termination of the contract.”.

22 **1281.** Page 1589, line 4: after that line insert:

23 “(1m) SOCIAL SECURITY COVERAGE. The treatment of section 40.41 (6) (b) and (c)  
24 of the statutes first applies to services performed by a student in the employ of a

1 school, college or university specified in section 40.41 (6) (c) of the statutes on July  
2 1, 2000.”.

3 **1282.** Page 1589, line 4: after that line insert:

4 “(1p) WISCONSIN RETIREMENT SYSTEM. The treatment of section 40.03 (2) (g) of  
5 the statutes first applies to statements sent to participants in the Wisconsin  
6 retirement system on the first day of the 7th month beginning after the effective date  
7 of this subsection.

8 (2p) DEFERRED COMPENSATION PROGRAM. The treatment of section 40.82 (3) of the  
9 statutes first applies to statements sent to individuals who participate in a deferred  
10 compensation plan offered under subchapter VII of chapter 40 of the statutes on the  
11 first day of the 7th month beginning after the effective date of this subsection.”.

12 **1283.** Page 1589, line 4: after that line insert:

13 “(1e) STATE EMPLOYEE GROUP HEALTH INSURANCE. The treatment of section 40.05  
14 (4) (a) 2. of the statutes first applies to any teacher described under section 40.02 (25)  
15 (b) 1m. of the statutes who is hired on the effective date of this subsection.”.

16 **1284.** Page 1589, line 5: after that line insert:

17 “(1m) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (dm),  
18 (fm) and (nc) 1. (intro.), a., b. and c., 2. and 2m. and (nd) and (4) (cm) 5s. b. and 8t.  
19 of the statutes and the renumbering and amendment of section 111.70 (4) (cm) 5s.  
20 of the statutes first apply to petitions for arbitration filed under section 111.70 (4)  
21 (cm) 6. of the statutes relating to collective bargaining agreements that cover periods  
22 of time beginning after June 30, 1999.”.

23 **1285.** Page 1589, line 6: after that line insert:

1           “(3p) RECORDING OF HOURS WORKED DURING A PAY PERIOD. The treatment of section  
2           230.04 (19m) of the statutes first applies to forms used by a state agency to record  
3           hours worked by an employe for the pay period closest to the first day of the 7th  
4           month beginning after the effective date of this subsection.”.

5           **1286.** Page 1589, line 14: after that line insert:

6           “(1g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV  
7           of chapter 224 [precedes 224.90] of the statutes first applies to nondepository small  
8           business lenders on the effective date of this subsection.”.

9           **1287.** Page 1592, line 7: after that line insert:

10           “(12t) MEDICAL ASSISTANCE DIVESTMENT. The treatment of section 49.453 (4)  
11           (title), (am) and (c) of the statutes, the renumbering and amendment of section  
12           49.453 (4) (a) of the statutes and the creation of section 49.453 (4) (a) 1. and 2. of the  
13           statutes first apply to transfers made on the effective date of this subsection.”.

14           **1288.** Page 1592, line 16: after that line insert:

15           “(14g) CONFIDENTIALITY OF ABUSE AND NEGLECT REPORTS AND RECORDS. The  
16           treatment of section 48.981 (7) (b) of the statutes first applies to abuse and neglect  
17           reports and records, as defined in section 48.981 (1) (f) of the statutes, that are  
18           disclosed on the effective date of this subsection.”.

19           **1289.** Page 1592, line 16: after that line insert:

20           “(13f) INCOME AUGMENTATION ACTIVITIES. The treatment of sections 20.435 (8)  
21           (mb) and 46.46 (1) of the statutes first applies to income augmentation activities  
22           performed under section 46.46 (1) of the statutes on the effective date of this  
23           subsection, but does not affect any contract to perform income augmentation

1 activities under section 46.46 (1), 1997 stats., entered into before the effective date  
2 of this subsection.”.

3 **1290.** Page 1592, line 23: after that line insert:

4 “(1m) REFERRALS FOR OBSTETRIC OR GYNECOLOGIC SERVICES.

5 (a) Except as provided in paragraph (b), if a policy or certificate that is affected  
6 by the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes  
7 contains terms or provisions that are inconsistent with the treatment of sections  
8 609.05 (2) and (3) and 609.22 (4m) of the statutes, the treatment of sections 609.05  
9 (2) and (3) and 609.22 (4m) of the statutes first applies to that policy or certificate  
10 upon renewal.

11 (b) The treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes  
12 first applies to policies and group certificates covering employes who are affected by  
13 a collective bargaining agreement containing provisions that are inconsistent with  
14 the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes that are  
15 issued or renewed on the earlier of the following:

16 1. The day on which the collective bargaining agreement expires.

17 2. The day on which the collective bargaining agreement is extended, modified  
18 or renewed.”.

19 **1291.** Page 1592, line 23: after that line insert:

20 “(3x) POINT-OF-SERVICE COVERAGE. The treatment of sections 40.05 (4) (ag) 2.,  
21 111.91 (2) (r) and 609.23 of the statutes first applies to all of the following:

22 (d) Except as provided in paragraph (e), managed care plans that are issued  
23 or renewed on the effective date of this paragraph.



1 (e) Managed care plans covering employes who are affected by a collective  
2 bargaining agreement containing provisions inconsistent with sections 40.05 (4) (ag)  
3 2., 111.91 (2) (r) and 609.23 of the statutes that are issued or renewed on the earlier  
4 of the following:

5 1. The day on which the collective bargaining agreement expires.

6 2. The day on which the collective bargaining agreement is extended, modified  
7 or renewed.”.

8 **1292.** Page 1594, line 16: after that line insert:

9 “(2m) YOUTH OPTIONS PROGRAM. The treatment of section 118.55 (3) (b), (5)  
10 (intro.), (6) (a) and (b), (7r) (c), (d) 1. (intro.) and (7t) of the statutes and the repeal  
11 of section 118.55 (7r) (d) 1. b. and 2. of the statutes first apply to enrollment in the  
12 program under section 118.55 of the statutes in the 2000 spring semester.”.

13 **1293.** Page 1594, line 17: after “LIMITS.” insert “(a)”.

14 **1294.** Page 1594, line 17: delete “The treatment of” and substitute:

15 “(a) The treatment of”.

16 **1295.** Page 1594, line 22: after that line insert:

17 “(3m) REVENUE LIMIT; SECURITY MEASURES. The treatment of section 121.91 (4)  
18 (j) of the statutes first applies to the calculation of a school district’s revenue limit for  
19 the 2000–01 school year.”.

20 **1296.** Page 1594, line 22: after that line insert:

21 “(b) The repeal of section 121.90 (1) (a) to (d) of the statutes first applies to the  
22 distribution of school aid in, and to the revenue limits for, the 2001–02 school year.”.

23 **1297.** Page 1594, line 22: after that line insert:

1           “(b) The treatment of section 121.004 (7) (c) 1. a. and b. and 2. and (cm) of the  
2 statutes first applies to the distribution of school aid in, and the calculation of  
3 revenue limits for, the 2001–02 school year.”.

4           **1298.** Page 1595, line 1: delete lines 1 to 3.

5           **1299.** Page 1595, line 4: delete “(b)”;  
6 after “(2m)” insert “and 115.882”.

7           **1300.** Page 1595, line 9: delete lines 9 to 11.

8           **1301.** Page 1595, line 14: after that line insert:

9           “(10r) REVENUE LIMIT AND SHARED COST. The treatment of section 121.07 (6) (a)  
10 of the statutes (as it relates to the amount described in section 121.91 (4) (h) of the  
11 statutes) and the creation of section 121.91 (4) (h) of the statutes first apply to the  
12 calculation of a school district’s revenue limit for, and the payment of state aid in, the  
13 2000–01 school year.”.

14           **1302.** Page 1595, line 14: after that line insert:

15           “(7x) SCHOOL BREAKFAST PROGRAM. The treatment of sections 20.255 (2) (cm) and  
16 115.341 of the statutes first applies to the distribution of school breakfast program  
17 aid in the school year beginning after the effective date of this subsection.”.

18           **1303.** Page 1595, line 17: after that line insert:

19           “(1zt) HIGH-VOLTAGE TRANSMISSION LINES. The treatment of section 196.491 (3)  
20 (d) 3r. and 3t. of the statutes first applies to applications for certificates of public  
21 convenience and necessity that are filed with the public service commission on the  
22 effective date of this subsection.”.

23           **1304.** Page 1595, line 21: after that line insert:

1           “(2g) DISCLOSURES AND REPRESENTATIONS FOR CERTAIN SALES. The treatment of  
2 section 440.947 of the statutes first applies to sales or offers to sell that are made on  
3 the effective date of this subsection.”.

4           **1305.** Page 1596, line 3: after that line insert:

5           “(1zt) TRANSMISSION COMPANY LICENSE FEE. The treatment of sections 76.28 (1)  
6 (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d) and (e) and 196.485 (1) (ge) of the  
7 statutes first applies to taxable years beginning on January 1 of the year in which  
8 this subsection takes effect, except that if this subsection takes effect after July 31  
9 the treatment of sections 76.28 (1) (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d)  
10 and (e) of the statutes first applies to taxable years beginning on January 1 of the  
11 year following the year in which this subsection takes effect.”.

12           **1306.** Page 1597, line 18: after that line insert:

13           “(7c) MASS TRANSIT FRINGE BENEFIT EXCLUSION. The treatment of section 71.05  
14 (6) (b) 31. of the statutes first applies to taxable years beginning on January 1 of the  
15 year following the year in which this subsection takes effect.”.

16           **1307.** Page 1598, line 18: delete lines 18 to 20.

17           **1308.** Page 1599, line 17: after that line insert:

18           “(22e) STUDY ABROAD TAX CREDIT. The treatment of sections 71.05 (6) (a) 15.,  
19 71.07 (5d), 71.08 (1) (intro.), 71.10 (4) (i), 71.21 (4), 71.26 (2) (a), 71.28 (5d), 71.30 (3)  
20 (f), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (5d), 71.49 (1) (f) and 77.92 (4) of the statutes  
21 first applies to taxable years beginning on January 1, 2000.”.

22           **1309.** Page 1599, line 17: after that line insert:

23           “(22dd) ACTIVITIES THAT DO NOT CREATE NEXUS. The treatment of section 71.23  
24 (3) (d) of the statutes first applies to taxable years beginning on January 1, 2000.”.

1           **1310.** Page 1599, line 20: after that line insert:

2           “(22md) RECYCLING FEE. The treatment of section 79.05 (2) (c) of the statutes  
3 first applies to distribution payments that are due on the 4th Monday in July 2000.”.

4           **1311.** Page 1599, line 22: delete “(11)” and substitute “(1r)”.

5           **1312.** Page 1600, line 3: after that line insert:

6           “(22tn) AGRICULTURAL USE VALUE. The treatment of sections 70.32 (2) (c) 1. and  
7 74.48 (1) of the statutes first applies to the property tax assessments as of January  
8 1, 2000.”.

9           **1313.** Page 1600, line 6: delete “2000” and substitute “2002”.

10          **1314.** Page 1600, line 6: after that line insert:

11          “(23c) SHARED REVENUE POPULATION DETERMINATIONS. The treatment of section  
12 79.005 (2) of the statutes first applies to the shared revenue payments that are due  
13 on the 3rd Monday in November, 1999.”.

14          **1315.** Page 1600, line 6: after that line insert:

15          “(23d) WAGE DEDUCTIONS. The treatment of section 71.26 (3) (e) 1. of the statutes  
16 first applies to taxable years beginning on January 1 of the year in which this  
17 subsection takes effect, except that if this subsection takes effect after July 31 the  
18 treatment of section 71.26 (3) (e) 1. of the statutes first applies to taxable years  
19 beginning on January 1 of the year following the year in which this subsection takes  
20 effect.”.

21          **1316.** Page 1600, line 20: after that line insert:

22          “(24e) LOTTERY PRIZES. The repeal of sections 20.566 (8) (s) and 25.75 (1) (c) 2.  
23 and (3) (b) of the statutes takes effect on January 1, 2000.

1           (24g) LOTTERY PROGRAM OPERATIONS AND RETAILER COMPENSATION. The repeal of  
2 sections 20.566 (8) (q) and (r) and 25.75 (1) (c) 3. and (3) (b) of the statutes and the  
3 amendment of section 25.75 (1) (b) of the statutes take effect on July 1, 2000.”.

4           **1317.** Page 1601, line 5: after that line insert:

5           “(1m) CONFIDENTIALITY OF CUSTOMER LISTS. The treatment of section 41.11 (4m)  
6 of the statutes first applies to requests for information from customer lists that are  
7 received on the effective date of this subsection.”.

8           **1318.** Page 1602, line 6: after that line insert:

9           “(10d) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),  
10 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes act first applies  
11 to salvage vehicles acquired by a dealer on the effective date of this subsection.”.

12           **1319.** Page 1602, line 6: after that line insert:

13           “(11g) SUSPENSION OF OPERATING PRIVILEGES FOR FAILURE TO PAY CERTAIN  
14 FORFEITURES. The treatment of sections 345.47 (1) (b), 800.09 (1) (c), 800.095 (4) (b)  
15 4., 938.17 (2) (d), 938.34 (8) and 938.343 (2) of the statutes first applies to forfeitures  
16 imposed on the first day of the second month beginning after publication.”.

17           **1320.** Page 1602, line 6: after that line insert:

18           “(11mg) GENERAL TRANSPORTATION AID MILEAGE. The treatment of section s.  
19 86.30 (2) (a) 3. (intro.) of the statutes first applies to aids payable for calendar year  
20 2000.”.

21           **1321.** Page 1603, line 12: delete “2002” and substitute “2000”.

22           **1322.** Page 1603, line 12: after that line insert:

23           “(6e) PERFORMANCE STANDARDS. The treatment of section 49.143 (3) (with  
24 respect to establishing performance standards by rule) of the statutes first applies

1 to contracts to administer Wisconsin works entered into or renewed on the effective  
2 date of the rules promulgated under SECTION 9157 (4ee) of this act.”.

3 **1323.** Page 1603, line 18: after that line insert:

4 “(9c) DISTRIBUTION OF WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. The  
5 treatment of section 49.143 (2) (es) of the statutes, as created by this act, first applies  
6 to contracts entered into or renewed on the effective date of this subsection.”.

7 **1324.** Page 1603, line 18: after that line insert:

8 “(9yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY. The  
9 treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION 2002c), 120.13  
10 (2) (g), 565.30 (5m), 632.897 (10) (a) 3., 767.045 (1) (a) 2. and (e), 767.078 (1) (a) 1. and  
11 (2), 767.11 (12) (b), 767.115 (title) and (4), 767.23 (1) (a), (am), (c) and (k), 767.23 (1n),  
12 767.24 (1) and (1m), 767.24 (2) (a), (am), (b) and (c), (4) (c) and (5) (intro.), (a), (cm),  
13 (dm), (em), (fm), (g) and (jm), 767.242, 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b),  
14 (5) and (6) (intro.), 767.253, 767.254 (2) (intro.), 767.261 (intro.), 767.265 (1) (by  
15 SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267 (1), 767.29 (1m) (intro.),  
16 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION 3065cf), 767.32 (1) (b) 4. and  
17 (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m), 767.45 (7), 767.455 (6),  
18 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5), (5d) and (5p), 767.53  
19 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d) 1. and 3., 808.075 (4)  
20 (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and amendment of  
21 section 767.24 (4) (a) of the statutes and the creation of section 767.24 (4) (a) 3. of the  
22 statutes first apply to actions affecting the family, including actions to enforce or  
23 modify a judgment or order in an action affecting the family previously granted, that  
24 are commenced on the effective date of this subsection.”.

1           **1325.** Page 1603, line 24: after that line insert:

2           “(4nm) REPRESENTATION OF PERSONS IN CASES INVOLVING CHILDREN IN NEED OF  
3 PROTECTION OR SERVICES. The treatment of sections 48.20 (8), 48.21 (3) (d), 48.23 (3)  
4 and (4) and 48.27 (4) (a) 2. of the statutes, the renumbering and amendment of  
5 section 48.23 (2) of the statutes and the creation of section 48.23 (2) (b) of the statutes  
6 first apply to proceedings that are commenced under section 48.13 of the statutes on  
7 the effective date of this subsection.

8           (4pm) REPRESENTATION OF PERSONS IN CASES INVOLVING JUVENILES IN NEED OF  
9 PROTECTION OR SERVICES. The treatment of sections 938.20 (8), 938.21 (3) (d), 938.23  
10 (2), (3) and (4), 938.243 (1) (e) and 938.27 (4) (b) of the statutes first applies to  
11 proceedings that are commenced under section 938.13 of the statutes on the effective  
12 date of this subsection.”.

13           **1326.** Page 1604, line 21: after that line insert:

14           “(6d) VIDEO GAMBLING MACHINES. The treatment of section 945.05 (1) (intro.) and  
15 (1m) of the statutes, the renumbering and amendment of sections 945.03 and 945.04  
16 of the statutes and the creation of sections 945.03 (2m) and 945.04 (2m) of the  
17 statutes first apply to offenses committed on the effective date of this subsection.

18           (6e) REVOCATION OF CLASS “B” AND “CLASS B” LICENSES. The treatment of section  
19 945.041 (11) of the statutes first applies to revocation proceedings commenced on the  
20 effective date of this subsection.”.

21           **1327.** Page 1604, line 25: after that line insert:

22           “(7g) DISTRIBUTION OF FREE NEWSPAPERS. The treatment of section 134.48 of the  
23 statutes first applies to contracts entered into or renewed on the effective date of this  
24 subsection.”.

1           **1328.** Page 1605, line 1: before that line insert:

2           “(7m) STATE PROCUREMENT OF TONER CARTRIDGES. This act first applies to  
3 specifications for notices inviting bids or competitive sealed proposals for purchases  
4 and to specifications for orders for purchases placed on the first day of the 7th month  
5 beginning after publication.”.

6           **1329.** Page 1605, line 5: delete lines 5 and 6.

7           **1330.** Page 1606, line 6: after that line insert:

8           “(2m) CONSUMER TELECOMMUNICATION SERVICES REPORT. The treatment of section  
9 93.07 (7) (e) of the statutes takes effect on January 1, 2000.”.

10          **1331.** Page 1606, line 13: after that line insert:

11          “(1mm) CIRCUIT COURT SUBDISTRICTS. The treatment of sections 5.58 (2) (a) and  
12 (2e), 5.60 (1) (intro.), (a), (ag) and (c), 9.10 (1) (a), 59.10 (2) (a) and 753.015 of the  
13 statutes takes effect on January 1, 2001.”.

14          **1332.** Page 1606, line 16: delete “(3),”.

15          **1333.** Page 1606, line 17: after “101.651” insert “(3) and”.

16          **1334.** Page 1606, line 18: after “101.651” insert “(3) (title) and (b) and”.

17          **1335.** Page 1606, line 18: after “(3g)” insert “and (3j)”.

18          **1336.** Page 1606, line 19: delete “January 1” and substitute “May 1”.

19          **1337.** Page 1606, line 24: delete the material beginning with that line and  
20 ending with page 1607, line 3.

21          **1338.** Page 1608, line 4: delete lines 4 to 8 and substitute:

22          “(5gm) SUNSET OF PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM. The  
23 treatment of sections 20.410 (1) (gi), (hm) and (km), 108.07 (8) (b), 303.01 (2) (em),



1 (8) (b), (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes takes effect on the  
2 210th day after the day of publication.”.

3 **1339.** Page 1608, line 8: after that line insert:

4 “(7m) DISBURSEMENT OF HUBER WAGES. The treatment of sections 303.08 (5) (a),  
5 (b) and (c) of the statutes takes effect on January 1, 2000.”.

6 **1340.** Page 1608, line 15: after that line insert:

7 “(1n) PRIVATE EMPLOYER HEALTH CARE COVERAGE. The repeal of sections 13.94 (1)  
8 (p), 15.07 (1) (b) 22., 15.165 (5) and 20.515 (2) (title), (a), (b) and (g) and subchapter  
9 X of chapter 40 of the statutes and the amendment of section 40.02 (26) (intro.) (by  
10 SECTION 930wm) and (28) (by SECTION 931c) of the statutes take effect on January 1,  
11 2007.”.

12 **1341.** Page 1608, line 19: after that line insert:

13 “(6g) FEES FOR TRANSACTIONS AT CUSTOMER BANK COMMUNICATIONS TERMINALS,  
14 REMOTE SERVICE UNITS OR REMOTE TERMINALS. The treatment of sections 186.113 (15)  
15 (a), 214.04 (21) (b), 215.13 (46) (a) 1. and 221.0303 (2) of the statutes takes effect on  
16 the first day of the 7th month beginning after publication.”.

17 **1342.** Page 1608, line 19: after that line insert:

18 “(2g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV  
19 of chapter 224 [precedes 224.90] of the statutes and the treatment of SECTION 9319  
20 (1g) of this act take effect on the first day of the 6th month beginning after  
21 publication.”.

22 **1343.** Page 1608, line 21: delete “EXECUTIVE BRANCH AGENCIES” and substitute  
23 “DEPARTMENT OF WORKFORCE DEVELOPMENT”.

24 **1344.** Page 1610, line 16: after that line insert:

1           “(13t) PERSONAL NEEDS ALLOWANCE. The treatment of section 49.45 (7) (a) of the  
2 statutes takes effect on January 1, 2001.”.

3           **1345.** Page 1610, line 16: after that line insert:

4           “(13m) CHILD ABUSE AND NEGLECT PREVENTION GRANTS. The treatment of sections  
5 46.515 (2), (3) (a) and (4) (a) 4m. and 49.175 (1) (ze) 10. of the statutes takes effect  
6 on July 1, 2000.”.

7           **1346.** Page 1610, line 16: after that line insert:

8           “(12m) GRANT FOR ST. CLARE HEALTH MISSION. The treatment of section 20.435  
9 (4) (gp) (by SECTION 377h) of the statutes takes effect on July 1, 2001.”.

10          **1347.** Page 1610, line 22: after that line insert:

11          “(3x) POINT-OF-SERVICE COVERAGE. The treatment of sections 40.05 (4) (ag) 2.,  
12 111.91 (2) (r) and 609.23 of the statutes and SECTION 9326 (3x) of this act take effect  
13 on the first day of the 6th month beginning after publication.”.

14          **1348.** Page 1611, line 25: delete “AQUATIC NUISANCE SPECIES.” and substitute  
15 “RECREATIONAL BOATING FUNDING; OTHER PROJECTS.”.

16          **1349.** Page 1612, line 5: delete lines 5 and 6.

17          **1350.** Page 1612, line 5: delete lines 5 and 6.

18          **1351.** Page 1613, line 3: after that line insert:

19          “(11m) RECYCLING AND ENVIRONMENTAL FEES. The treatment of sections 25.49 (3),  
20 289.645 and 289.67 (1) (cm) and (cp) of the statutes takes effect on the first day of the  
21 first month beginning after publication.”.

22          **1352.** Page 1613, line 3: after that line insert:

1 “(11n) STEWARDSHIP DEBT SERVICE. The repeal of section 20.370 (7) (au) of the  
2 statutes and the repeal and recreation of sections 20.370 (7) (aa) and 20.866 (1) (u)  
3 of the statutes take effect on July 1, 2001.”.

4 **1353.** Page 1613, line 23: delete lines 23 and 24.

5 **1354.** Page 1614, line 1: before that line insert:

6 “(6t) WHOLESale MERCHANT PLANTS. The treatment of sections 76.025 (2) and  
7 76.28 (1) (d), (e) (intro.) and (j) and (2) (a), (c), (d) and (e) of the statutes takes effect  
8 on January 1, 2000.”.

9 **1355.** Page 1614, line 1: before that line insert:

10 “(6w) USE TAX EXEMPTION FOR BOATS. The treatment of section 77.53 (17m) of the  
11 statutes takes effect on the first day of the 2nd month beginning after publication.”.

12 **1356.** Page 1614, line 5: after that line insert:

13 “(7g) VENDING MACHINE SALES. The treatment of section 77.54 (20) (c) 6. of the  
14 statutes takes effect on July 1, 2001.”.

15 **1357.** Page 1614, line 6: delete lines 6 to 14.

16 **1358.** Page 1614, line 14: after that line insert:

17 “(8c) RAILROAD TRACKS AND RIGHTS-OF-WAY. The treatment of section 77.54 (44)  
18 of the statutes takes effect on January 1, 2001.”.

19 **1359.** Page 1614, line 14: after that line insert:

20 “(8d) CIGARETTE TAX STAMP DISCOUNT. The treatment of section 139.32 (5) of the  
21 statutes takes effect on July 1, 2000.”.

22 **1360.** Page 1614, line 24: after that line insert:

1           “(2rs) INTERNET REFERRAL SYSTEM GRANTS. The repeal of section 20.380 (1) (c) of  
2 the statutes takes effect on July 1, 2001.”.

3           **1361.** Page 1615, line 10: delete that line and substitute “20.505 (3) (j), 25.40  
4 (1) (a) 19. and 341.14 (6r) (b) 1., 3. and 7., (f) 54.”.

5           **1362.** Page 1615, line 11: delete “(fm) 7. and (h)” and substitute “and (fm) 7.”.

6           **1363.** Page 1615, line 13: delete lines 13 and 14.

7           **1364.** Page 1615, line 14: after that line insert:

8           “(4c) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),  
9 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes and SECTION 9350  
10 (10d) of this act take effect on the first day of the first month beginning after  
11 publication.”.

12           **1365.** Page 1615, line 20: after that line insert:

13           “(1g) LAWTON MINORITY UNDERGRADUATE GRANTS. The treatment of section 20.285  
14 (4) (dd) of the statutes takes effect on July 1, 2000.”.

15           **1366.** Page 1617, line 6: after that line insert:

16           “(7yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

17           (a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION  
18 2002c), 120.13 (2) (g), 565.30 (5m), 632.897 (10) (a) 3., 767.045 (1) (a) 2. and (e),  
19 767.078 (1) (a) 1. and (2), 767.11 (12) (b), 767.115 (title) and (4), 767.23 (1) (a), (am),  
20 (c) and (k), 767.23 (1n), 767.24 (1) and (1m), 767.24 (2) (a), (am), (b) and (c), (4) (c)  
21 and (5) (intro.), (a), (cm), (dm), (em), (fm), (g) and (jm), 767.242, 767.25 (1) (intro.),  
22 (1m) (b) and (c), (4m) (b), (5) and (6) (intro.), 767.253, 767.254 (2) (intro.), 767.261  
23 (intro.), 767.265 (1) (by SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267 (1),  
24 767.29 (1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION 3065cf),

1 767.32 (1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m), 767.45  
2 (7), 767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5), (5d) and  
3 (5p), 767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d) 1. and 3.,  
4 808.075 (4) (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and  
5 amendment of section 767.24 (4) (a) of the statutes and the creation of section 767.24  
6 (4) (a) 3. of the statutes and SECTION 9357 (9y) of this act take effect on the first day  
7 of the 7th month beginning after publication.

8 (b) The treatment of section 767.303 (1) (by SECTION 3065cg) of the statutes  
9 takes effect on the date stated in the notice published by the secretary of  
10 transportation in the Wisconsin Administrative Register under section 85.515 of the  
11 statutes, or on May 1, 2000, whichever is earlier.”.

12 **1367.** Page 1617, line 16: after that line insert:

13 “(5g) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION. The creation of  
14 section 895.505 of the statutes takes effect on the first day of the 4th month beginning  
15 after publication.”.

16 **1368.** Page 1617, line 16: after that line insert:

17 “(6g) TALENT INCENTIVE GRANTS; WISCONSIN HIGHER EDUCATION GRANTS TO  
18 UNIVERSITY OF WISCONSIN SYSTEM STUDENTS. The treatment of section 20.235 (1) (fd)  
19 and (fe) of the statutes takes effect on July 1, 2000.”.

20

(END)